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Table of Contents

The Political Economy of Mozambique's Cabo Delgado Insurgency and its Impact on Southern Africa's Regional Security / Tinashe Sithole.....4

The Influence of Civil Society on Welfare Expansion in East Asia: A Comparative Study of Singapore and South Korea / Yeo Qin-Liang..... 30

Modelling the Collapsing University / Vaia Papanikolaou, Yiannis Roussakis, Panagiotis Tzionas 64

What are the Drivers of Constitutional Change in Turkey? / Özge Korkmaz Şahbaz 97

The Incompatibility of Moral Relativism and Brennan's Argument for Epistocracy / Donovan van der Haak 115

The Political Economy of Mozambique's Cabo Delgado Insurgency and its Impact on Southern Africa's Regional Security

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Abstract

This article investigates the political economy of Mozambique's Cabo Delgado insurgency and its implications on the regional security of the Southern Africa Development Community (SADC). The conflict in Cabo Delgado has drawn attention to the SADC's vulnerability to conflict, specifically with respect to Islamic extremism. Southern Africa has enjoyed relative peace in comparison to other regions on the continent, but studies on intrastate conflicts have indicated that conflict is likely to spill over into neighboring countries. Secondary data was used to analyze how natural resource governance practices have contributed to intrastate conflicts and how this has driven Islamic extremism and insurgent behavior in Mozambique. This study argues that the SADC must actively intervene by providing humanitarian and military assistance through training and deployment of military personnel to restore peace and security in Mozambique, and that the consequences of inaction have escalated the conflict, as illustrated by the humanitarian crisis. Unless the SADC deploys military personnel and training, there remains a risk of conflict spreading to vulnerable neighboring countries, consequently destabilizing the region.

Keywords

Greed and Grievances Theory; Natural Resource Governance Practices; Political Economy; Regional Security Complex Theory; Southern African Development Community

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Introduction

Since the turn of the 21st century, conflict dynamics and trends in Africa have generally evolved from interstate into intrastate conflict. Palik, Rustad and Methi (2020) highlight that in 2019 alone, 25 state-based conflicts were recorded in Cameroon, Burundi, Chad, Niger, Libya, Somalia, Ethiopia, Mali, and Mozambique. In essence, the common causes of state-based conflicts range from political contestations in post-electoral processes, failed transitions, ethno-religious cleavages, and polarization as well as grievances emanating from marginalization—factors which have ignited the most violent civil conflicts. Over the past decade, the proliferation of Islamic/jihadist extremism across Africa, fueled by other factors such as state fragility, poverty, and economic crises, has become the major driver of several conflicts in the African continent (Mroszczyk and Abrahms 2021, 3).

Since 2017, Mozambique has experienced the Islamic insurgency destabilizing the northern region of Cabo Delgado and potentially the whole country as well as the SADC region. A report by International Crisis Group Report (2021, 21) acknowledges that "since 2017, groups of fighters, often carrying black Islamic State (ISIS) flags and denouncing the state and the Frente de Libertação de Moçambique (FRELIMO) ruling party, have grown from small units targeting remote security posts into heavily equipped companies whose attacks threaten not only national stability but also international peace and security." While the insurgency has destabilized the northern region of Cabo Delgado, its dynamic reflects an even larger potential to destabilize the whole country, with wider implications for SADC regional security.

Considering that Northern Mozambique is known for its oil-rich land, the significance of resource endowment in fueling this conflict cannot be understated. Bissada (2020, 2) emphasizes that "the violence in Cabo Delgado erupted several years ago as companies discovered massive oil and gas deposits in the region." The above reinvigorates Auty's (1993) resource curse thesis, arguing that countries with large endowments of natural resources such as oil and gas perform worse in terms of economic development than countries having fewer resources (Auty 1993; Gary and Karl 2003; Ross 2012; William 2011). However, notwithstanding Auty's (1993) propositions in the resource curse thesis, other Middle East countries such as the United Arab Emirates, Qatar and Saudi Arabia have harnessed the full potential of natural resources such as oil, petroleum and liquefied natural gas to spearhead development and economic prosperity. In the absence of conflict, these resources have become the primary pillars of most oil and petroleum-rich Middle East countries.

In contrast, competition over natural resources in most African countries has often resulted in violent conflict. Various factors contribute to this phenomenon, including weak institutions that fail to distribute resources for the benefit of all citizens (Acemoglu and Robinson 2012). The conflict in Mozambique brings to light the challenges of natural resource governance practices, including those mentioned above. William (2011) observes that conflicts continue to be experienced in Africa dating back to the Cold War as there were proxy wars fought in the continent. According to Cusak (1995), civil conflicts have mostly been attributed to structural conditions in Africa's social, political, and economic facets. In the case of Mozambique, it can be noted that a constellation of forces ranging from poverty and economic exclusion to natural resource politics and state fragility have exacerbated the Cabo Delgado insurgency.

The conflict in Mozambique has been a cause of concern since 2015; it turned into mass killings and displacement of unarmed citizens (Bissada 2020). Combined with this factor is the nature of the insurgency espousing Islamic extremism in the North, East, and West Africa, and much of the Middle East. Studies on conflict in Mozambique have largely focused on the civil war between Resistência Nacional Moçambicana (RENAMO) and FRELIMO (Gabrita 2000; Hultman 2009). This study notes that, the Islamic insurgency presents a new threat to peace and security in the country as well as southern Africa. In view of the Islamic extremist affiliations of the insurgent forces, this paper explores the impact of the Cabo Delgado insurgency on SADC's regional security. Due to the ever-evolving dynamics and nature of the conflict in Mozambique, the study argues that the insurgency poses security challenges to the stability in the country and the whole region. According to the Humanitarian Program Cycle (HPC) report of 2021, since October 2017, an Islamic extremist armed group, known as Ahlu Sunna Wal-Jama (ASWJ), has been launching violent attacks on civilians, government forces and military installations in the northern province of Cabo Delgado. The insurgency attacks led to a humanitarian crisis with more than 400,000 internally displaced persons (HPC 2021). The group's activities have been concentrated on the coast of Cabo Delgado from Pemba city to the Tanzanian border.

The government's reaction to the conflict has been dismal, failing to protect civilians and stem increasing extra-judicial killings, rape as well as the kidnapping of women and children. Government forces have carried out vicious attacks against civilians accused of collaborating with or supporting Islamic insurgents (HPC 2021). Furthermore, reports have suggested that the Mozambican security response has further exacerbated human rights abuses in the region further fueling the conflict (Amnesty International 2021; HPC 2021). For instance, the HPC report mentioned above highlighted how government forces detained journalists who cover humanitarian events in Cabo Delgado. The report further states how government forces subjected civilians

suspected of supporting the group to searches, looting, and arbitrary detention (HPC 2021). The continued conflict in the northern province has caused further insecurity and displacement within Cabo Delgado and the neighboring provinces of Niassa and Nampula.

This paper argues that the nature and pattern of the conflict in Mozambique is not only a national threat but also a regional one, as evidenced by the displacement of people to other provinces and neighboring countries. There is hence the need for concerted regional efforts to stem the negative implications of the insurgency through enhanced security cooperation and mutual assistance. The lack of intervention led to the escalation of the conflict and humanitarian crisis. The paper's key question is: what role can the SADC play in maintaining regional stability? For this purpose, a critical analysis of the role of the SADC through a political economy[1] approach is provided with a view at better understanding the context, the distributional stakes and actors fueling the conflict itself. The political economy approach helps to explain the conflict's drivers and agents in Cabo Delgado and reveals the complex dynamics that have shaped the conflict as well as political and economic incentives to promote regional peace. Focus on the self-interests of political actors' sheds light on why the conflict has persisted despite the government efforts for conflict resolution at the state and regional level. Political economy literature such as Acemoglu, Johnson, and Robinson (2005) and Acemoglu and Robinson (2012) illustrates how economic, social disparities and resource control fuel conflict. These are comprehensive issues surrounding Mozambique insurgency. Given that the principles that have informed the SADC's regional peace and security architecture are predicated on mutual assistance and cooperation, this paper emphasizes the role of the SADC as an active player in conflict resolution through military and humanitarian assistance, as stemming from the principle of subsidiarity and complementarity.[2]

This study consists of six parts. The first section focuses on the theoretical framework of the study. This part articulates the regional security complexity theory and greed and grievance theory as well as their insights toward understanding the conflict in Mozambique and the implications towards regional peace and security. This is followed by the political economy interpretation of the Cabo Delgado insurgency. Secondly, an overview of intrastate conflict trends and causes in the region and a brief history of the Cabo Delgado insurgency in Mozambique follows. The third section reviews scholarly views on the factors driving the insurgency and its

[1] Political economy is a mode of analysis that examines how political power and economic resources are shared and distributed contexts and the contestations and contradictions associated with that process-structures, institutions, and agents.

[2] See Article 16 of the PSC Protocol relating to the establishment of the Peace and Security Council. It illustrates the relationship with Regional Mechanisms for Conflict Prevention, Management and Resolution. Also, see Memorandum of Understanding on Cooperation in the Area of Peace and Security between the African Union, the Regional Economic Communities and the Coordinating Mechanisms of the Regional Standby Brigades of Eastern and Northern Africa (2008). The African peace and security architecture recognizes the RECS in conflict resolution.

implications for Mozambique and SADC. The systematic reviews originate from relevant academic literature, reports published by international non-governmental organizations, grey literature, and anecdotal evidence from the media. After this, the study discusses the role of the SADC and the implication of the insurgency for regional stability. Lastly, conclusions and recommendations are discussed.

Theoretical Framework: Between Regional Security Complex Theory and Greed and Grievance Theory

Regional Security Complex Theory

For this study, this section focuses on the theoretical debates informing this analysis. Regional security complex theory (RSCT) explains the impact of intrastate conflicts on regional security (Buzan and Waever 2003). RSCT's underlying assumption is that tensions between countries are more profound amongst countries close in geographical terms. The lesser the geographical distance between countries, the greater the intensity of war upon the other state. According to Rummel (1976), contact is both a cause and perpetrator of violent conflict due to what Mupereki (2014) termed "spillovers." Africa provides various examples supporting this theory. For instance, the 2011 uprisings, known as the Arab Spring, spread from one country to another across the Maghreb region (i.e., Tunisia, Libya, and Egypt). Moreover, geographic proximity played a key role.

However, RSCT pays little attention to internal causes of conflict as it focuses more on the conflict on a regional level and less on a state level. Specifically, RSCT explains how civil wars have resulted in the region's underdevelopment and less on how these civil wars have come about in the first place. Thus, the theoretical assumptions are useful in illustrating the political, economic and security implications of the conflict in Cabo Delgado towards the SADC countries.

Keeping in mind RSCT's limitations in analyzing the internal causes of a conflict, this paper brings in greed and grievance theory (GGT), which focuses on the local situation and the local actors, to fill this gap. Stewart (2000) argues that "horizontal inequalities,"[3] such as inequalities in economic, social, or political dimensions or cultural status between cultural groups, are a powerful cause of civil wars. On one hand, Collier, Hoeffler and Rohner (2008) suggest the overwhelming

[3] See also Cederman, Weidmann, and Gleditsch (2011). Horizontal inequalities occur along several dimensions, including *economic dimensions*, which include income, land ownership and employment; *social dimensions*, such as access to health and education; *political dimensions*, encompassing control and participation in central and local government, as well as other sources of power such as the army; and lastly *cultural dimensions*, such as societal respect for a group's religious practices, language, or dress.

importance of economic agendas instead of grievances as causes of conflict. The emphasis here is that there is always an interdependent relationship between grievances and greed since there must be grievances for a conflict to erupt into violence and to be sustained. This is important in explaining the role played by Mozambique political elites' in causing the grievances that have led to the rise of Islamic insurgents. While Stewart (2000) emphasizes inequality and resulting grievances, Collier (2000) emphasizes the economic and criminal agendas of rebels as a motive behind the rebellion and civil war. For this analysis, there is increasing evidence suggesting that the presence of horizontal inequalities, or inequalities among groups, raises the risk of conflict (Cederman, Weidmann, and Gleditsch 2011). This is the central issue in Mozambique where the grievances have arisen due to the locals' lack of employment opportunities, income, and participation in the extractive industry. The grievance discourse is important in illustrating how and why access and control over resource triggered the conflict in Cabo Delgado between locals and the government.

Consequently, this study identifies grievances relating to the politics of resource appropriation and resource abundance as the fundamental causes of the Cabo Delgado insurgency. Altogether, the theoretical insights are important in understanding the rise of an Islamic insurgency from a local perspective. Social marginalization in Africa has often resulted in conflict over resources. In civil conflicts, people mobilize in groups. For understanding conflict, it is necessary to identify differences that are salient to people and thus may form the basis of mobilization. Particularly, the insurgents have exploited these grievances amongst the youth, such as the lack of income opportunities. On the one hand, the RSCT sheds light on the Mozambican conflict's regional security dilemma; on the other hand, the GGT helps explain the internal causes of the conflict, such as the lack of opportunities. Thus, this study establishes that, the grievance discourse yields more insight into the local causes of the conflict and the struggle for citizenship.

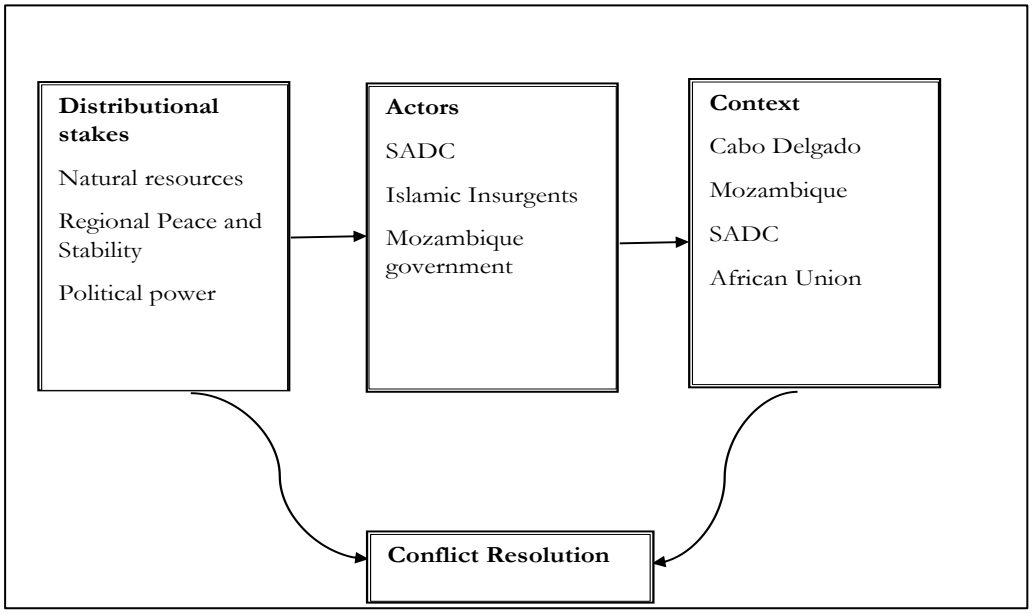
To address the causes and solutions to the conflict in Cabo Delgado, the study adopts the political economy approach to critically analyse the role the SADC can play towards conflict resolution. Political economy examines how political power and economic resources are shared and distributed between institutions and agents. Thus, actors, distributional stakes and context become central towards understanding conflict drivers and solutions to this conflict. The following section develops a conceptual framework for critically assessing the conflict in Cabo Delgado and what conflict resolution should entail.

Towards a Conceptual Framework

According to Dickson and Hussein (2018, 439), "a conceptual framework describes the relationship between the main concepts. It is arranged in a logical structure to provide a picture of how ideas in a study are related to each other." The framework makes it easier for the researcher to easily specify and define the concepts within the problem of the study. Miles and Huberman (1994) note that a conceptual framework showing the key variables to be studied and the presumed relationship between them can be graphical or narrative. Therefore, a conceptual framework is used when the existing theories are not sufficient in creating a firm structure of the study.

Specifically, this study adopts the political economy approach and focuses on the actors, distributional stakes, and context. To analyze the conflict more comprehensively, this study identifies actors, distributional stakes, and the context as important elements/variables fueling the conflict and important for conflict resolution. The actors this study identifies are the Mozambique government, the SADC, and the Al Sunna, which have interests in the conflict. Their interests are defined as distributional stakes, which entail political power, natural resource control and regional peace and security. Therefore, any attempts at conflict resolution should aim to be inclusive of these issues. Lastly, the SADC's regional context should also be considered as this conflict has political, economic and security implications for the region. Any conflict resolution attempts should consider the variables stated above. A diagrammatic representation of the conceptual framework for this study is given in Figure 1.

Figure 1: Conceptual framework on conflict resolution



Source: Author.

This paper makes the argument that the actors, distributional stakes, and the context shape the conflict. More specifically, natural resources and governance practices have shaped the nature of the conflict in Cabo Delgado. The following sections gives an overview of conflict trends and causes in the SADC region and history of the Cabo Delgado insurgency in Mozambique.

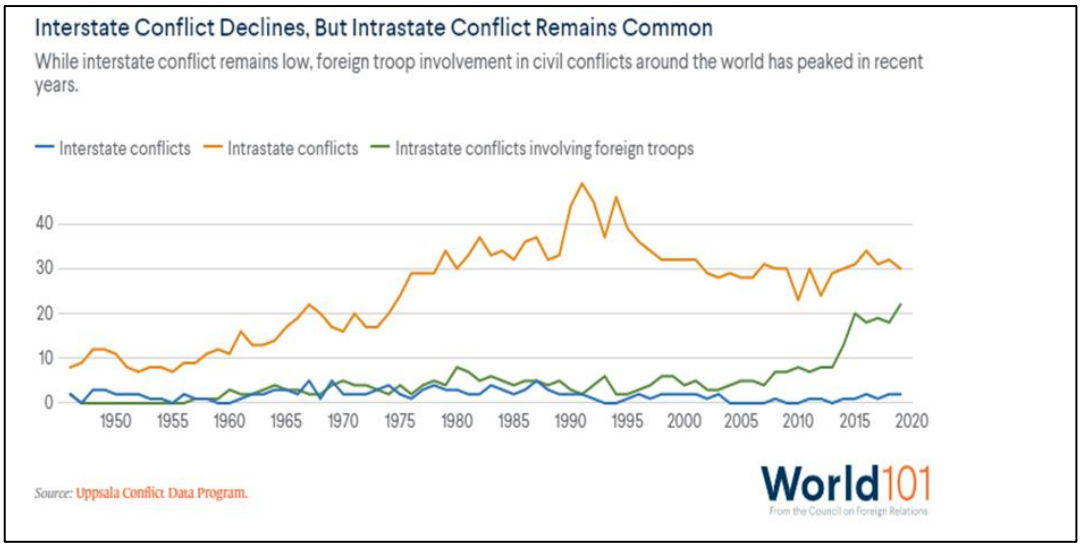
The Growth of Intrastate Conflicts in Africa: The Cabo Delgado Insurgency

Since the end of the Cold War, there has been increased intrastate conflict (Williams 2011, 4). Poverty in the Horn of Africa, terrorist groups in West Africa (Boko Haram in Nigeria) and East Africa (Al Shabab in Kenya and Somalia), corruption and maladministration of governments, ethnic marginalization as in the case of the Rwandan genocide of 1994, competition over natural resources have all been sources of intrastate conflicts in Africa (Uppsala Conflict Data Program – UCDP 2019). Moreover, in 2019, the UCDP found that the occurrence of intrastate conflicts between 2008 and 2016 drastically increased with causes ranging from competition over resources to seeking independence and control over the territory (UCDP 2019). Figure 2 shows that interstate conflict has remained relatively low, compared to intrastate or internationalized civil conflict. While it is more obvious than apparent that there is a significant rise in the number of intrastate conflicts, it is observed that since 2014, there has been a steady increase of intrastate conflicts involving foreign troops and mercenaries. Types of intrastate conflict include secession, succession (mainly election-related violence), resource-driven motives, and violence waged by criminal organizations such as terrorist groups. In light of these dynamics of conflicts in Africa, it can be reiterated that the primary factors necessitating the outbreak and continuity of conflict revolve around dissatisfaction with status quo government politics, issues of self-determination and terrorism, as well as state-sponsored corruption that has resulted in the economic marginalization and political disenfranchisement of key populations, resulting in violent conflict, often involving armed military and paramilitary acts of belligerence.

Characterized by diversely heterogenous identities, political systems and internal dynamics of governance, Africa is a vast and varied continent made up of countries with specific histories and geographical conditions and uneven levels of economic development. This also means that there are diverse and complex drivers of conflict. While some causes are purely internal and portray specific sub-regional dynamics, others have a significant international dimension. Notwithstanding these differences, African conflicts show several cross-cutting themes and experiences (Adedeji 1999, 364). Holsti (1991) acknowledges that there is no single cause of conflict in Africa. For Elbadawin and Sambanis (2000), social inequalities made more pronounced by Africa's underdevelopment, religious clashes leading to leadership issues, ethnicity, poverty,

identity politics, the control or access to valuable natural resources, authoritarian rule, the colonial ills that Africa adopted and influence from external state and non-state actors, have played a significant role in the insurgence of civil wars in Africa.

Figure 2: Conflict trends across the globe



Source: UPPSALA conflict Data Program (2019).

As a result, there is arguably no single deterministic cause of conflicts in Africa. For example, cases of ethnic clashes in Rwanda 1994 or the Sudan in 2003, oppressive authoritarian rule in the North African countries of Tunisia, Egypt and Libya, social inequalities in Nigeria, resource wars in the Democratic Republic of Congo (DRC) and the Niger delta, as well as social pressures due to an influx of refugees in Cameroon compounded by a history of colonial violence spilling into the independent state of Burundi have influenced the outburst of mass crimes against humanity in Africa (Elbadawin and Sambanis 2000). The above illustrates that combinatorial causation offers a convincing explanation of causes of intrastate conflict in Africa. William (2011) argues that post-colonial elites are greedy criminals robbing countries of their development. Such pervasive uneven development occurs between regions, instigating violent conflicts, for instance, in Mali in 2010 and in Ivory Coast in 2002. Where governments are dysfunctional and unable to provide and control their own people, Willems (2012) observes that a gap between the very rich and the very poor occurs, and there is bound to rise fractionalized and polarized societies. In some cases, the resource curse syndrome in instances where an increase in competition for oil and other precious resources in Africa by external and foreign actors who play a decisive role both in suppressing the conflict and sustaining it, has fueled the nature and course of African conflicts. Like most of the civil conflicts in Africa, the Cabo Delgado insurgency is characterized by a

complex interplay of exacerbating factors ranging from the involvement of foreign mercenaries to armed rival ethnic groups all vying for control of the provinces' natural resources. Altogether, with Mozambique already reeling from the years-long conflict between government forces and RENAMO rebels, heightened by poverty, dissatisfaction with the status quo and emergent Islamic extremism, it can be noted the country has been a powder keg waiting to explode.

Following that background, the conflict in Cabo Delgado exhibits most of the characteristics defining an intrastate conflict. This conflict has been mainly fought between the Mozambican security forces and the militants of the Islamic state attempting to establish an Islamic state in the Cabo Delgado region (Bissada 2020). The Islamic State (IS) is a global network of emerging international jihadist terrorist groups. This paper focuses on the branch in Mozambique that is responsible for the intrastate conflict in Cabo Delgado. The Islamic insurgents, mainly Ansar Al Sunna, have been the main agents of the conflict. Notably, religion has played a fundamental role in the conflict. For example, Ansar Al Sunna has recruited on promises of eradicating corruption through Islam (Bissada 2000). In addition to that, evidence also indicates that increasing inequalities and lack of opportunities have led young men to join the Islamic rebel groups. The grievance discourse posits that conflicts in the region are mainly a product of under-development. Triggers to conflict such as unequal distribution of wealth and income, marginalization of minority groups, poor governance of natural resources, denial of democratic rights and ethnic divisions have been caused by grievances (Stewart 2000).

Consequently, youth have been drawn into cycles of violence in the region. As much as this internal conflict has had a detrimental effect on Mozambique, shock waves have also been felt in the region. Since 2017, arguably, the conflict in Cabo Delgado has heightened the threat of terrorism to Southern Africa peace and security. An article by Fabricius (2020, 6) acknowledges that "the worry is that Mozambique insurgents might cross into countries due to porous borders." Calabrese (2012) holds that intrastate conflicts weaken countries and neighboring countries, and enemies of a country then take advantage of this situation for waging war.

Geographically, Mozambique is surrounded by six of 16 member countries of Southern Africa countries. These countries are Tanzania, Malawi, South Africa, Zambia, Eswatini, and Zimbabwe. If plunged into full-scale civil war, the consequences are bound to spill over in each direction as internally displaced persons are likely to flee to neighboring countries. Specifically, Tanzania's response to protect its southern border indicates the threat of this conflict is not only to confined to Southern Africa but also threatens East Africa. Given the challenges posed by porous borders, conflict can easily spread to other countries. Coupled with the threat posed by

Islamic insurgency, local, regional, and global networks intrastate conflict presents the biggest threat to the SADC region (Bøås, Osland, and Erstad 2019).

Causes and Impacts of the Insurgency in Mozambique and the SADC

The war of liberation in Mozambique began in 1964 and lasted for 10 years ending in 1974. After negotiations, the country got independence in 1975 (Cabrita 2000). However, peace did not last, and a civil war ensued from 1977, lasting for 16 years and culminated in a peace agreement. The war had pitted Mozambican ruling Marxist party FRELIMO (Portuguese Frente de Libertação de Moçambique) against the anti-Communist RENAMO (Portuguese: Resistência Nacional Moçambicana) which opposed FRELIMO attempt to establish a socialist on party state (Cabrita 2000). Although the peace agreement between RENAMO and FRELIMO was signed in 1992, only in 2017 a real commitment leading to the suspension of the hostility between the two political organizations took place. A history of violence and serious abuses of the population by the FRELIMO as government and by RENAMO as the opposition group has been documented in Mozambique (Hultman 2009). Hultman (2009, 821) notes, "somewhere between 600,000 and one million people died and mass violence was used for the purpose of coercing the civilian population into compliance."

The Northern region is a rich area with oil and gas and alluvial minerals. This sets the backdrop of the current development in the region. Mozambique is one of the poorest countries in the world, ranked 181 out of 187 in the 2017 UNDP Human Development Index (UNDP Human Development Report 2017). Its northern part is the most marginalized one. Firstly, there is massive poverty, and more than half of the population lives below poverty. Also, there is no governance in the North of the country, with the police and military forces often abusing their positions. Evidence suggests that they are harsh in their dealings with the local population (Amnesty International 2021). This not only created a sense of marginalization and alienation but also made it challenging to engage with the population cooperatively.

Along with social marginalization and poor governance, religious intolerance dominates the narrative behind the conflict in Cabo Delgado. The above discussion has highlighted the nature and extent of the threat posed by the Islamic state on peace and security (Alvi 2019; Lyman and Morrison 2004). The conflict in Mozambique is not a result of external influence. Rather, domestic grievances, which Stewart (2000) defines as horizontal inequalities, have led to the conflict. The idea that the insurgency in Cabo Delgado is part of a global jihadist movement has been given credibility by the militants who swore allegiance to IS in 2019 (BBC 2020). However, a circulated video from the Jihadist noted that "we occupy the town to show that the government of the day

is unfair. It humiliates the poor and give the profit to the bosses" (BBC 2020). Arguably the evolution of IS in Mozambique mirrors that of the emergence of Boko Haram, where the marginalized group exploited local grievances. The IS offers the unemployed youth an alternative path for employment as they have been neglected by the state and frustrated by the corrupt elite. What happened in northern Mozambique started in Mozambique. People did not come from outside of the country and started to ferment the uprising. The uprising started because of limited opportunity, marginalization, and alienation. The youth felt marginalized due to a lack of opportunities for the future. It rejected the existing religious context and started engaging in more criminal activities (Bissada 2020). The youth saw the opportunity to create opportunities for themselves by engaging in illicit activities, which formed the backdrop against which it became a more militant engagement. For example, ASWJ has facilitated smuggling and the free flow of people and goods in the region of Mocímboa da Praia and the Tanzanian border (Haysom 2018, 1). Illegal activities include heroin, human trafficking, mining, and illegal logging (Brincat 2020).

Conflicts once driven by local grievances in individual countries have become transnational in nature. The combatants on both sides of this conflict illustrate how a regional conflict is emerging in SADC. Brincat (2020) acknowledges that illicit funds allowed for the group's rapid expansion and transnational linkages to criminal syndicates and others in support of jihadism. Mobility across porous borders in the region continues to facilitate the growth of this group. From this background, preventing, managing, and resolving conflict should be a priority for the SADC. The initial response of the Mozambican government was to deny that there is anything of this nature happening in Mozambique (Bissada 2020). Its later response was extremely harsh, which aggravated the situation as it undermined the options available in terms of building capacity and relationships able to deal with the issue (Amnesty International 2021).

There is a definite possibility for this conflict to cross the border into southern Tanzania. Tanzania already responded very strongly and deployed military personnel to secure its southern border and prevent the conflict from spilling over into its territory (Fabricius 2020). There is also the argument that there are links that reach East Africa (i.e., Somalia and Kenya) in terms of the leaders in the radicalized groups. While it is not clear that the IS in Mozambique is a transnational terrorist organization, the conflict involves individuals trying to exploit the situation (Fabricius 2020).

Drivers of Conflict

The Mozambique government, SADC, and the IS are identified as the key actors in the conflict. While the role of international actors such as France and Russia are acknowledged,

debates about its role in conflict resolution fall outside the scope of this study. The actors identified have their own interests, such as distributional stakes that explain what they will lose or gain from the conflict. Brincat (2020, 2) acknowledges that the conflict is part of a "national struggle among the elites in Mozambique, for these mineral riches." The discovery of natural resources and control over them is a key factor influencing the government response. Shivji (1998) notes that, in post-colonial Africa, controlling natural resources represents the ultimate source of power. The government has responded violently, according to accounts, against the insurgencies at the same time involved in violent acts against citizens that it perceives support the IS. The IS has continued to exploit the grievances surrounding the discovery of gas and oil and widespread poverty in Cabo Delgado, the least developed province in Mozambique (Brincat 2020). Natural resources can alleviate poverty and contribute to economic development, which has not been the case. Lastly, context matters. From a regional perspective, securing peace and security is imperative for the Regional Economic Community. The mutual defense pact stipulates that "an armed attack against a state party shall be considered a threat to regional peace and security and such an attack shall be met with immediate collective action" (SADC 2003, 3) The lack of political will to resolve the conflict has inadvertently escalated the conflict and threat to regional stability. An article by PSC Report (2020) states that solidarity between former liberation movements is an obstacle to any meaningful engagement. In addition to that, President Filipe Nyusi has indicated that he does not want full intervention by the SADC because of sovereignty (Chingono 2021). The above issues have undermined the SADC conflict resolution. While the region has enjoyed relative peace, the threat posed by the Islamic state to the 'regions' stability cannot be understated. The instability that has resulted in West Africa and parts of East Africa is a telling precedent that shows the conflict has the potential to destabilize the SADC region.

The marginalization of peoples in the northern part of Mozambique dates to the independence in 1975. The region has been cut off from the rest of the country since colonial times and has been inhabited by foreigners. The North is rich in resources and remains the least developed province in Mozambique (Brincat 2020). In 2005/6, international oil companies discovered gas reserves. Nyoka (2020) notes that the government of Mozambique and the French company TotalEnergies signed the biggest energy deal in Africa worth billions. TotalEnergies was able to secure the largest share in the deals liquefication projects. Other MNCs involved include ExxonMobil of the United States and Italian oil and gas company Eni (Nyoka 2020). As far as security in the region is concerned, the government has often been preoccupied with protecting the business interests of the MNCs and never the security of people affected by conflict. This has influenced the perception with regards to elite corruption, further fueling the conflict. Like most

post-colonial Africa, the political and economic elites have exploited the circumstances at the expense of the wider populace. Lack of economic opportunities for the people in the region has pushed many to join the rebels. That economic gap between the northerners and the rest of the country has necessitated uprisings to redress that marginalization. This concurs with Khadiagala's (2018) study that identified social marginalization, bad governance, and political intolerance as a source of regional conflict in Africa.

Mozambique is situated in the south-eastern part of Africa and borders relatively peaceful countries. However, South Africa has challenges to secure its borders, with many migrants crossing the Limpopo province illegally. Illegal immigration periodically leads to xenophobic attacks in South Africa. Berman and Lombard (2008) Small Arms Survey observed that the conflict in the Central African Republic had increased because of porous borders the country shares with Sudan, South Sudan, the Democratic Republic of Congo, and Chad witnessing civil war insurgencies. Similarly, Ingerstad (2014, 2) concurs that people from Chad and Sudan (Darfur) had joined Central African rebel groups, which intensified the conflict in the Central African Republic. With Zimbabwe bordering its western border, the country faces dire economic challenges and high youth unemployment.

Besides the economic and social disparities and regional dimension, resource control adds up to the main conflict's drivers in the country. The region is rich in natural oil and gas. However, these resources have been accumulated and embezzled by a corrupt class of leaders. Specifically, the IS from the North recurred to arms in 2017 to take control of the oil fields. Evidence from the area suggests that lack of employment and social institutions in the North has triggered conflict in the region. Control over natural resources is a potential source of financial aid for the Islamic state and corrupt elites in the region. A study by Asfaw (2017) on the role of Intergovernmental Authority on Development (IGAD) in maintaining peace in the Darfur region found that resource appropriation and abundance lies at the heart of drivers of conflicts in Africa. She argued that if alienation exists within a country and because of the Hobbesian state of nature, according to which men are driven by self-fulfilling ambitions, a state of war will follow suit. Similarly, alienation of the northerners in the case of Cabo Delgado is a conflict driver. All in all, one can argue that combinatorial causation offers the most convincing explanation for the drivers of conflict in Cabo Delgado.

At least hundreds of civilians have been killed by the Islamic State-linked armed group ASWJ, the Mozambique government forces and the South African mercenary group Dyck Advisory Group (DAG) (Ahmed 2021). Amnesty International (2021) reported that these three

actors had committed war crimes in Cabo Delgado. These are characterized by indiscriminate killings which have resulted in more than half a million people being displaced (Ahmed 2021).

The pattern of violence by the Islamic militant group has resulted in the deliberate killing of civilians, burning of villages and towns, and commission of heinous acts of violence with machetes, including numerous beheadings and desecration of corpses (Amnesty International 2021). Evidence also shows that during attacks, teenagers are abducted, including both boys and girls (ibid). For example, it has been shown that some of these teenagers are beheaded and girls are taken as wives to work in the base. Similarly, in 2014 Boko Haram abducted 276 girls in a Chibok government schools which made international headlines (Diep 2019). The United Nations Council Resolution (UNSCR) 1820 (2008) recognizes the use of acts of sexual violence against women and girls as a tactic of war and an end to the impunity of the perpetrators. This shows that the pattern of violence amounts to war crimes. In addition to that, boys become soldiers. Consequently, most displaced youths constituting displaced young women, girls, and young men, have fled likely because of the threat of abduction, detention, rape, and forced marriage to Islamic insurgents (Amnesty International 2021).

Government forces have also carried out vicious attacks against civilians accused of collaborating with or supporting Islamic insurgents. Arguably, the violence can be characterized as state-sponsored violence. The state in Africa has often responded with violence against its citizens, as witnessed by events in Kenya 2008 and Zimbabwe 2018 post-election violence (Sithole 2020). In Mozambique, the military and the police committed extrajudicial executions and acts of torture and mutilated bodies. For example, three days after the initial attack on Quissanga, government security forces captured civilians they believed were supportive of Al-Shabaab (Amnesty International 2021). The government forces blindfolded and shot several men before dumping their bodies in a mass grave. In addition to that, government security forces took women to be raped at the nearby base they had set up, where they also detained, beat, and summarily executed more men (Amnesty International 2021). Article 4 (h) and (j) of the Constitutive Act recognizes the need for intervention into member states in case of crimes against humanity, such as war crimes and genocide. The extent, pattern and nature of violence that has persisted in Cabo Delgado, therefore, warrant humanitarian and military intervention.

Lastly, Ahmed (2021) notes that, after security forces lost several battles against the Islamic insurgents, the government hired the Dyck Advisory Group (DAG), a South African private military company, to fight on their behalf using armed helicopters. However, reports have suggested that DAG operatives have fired machine guns from helicopters, dropped hand grenades

indiscriminately into crowds of people, and repeatedly fired at civilian infrastructure, including hospitals, schools, and homes (Ahmed, 2021). For example, during an attack on the town of Mocímboa in June 2020, DAG helicopters destroyed a hospital as they aimed Islamic insurgents' fighters hiding inside the facility (Amnesty International, 2021). All these atrocities that have happened during the conflict are indisputably appalling. For instance, witnesses have highlighted indiscriminate violence, attacks on civilians and civilian infrastructure (Amnesty International 2021).

The nature, pattern, and extend of the conflict in Cabo Delgado has negatively impacted the livelihoods of millions of Mozambicans. The deliberate targeting of citizens has arguably resulted in war crimes and crimes against humanity and displacement of people. Against this background, the role of the SADC is imperative in resolving the conflict which risks spilling into neighboring countries. The following section discusses Islamic insurgency's threat to regional peace and security and its effects in Mozambique.

The Islamic Insurgency and Regional Security: Effects on Mozambique

Conflict in Cabo Delgado, Mozambique, mimics key tenets of violent extremist insurgencies, which suggest that the region now needs to reconsider the susceptibility of the region to acts of terror. Therefore, Islamic insurgency poses an international security threat to the region. Alvi (2019, 111) notes, "the Islamic State has strategically used Africa as a springboard for its global *jihadist*-based violence in the post-Cold war era." Southern Africa has been spared human rights violations propagated through acts of terror, unlike West and North Africa, which have had to deal with terror activities by groups such as Boko Haram, Al-Shabaab and multiple rebel groups. The Institute of Security Studies (ISS) (2020a) acknowledge that the Southern African region has never experienced terrorism of this scale in its post-colonial history. Due to the transnational reach of terrorist groups in the region and the extent of disruption they have managed to exert, the potential of spillover of conflicts of this nature to Tanzania, Malawi, South Africa, Zambia, Eswatini, and Zimbabwe is heightened. For instance, Fabricius (2020) identifies how porous borders can aid the insurgents to expand and grow their illicit networks with already existing sleeper ISIS cells in South Africa. Evidence has shown that the Islamic insurgents have been undertaking more sophisticated attacks and are expanding into new territory. Given the extent and nature of Islamic insurgency, intrastate conflict can easily spread to neighboring countries and destabilize the region.

The Islamic insurgents in Mozambique are still extremely *local organizations,* which is part of the reason why they have been so successful. They have local support from disgruntled local youths who join the ranks to fight for the cause. Thus, young individuals weigh up the cost and

the benefit of participating in rebellion and consider other opportunities to generate income (Collier, Hoeffler and Rohner 2008). As far as Mozambique is concerned, instability has been created not because of an external influence. Domestic issues and grievances, such as limited opportunity, marginalization, and alienation (horizontal inequalities), provided the ground for the uprising to emerge (Stewart 2000). For instance, the stagnant formal sector in Mozambique constricts employment opportunities for the few conventional jobs. Hence, higher levels of poverty and under-employment, due to the fewer productive opportunities and lower incomes have exacerbated the conflict. If the conflict in Cabo Delgado is left unchecked, it risks spreading into neighboring countries such as Zimbabwe, which faces similar social, political, and economic conditions as those mentioned above.

Overall, Mozambique exhibits challenges many of the post-colonial states in Africa have been facing, such as weak institutions and poor governance (Ross 2012). Similarly, countries that border Mozambique have similar characteristics as those mentioned above. Conflict could spread because of the close proximity. Evidence also shows that the Islamic insurgency thrives in areas where there is either a weak government or no government, thus allowing for a local conflict to arise. It is the authors view that Zimbabwe, Tanzania, and Malawi can easily harbor IS cells because of similar political and economic challenges. Incidences of violent terror groups such as the '*mashurugwi*' in Zimbabwe's informal extractive sector, is an indication of how social and economic issues in the country can result in the proliferation of the Islamic state cells within the country (Zimbabwe Morning Post 2020).

Particularly, conflict in Cabo Delgado has been exacerbated by the discovery of oil and gas reserves. Collier and Hoeffler's (2000) greed and grievance theory argues that conflicts are more likely to be caused by economic opportunities. Thus, the discovery of natural resources presented economic opportunities for locals who sought to benefit from natural resources. Perceptions of deprivation and government corruption led to clashes among locals and the government, which resulted in the conflict. Issa Shivji acknowledges that controlling natural resources represents the ultimate source of power (Shivji 1998). Similarly, Murombedzi (2016, 59) highlights that "the control of natural resources and access to them has underpinned processes of social stratification and class formation in Africa." Thus, the success of the *modus operandi* of the insurgents can serve as a blueprint for the proliferation of cells within the region, and the grievances that already exist can easily drive the youth into a cycle of violence. Evidence suggests that the youth have been manipulated into violent conflict and rebel activity to generate income (Chikwanha 2020, 9). From this background, the insurgency poses a security threat towards the region of Southern Africa.

The political implications of the conflict in Mozambique are that the current government has lost legitimacy in governing the region. This has far-reaching consequences to the government of Nyusi that is widely seen as corrupt ruling elite. Brincat (2020, 2) acknowledges that the conflict is part of a "national struggle among the elites in Mozambique, for these mineral riches." Failure to address the political issues will further destabilize the region where the larger population feel they have been neglected by the government. On the regional level, a political solution to the crisis is imperative and political players at the regional level need to engage with the political leaders in Mozambique to resolve the conflict. Failure to come up with any substantial solution has led to the escalation of conflict and internally displaced people. The insurgency attacks led to a humanitarian crisis with more than 400,000 internally displaced persons (HPC 2021). The United Nations High Commissioner for Refugees reported that, in June 2021 alone, Tanzania forcibly deported 1 270 Mozambican refugees fleeing the conflict (UNHCR 2020). Tanzania has continued to deport Mozambican nationals because of security concerns an indication of the reality of the security challenge the conflict poses to Tanzania internal stability.

Forced migration affects the host country's service delivery. In Zimbabwe, many people left for South Africa and because of the high numbers of incoming people, South Africa's service delivery suffered. Moreover, the locals blamed foreign nationals for the poor service delivery and the unavailability of jobs, leading to civil strife in the country (McKnight 2008). The forced displacement of peoples denies development opportunities to millions, creating a major obstacle to fight extreme poverty in the region. Unlike economic migrants who move to places where there are jobs, the forcibly displaced fleeing conflict and violence often suffer from a loss of assets, lack of legal rights and absence of opportunities. Forced migration contributes to under-development as the region loses human capital and infrastructure due to its security. Consequently, a humanitarian crisis has ensued in the Cabo Delgado. Reports in areas such as Macomia and Mocimboa have highlighted there are no sufficient resources to cater for affected people resulting in a humanitarian crisis. Nyoka (2020) identifies a lack of tents, low food supplies, sanitation issues, cholera, and malaria. Humanitarian agencies have also left the region because of the lack of security.

The above has focused on the implications of intrastate conflict on the region and on people suffering from diseases, poor social service delivery, economic downturns, and closure of trade routes. Such is of paramount importance to this research because regional security does mean not only the absence of war or the protection of the state's political independence and territorial integrity but also the safety and socioeconomic and political well-being of the inhabitants of such countries.

The SADC: Regional Attempts at Conflict Resolution

Despite the SADC summit held in May 2020 of the Troika of the Organ on Politics, Defence and Security that put Mozambique on the agenda, it concluded without an agreement on the SADC role (Moyo 2020). This paper's view is that the lack of the SADC's resolve because of the lack of Mozambique's consent for intervention inadvertently led to the conflict escalate. The SADC has legal frameworks for a military response which entail collective self-defence and military assistance (intervention by invitation). Lastly, United Nations Security Council (UNSC) approved military intervention.

Mozambican President Filipe Nyusi has indicated that he does not want full intervention by the SADC because of sovereignty issues (Chingono 2021). However, reports have suggested that Mozambique requested direct intervention from Zimbabwe and private military contractors (Chingono 2021). Historically, when the question of intervention comes to the fore, leaders of countries cling to the principle of sovereignty[4] to the detriment of their citizens. Leaders can only claim sovereignty when they work to protect their citizens from catastrophes and respect their rights. When a leader fails to uphold the rights of the citizens and his duties to them, the leader cannot lay claim to sovereignty which is assumed by the international community. Is this not Mozambique right now? Article 11 (3)(e) of the SADC Protocol on Politics, Defence and Security Co-Operation states that "… military threats to the Region shall be addressed through collective security arrangements to be agreed upon in a Mutual Defence Pact among the State Parties." This places the SADC at the fore of any intervention efforts to stop the conflict in Cabo Delgado. The SADC has demonstrated capacity for military intervention, most notably in the DRC (1998) and Lesotho (1998, 2017). Military intervention is dependent upon whether Mozambique will consent, but it has not indicated that willingness. Mozambique's reluctance and lack of political will to let the SADC intervene has undermined conflict resolution efforts risking insurgencies that will destabilise the whole region. Therefore, the question arises*: what is the legality of an SADC military intervention without Mozambique's consent*?

[4] State sovereignty has both internal and external qualities. Internally, sovereignty means that a state has the right to regulate and preside over matters obtaining in its territory. Externally, state sovereignty means that the state recognises no supreme authority. The concept of sovereignty as responsibility denotes that sovereignty no longer refers to the right of a government to regulate internal behaviour and recognition of no other supreme authority outside its borders, but that a state can only claim sovereignty if it upholds its duties to protect its citizens in line with internationally recognised human rights and humanitarian norms. In the event of a failure, such a state must abrogate its claims of sovereignty voluntarily to the international community by seeking international assistance (Asuelime and Kondlo 2018, 122).

The principle of subsidiarity and complementarity[5] highlights that the African Union (AU) should be involved only after the SADC has failed to resolve this matter (Memorandum of Understanding 2008). Nonetheless, the pace at which the conflict has continued to escalate shows that they must intervene in a way that will secure the peace in the Cabo Delgado, Mozambique, and SADC. The current security challenge in Cabo Delgado requires SADC and its member states to ask the AU to intervene to restore peace and security. Through the principle of subsidiarity and complementarity, the provisions of the AU constitutive act 4(j) allows the SADC to ask the AU to intervene to restore peace and security. However, the AU cannot intervene if SADC has not required it to do so. Notably, this complex relationship can either undermine or enhance conflict resolution efforts. The use of preventive diplomacy efforts, mediation, peace support operations, peacekeeping, peacebuilding and post-conflict reconstruction and development efforts has situated the SADC at the forefront of peace processes in the region. The reality further necessitates the role of the SADC in conflict intervention that insurgency in Cabo Delgado provides a setback to regional development and can impact beyond the region. However, it is important to note that any intervention heavily relies on the SADC. The SADC's instruments, such as the Mutual Defense Pact, oblige it to come to the aid of Mozambique (ISS 2020b). For example, Article 6(1) of the SADC Mutual Defence Pact stipulates that, "an armed attack against a state party shall be considered a threat to regional peace and security and such an attack shall be met with immediate collection action" (SADC 2003, 3). While Mozambique's consent remains integral to this strategy, it is the view of this paper that SADC can use other strategies such as approaching the AU as the conflict already threatens peace and security in the region. Also, SADC can negotiate with the Mozambique government the terms and conditions of such an intervention. Moreover, the reality is that collaboration, cooperation, and concerted efforts are critical in resolving the violence in Cabo Delgado.

What options are left for the SADC? Bissada (2020) notes that the SADC had a slow initial response to the conflict in Mozambique, highlighting a domestic issue. Despite the SADC summit in May 2020 that put Mozambique on the agenda, it concluded without an agreement on the role of the SADC (Moyo 2020). A study by Ndinga-Muvumba and Pharaoh (2008, 19) highlights that the reality of limited financial and human resources has undermined the implementation of the numerous and ambitious activities outlined by the SADC in peace and security. Another issue they

[5] See Article 16 of the PSC Protocol relating to the establishment of the peace and security council. It illustrates the relationship with Regional Mechanisms for Conflict Prevention, Management and Resolution. Memorandum of Understanding on Cooperation in the Area of Peace and Security between the African Union, the Regional Economic Communities and the Coordinating Mechanisms of the Regional Standby Brigades of Eastern and Northern Africa. 2008.

identify is that "southern African states are still grappling with identifying and defining common threats facing the sub-region therefore, SADC member states should explicitly identify and define common threats to southern Africa" (Muvumba and Pharaoh 2008, 19-20). Despite Mozambique requesting assistance and support from SADC members as stipulated under Article 11, the SADC requested Mozambique to prepare a roadmap to address the conflict (Government of South Africa 2020). This puts into perspective the issue of political will from the regional leaders to deal with the conflict.

All in all, the Cabo Delgado conflict provides an example of a conflict that has not only regional and transboundary dimensions and impact but also requires regional efforts towards sustainably resolving it. Thus, the conflict, particularly its intractability, has numerous risks for neighboring countries and the region due to the negative consequences from unstable conflict spillovers. Given these conditions it is argued here that the SADC must intervene.

Summary and Contribution

The paper attempted to illustrate how the political economy approach helps to explain the conflict's drivers and agents behind the insurgency in Cabo Delgado. Political economy helps to explain the complex dynamics that have shaped the nature of conflict in the region as well as incentives towards promoting regional peace. Thus, it becomes clear why the conflict has persisted despite the government efforts for conflict resolution at the state and regional level. Delayed SADC humanitarian and military assistance through training and deployment of military personnel to restore peace and security in Mozambique escalated the conflict, as witnessed by the worsening humanitarian crisis. The grievance discourse demonstrated that the conflict in the region is mainly a product of the Mozambican political economy of under-development. Triggers to conflict such as unequal distribution of wealth and income, marginalization of minority groups, poor governance of natural resources, denial of democratic rights and Islamic insurgency have been caused by grievances. The study identified these comprehensive issues surrounding the Cabo Delgado conflict, specifically how natural resource governance practices and control over natural resources has been exploited by the insurgents. The study argued that due to the ever-evolving dynamics and nature of the conflict in Mozambique, the insurgency poses security challenges to the stability in the country and the whole region.

The success of the SADC's conflict resolution in Mozambique hinges on the participation and inclusion of actors and their distributional stakes and the context. This opportunity is provided through the SADC conflict resolution mechanisms such as mediation, peace support operations, peacekeeping, peacebuilding, and post-conflict reconstruction. The legal frameworks

give a legal basis for the SADC to intervene with consent from the member state as stipulated. In instances where a member state is unwilling to give consent, the SADC can approach AU, which through the constitutive Act 4(j) allows it to militarily intervene under such circumstances present in Mozambique. The SADC can negotiate with the Mozambique government the terms and conditions of such an intervention. The above illustrates that the SADC has the legal basis for military and humanitarian intervention in the Mozambique Cabo Delgado conflict.

Conflict resolution efforts should be inclusive of the actors who are the Mozambique government, IS and the SADC. As agents in the conflict, their interests are not only drivers of the conflict but are important factors in ending the conflict. Context matters. In Cabo Delgado, a humanitarian crisis requires an intervention that will also secure the human security of the affected citizens. Humanitarian efforts are essential to help alleviate poverty and neglect in Cabo Delgado in the short and long term. The SADC must lead a comprehensive approach that targets both the insurgency and its destabilizing effects, as well as the conflict's broader causes.

Military intervention can stop conflict and secure borders so that conflict will not spillover to the region. These efforts should aim to uphold human rights and effective border policing to quell illicit activities such as the drug trade that fund the IS. In addition, these efforts should aim at re-establishing the rule of law and good governance. Military intervention will ensure the protection of citizens who have experienced targeted violence from the Mozambique security forces and IS insurgents. Post conflict reconstruction Mozambique should focus on building inclusive institutions that benefit the citizens. Inclusionary governance mechanisms remain an essential process in minimising violent conflict. Arguably the conflict is a culmination of bad governance, social marginalization and political intolerance that has characterized much of post-colonial Mozambique. This has contributed to conflict, and the rise and consequence of Islamic terrorism in West Africa have illustrated the challenges of governance in post-colonial Africa.

Therefore, the SADC must actively intervene and provide military and humanitarian aid to prevent the conflict plunging the whole Southern Africa region into conflict. While the legality of the SADC's intervention relies on Mozambique's consent, the SADC can negotiate with the Mozambique government the terms and conditions of such an intervention. The conflict resolution proposed above will likely result in lasting peace and avoid conflict spilling into the region. Future research should focus on gender and children's rights as it is worth noting that the conflict in Mozambique is relatively new and still emerging compared to other conflicts on the continent.

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The Influence of Civil Society on Welfare Expansion in East Asia: A Comparative Study of Singapore and South Korea

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Abstract

East Asian countries are often characterized as productivist welfare states whose social policies are subordinated to economic growth. However, in the past decade, public pressure for welfare expansion (or welfarism) has built up across all East Asian countries – including China, Japan, South Korea, Taiwan, and Singapore. Therefore, this paper asks: How has pro-welfare civil society influenced welfare expansion in East Asia over the past decade? Addressing this research question will help fill the theoretical gap on the relationship between contemporary pro-welfare civil society activism and welfare state expansion in East Asian countries. I address this theoretical gap by devising the New Power Approach which argues that pro-welfare civil society is the main driver of welfare expansions when the incumbent government is conservative. By implication, the stronger the pro-welfare civil society in generating political impetus for reforms, the greater the extent of welfare expansion in the country with a conservative government.

Keywords

Civil Society; East Asia; Political Economy of Welfare; Welfare Expansion

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Introduction

East Asian countries – including China, Japan, South Korea, Taiwan, and Singapore – are often characterized as *productivist* welfare states whose social policies are subordinated to economic growth (Holliday 2000). Other aspects of their welfare states follow from this basis: citizens' social rights and entitlements are minimal with some extensions linked to productive activity; the position of capital is reinforced in the stratification of society; and citizens are heavily dependent upon their families and the market for social protection. However, over the past decade, pro-welfare civil societies have been pressuring East Asian governments to expand their welfare policies. The rise in precarious work arrangements, slower growth of real wages, and ageing populations imply that the income of many workers is no longer enough to finance health, education, and housing expenditure for them and their family members (Lee and Qian 2017). As such, pro-welfare civil societies have been advocating for *protective* social policies that safeguard people's finances from future risks – like sickness, maternity, injury, old age, or the death of a family's breadwinner – which may cause a substantial reduction in earnings or unemployment (Low 2002).

Therefore, this paper asks: how has pro-welfare civil society influenced welfare expansion in East Asia over the past decade? Formally, I define pro-welfare civil society as the subset of civil society – the arena outside of the family, the state, and the market – that is created by individual and collective actions to advance the expansion of welfare policies. It encompasses formal organizations that follow explicit rules, procedures, and strategies to champion welfare expansion, as well as informal groups that are more ad-hoc, and loosely structured around social networks and a shared belief in welfarism. Formal and informal pro-welfare civil society organizations (CSOs) often operate in unison during moments of public outcries over social inequalities and poverty. Together, they advance the expansion of welfare policies in terms of their depth and breadth. Here, depth refers to the total amount of social expenditure, while breadth refers to the portion of the population that benefits from welfare spending.

Addressing this research question brings about two key contributions. Firstly, it fills the theoretical gap on the relationship between contemporary pro-welfare civil society activism and welfare state expansion in East Asian countries. The main school of thoughts explaining welfare state expansion exclude pro-welfare civil societies from their analysis, despite its significance in influencing welfare reforms in the recent decade. Secondly, understanding the extent of pro-welfare civil societies' influence on welfare expansion, as well as their pathways of influence, may help observers forecast the trajectory of contemporary welfare reforms in East Asian countries.

I argue that pro-welfare civil society is the main driver of welfare expansions when the incumbent government is conservative. This is because conservative governments actively resist

welfare expansions and needs to be coerced or persuaded into enacting pro-welfare reforms. In contrast, progressive governments might enact such reforms regardless of the existence of a strong pro-welfare civil society. By implication, the stronger the pro-welfare civil society in generating political impetus for reforms, the greater the extent of welfare expansion in the country with a conservative government. I term this theory as the New Power Approach (NPA) because it is an extension of the Power Resource Approach (PRA) pioneered by Korpi (1983), Esping-Anderson (1989), and Stephens (1979). Rather than focusing on the working class, the NPA centers pro-welfare civil society as the main defender and proponent of welfarism in contemporary times. It elucidates the interactions between pro-welfare civil society, political parties, bureaucrats, and employers; and maps the process through which pro-welfare civil society drives welfare expansions.

I derive the NPA through a most similar systems design (MSSD) case-study of Singapore and South Korea. By minimizing extraneous variance from other key factors driving welfare expansion, MSSD enables us to assess the causal impact of pro-welfare civil society. Singapore and South Korea were selected because both countries demonstrate similarity across most relevant extraneous variables.

This paper begins by providing an overview of the main school of thoughts on welfare expansion and highlighting the theoretical gap on the relationship between civil society and welfare reforms. Next, I elaborate upon the core tenets of the NPA in describing the process to which pro-welfare civil society drives welfare expansion. Finally, I compare between pro-welfare civil society activism in Singapore and South Korea over the past decade and illustrate how stronger activism in South Korea has led to more welfare expansion.

Literature Review

Theories of Welfare Politics

Theories explaining variations in welfare regimes across countries center around four political actors: the working class, political parties, bureaucrats, and employers. The Power Resource Approach (PRA) contends that the strength of class mobilization and class coalitions determines the trajectory of welfare state development. It begins with the observation that labor commodification is a core process in contemporary capitalist societies. This process results in the formation of a working class whose livelihoods rely on the sale of their labor power, or sustained employment throughout their life course (Esping-Anderson 1989). Crucially, their employment is constantly threatened by social risks that are conditioned by societal structures – for example, work accidents, skills redundancy, sickness and old age. To insure themselves against these risks, the

working class become the champions of welfare state expansion (Korpi 1983). However, PRA notes that welfare expansions are often resisted by capitalists who stand to lose their economic privileges. Because workers typically have less bargaining power than the capitalists in these conflicts, their success depends on the collective mobilization of their power resources (Korpi and Palme 2003). According to PRA, labor unions play a central role here because they develop the repertories of collective action and accumulate the resources necessary to enact them (Korpi 1978). Workers are also dependent on partners who would join them in their political struggle for more social justice and equality (Przeworski and Sprague 1986). Therefore, PRA argues that the strength of class mobilization and class coalitions determines the trajectory of welfare state development.

PRA is complemented by partisan politics theories which emphasize the role and impact of political parties on the generosity of welfare regimes. Traditional partisan theories view parties as representatives of social constituencies and bearers of clear ideological stances for social-democratic or conservative welfare policies. They assume that left control of the government will lead to social-democratic welfare regimes (Huber and Stephens 2001). By contrast, the "new school" of partisan politics deviate from the assumptions of the traditional theories in three important ways. Firstly, it maintains that post-industrial socio-structural changes have altered the electoral constituencies of parties and hence their policy preferences (Allan and Scruggs 2004). Secondly, it argues that the policy preferences of parties depend on their interaction with competing parties too. Lastly, it examines that parties may choose to mobilize voters along clientelist lines, subverting expectations of the policies they advocate. Therefore, analyses of the policy preferences of parties must consider their electoral constituencies, dynamics of party competition and electoral strategies.

In response to PRA and partisan theories, scholars have argued for "bringing the state back" into the studies of welfare states (Rueschemeyer and Skocpol 1996; Skocpol 1996). State-centered theories find that bureaucrats exercise a significant degree of power and autonomy in advancing welfare state expansion. Bureaucrats commit to doing so for several reasons. From a mercantilist perspective, the state institutes social policy to explicitly facilitate industrialization (Pierson 2004). Similarly, neo-Marxists argue that the state implements welfare policies to sustainably maintain capitalist industrialized economies (Mishra 1984). In contrast, public choice theorists suggest that bureaucrats seek the expansion of welfare policies to enlarge the size and budget of their bureaus in enriching their careers (Buchanan and Tullock 1977).

The employer-centered approach further challenges the PRA. It contends that while employers are often antagonists and rarely open proponents of welfare state expansion, they do support specific social policies (Swenson 2002). In particular, Varieties of Capitalism (VoC)

scholars propose a distinction between coordinate market economies (CME) and liberal market economies (LME) (Hall and Soskice 2001). In CMEs, firms rely on workers with specialized skills that are tied to their company or industry. Firms here hence support complementary social policies targeted at facilitating individual investment into specialized vocational training and education. Whereas in LMEs, employers rely on a mobile workforce with general skillsets and thus prefer a residual welfare state regime (Hall and Soskice 2001).

Overall, pro-welfare civil society is largely absent from the main school of thoughts that explain welfare expansion. The PRA positions the working class and the trade unions that represent them as the key protagonists of welfare expansion, but they are – in contemporary times – only part of the broader pro-welfare civil society. Other civic actors including CSOs, influential advocates, and ordinary citizens across socio-economic statuses have become integral to initiating and shaping the trajectory of welfare expansion across East Asian countries. Identifying this theoretical gap, scholars have recently begun to theorize the relationship between pro-welfare civil society activism and welfare expansion.

Civil Society's Influence on Welfare Expansion in East Asia

Kim (2015) and Lee and Kim (2019) are both notable works that examine the influence of pro-welfare civil society on recent welfare reforms in East Asia, albeit from different theoretical perspectives. Kim (2015) proposes that pro-welfare CSOs can be roughly categorized into two groups: service-oriented CSOs that focus on providing social services to the vulnerable, and advocacy-oriented CSOs that prioritize research, campaigns, and dialogues on issues of inequality and poverty. She argues that a stronger presence of advocacy-oriented CSOs lead to more welfare expansion. In contrast, Lee and Kim (2019) argue that pro-welfare CSOs have become important actors – alongside trade unions – in driving welfare expansion. In particular, they demonstrate that solidarity networks among CSOs, as well as the strategic coalitions between CSOs and political elites, are important power resources for CSOs.

There are several limitations with both analyses. Firstly, both papers are narrow in their conceptualization of pro-welfare civil society. They only consider formally organized CSOs and hence overlooked the significance of informal CSOs and network movements in pro-welfare activism. As Shin (2020) demonstrates, civil society has extended beyond cultural elites and organized activists to encompass a huge number of ordinary citizens, who communicate and interact through decentralized social networks. Secondly, both papers neglect the importance of culture in shaping the strength and strategies of pro-welfare CSOs. Civil activism involves the cultivation of a collective identity based upon a common cause and foundational symbols (Melucci

1995). These collective identities then not only constitute the movement motivation, but also emergent structures and mechanisms, and the movement trajectory and outcome (Broadbent 2011). Thirdly, both papers fall short of theorizing and elucidating the process through which pro-welfare civil society drives welfare expansion. Understanding this process requires us to go beyond studying the strength of pro-welfare CSOs, to appreciate the strategies that CSOs utilize to generate political pressure and how the influence of CSOs are mediated or amplified by political parties, bureaucrats, and employers. Given the limitations of existing theories, I devised the New Power Approach (NPA) to fill the theoretical gap on the relationship between pro-welfare civil society and welfare expansion in East Asia over the past decade.

The New Power Approach

This section presents the New Power Approach (NPA) as a theory on the influence of pro-welfare civil society on welfare expansion in East Asia over the past decade. I demonstrate that the NPA is an extension and revision of the PRA, and consists of four propositions which I explore below.

NPA's first proposition is that pro-welfare civil societies are the main defenders and protagonists of welfare expansion. This stance broadens PRA's focus on the working class, trade unions, and class coalitions. NPA concurs with PRA that class cleavages remain politically salient in East Asian societies (London 2018). However, NPA argues that the social composition of pro-welfare movements has well expanded beyond the working class. It now includes a variety of formal CSOs who are dedicated to promoting pro-welfare reforms, such as think tanks and research centers, media outlets, social service agencies, and advocacy groups; and informal CSOs built around a shared belief in welfarism and the social networks of cultural elites, social activists, and ordinary citizens across socioeconomic statuses (Shin 2020). The work of formal and informal CSOs are often intertwined and complementary to one another. Together, they develop the repertoire of collective action, devise policy solutions, and galvanize the political impetus for pro-welfare reforms.

NPA's second proposition is that the strength of pro-welfare civil societies (in generating the political impetus for welfare expansion) varies across East Asian countries and time according to three key factors: welfare attitudes, social networks, and civil liberties. Welfare attitudes refer to the general public sentiment towards welfare expansion. It is a product of the intersection of identities, interests, ideas, and emotions, and is fundamentally a socio-political construction that is fluid and constantly negotiated by societal members. This view corresponds with findings that welfare attitudes are driven by individual characteristics such as economic class, political affiliation,

and job type (Bailey et al. 2013), as well as societal and political trends (Wang et al. 2013; Svallfors 2011). Significantly, the dominance of conservative sentiments erodes public support for pro-welfare activism and hence weakens the political pressure on governments to expand their welfare policies, or worse, encourages the retrenchment of welfare (Ng 2015).

Social network, the second factor, refers to the social relationships that enhance the capabilities and/or influence of pro-welfare civil societies. These relationships include the solidarity networks among domestic and international CSOs, ties between bureaucrats and CSOs, alliances between political parties and CSOs, and affiliation between members of the public and CSOs (Lee and Kim 2019). They are always governed by cultural norms of conduct, and may sometimes be formally institutionalized through written agreements and rules. In other words, social networks are socio-political constructs formed through negotiations between CSOs and other societal stakeholders. Crucially, social networks are a power resource for CSOs. They provide pro-welfare CSOs with moral legitimacy, access to other forms of resources (such as knowledge, skills, manpower, and material), a direct pathway to influencing social policy, and a means of activating mass support for social movements (Lee and Kim 2019). This insight stems from the original power resources model developed by Korpi (1983) and Epsing-Anderson (1999), which stresses the importance of the strength of class mobilization and class coalitions in advancing the development of welfare states. Therefore, pro-welfare civil societies are more able to generate political pressure for welfare expansion when their social networks are stronger.

The third factor, civil liberties, refers to the freedoms of citizens to exercise customary rights (as of speech or assembly) without unwarranted or arbitrary interference by their government (Britannica 2020). The extent of civil liberties accorded to citizens differ across the East Asian countries, and reflect the political culture that govern state-society relations in each country. Significantly, pro-welfare activists benefit from more civil liberties because it affords them more opportunities to advocate and convert members of society to their cause (Hsiao 2018). In turn, the more political pressure that pro-welfare civil societies can apply on the incumbent government, the greater the likelihood of pro-welfare reforms (Baum 2011; Canaes-Wrong 2015).

NPA's third proposition is that pro-welfare civil society may generate significant political impetus for politicians and bureaucrats to implement pro-welfare reforms. Pro-welfare civil societies may adopt an array of advocacy activities, such as coalition building, public engagement and mobilization, information campaigning, policy monitoring, demonstration projects, litigation, and direct engagement with politicians and bureaucrats (Gen and Wright 2020). The feasibilities, risks, and outcomes of each advocacy activity will depend on the capabilities of the CSO undertaking it, as well as the political opportunities available to the CSO. If successful in their

advocacy, CSOs may (re)shape the public discourse on issues of social welfare to gain support for pro-welfare reforms and transform it into a key policy agenda. This places pressure upon politicians and bureaucrats, especially those who are hostile towards government welfare programs, to enact pro-welfare reforms or risk losing favor among the public (Hausermann et al. 2013). At the same time, the advocacy of CSOs may genuinely convince politicians and bureaucrats of the necessity of pro-welfare reforms (Gen and Wright 2020). This adds to the political impetus for the government to expand their welfare programs.

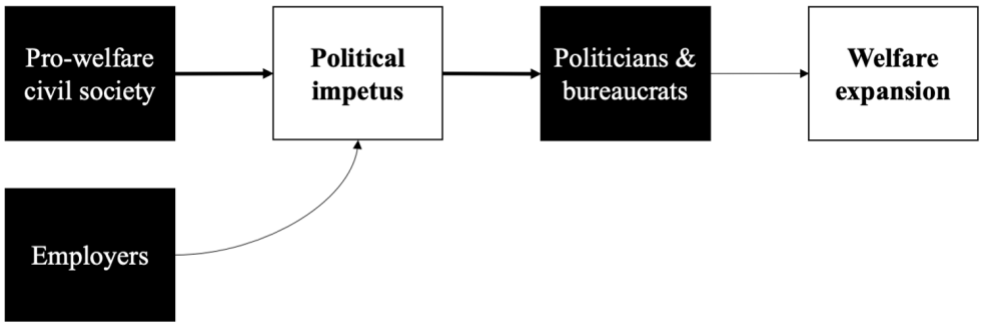
Critically, the strength of pro-welfare civil society determines the extent to which it can create political impetus for pro-welfare reforms. The more support that CSOs can muster and mobilize, the higher the likelihood that politicians will feel compelled to implement pro-welfare reforms to preserve or enhance their popularity (Hausermann et al. 2013). Furthermore, the greater the intensity of popular appeal, the more likely that politicians and bureaucrats would be persuaded of the need for such reforms (Shin 2020).

NPA's fourth proposition is that the political impetus created by pro-welfare civil society does not directly lead to actual reforms. It can be resisted or leveraged by politicians and bureaucrats according to their agendas. This is because the authority to implement welfare policies ultimately lies in the hands of the government, consisting of elected politicians and bureaucrats, rather than civil society. On the one hand, *conservative* government officials can resist and dampen public demands for pro-welfare reforms. They can challenge the political discourse of pro-welfare civil society by problematizing the expansion of government welfare (Richards-Gray 2018; Grewig et al. 2020). A common rhetoric is that welfare expansion would discourage benefit recipients from working, while placing a larger tax burden upon taxpayers to finance the programs (Richards-Gray 2018; Grewig et al. 2020). *Conservative* government officials may also shape policy proposals to reduce welfare spending, or at least limit welfare expansions, to the extent that their electoral popularity is threatened (Abou-Chadi and Immergut 2019). On the other hand, *progressive* politicians and bureaucrats who favor welfare expansions play a critical role in creating the political momentum for actual reforms. They extend the political impetus generated by pro-welfare civil society by tabling and advancing pro-welfare reforms on the policy agenda of governments.

Significantly then, the extent to which pro-welfare civil society can translate their political impetus into actual welfare reforms depends on the support of politicians and bureaucrats, especially the incumbent government. After all, the incumbent government is principally responsible for the formulation and implementation of pro-welfare reforms. In turn, the extent to which the incumbent government distains (or favors) pro-welfare reforms is heavily contingent upon the ideology of its leadership, party competition dynamics, and its electoral strategy

(Hausermann et al. 2013). It must also balance popular demand for pro-welfare reforms with the interests of employers who are selective about the social policies that they support (Hall and Soskice 2001).

Figure 1: New Power Approach (NPA)



Source: Author.

Figure 1 connects and illustrates the four propositions. Overall, NPA argues that pro-welfare civil society is the main driver of welfare expansions when the incumbent government is conservative. By implication, the stronger the pro-welfare civil society in generating political impetus for reforms, the greater the extent of welfare expansion in the country with a conservative government.

Research Design

This paper applies the MSSD in comparing the extent of welfare expansion between Singapore and South Korea from 2010 to 2017. I select the MSSD for three reasons. One reason is that, as I elaborate later, Singapore and South Korea display considerable similarity across all relevant extraneous variables. By minimizing extraneous variance from other factors, MSSD enables us to elucidate how the strength of pro-welfare civil society affects the extent of welfare expansion in both countries. Specifically, I demonstrate that a stronger pro-welfare civil society led to more welfare expansion in South Korea than in Singapore. The MSSD comparison is outlined in Table 1. The shaded cells indicate the key independent variable (strength of pro-welfare civil society) and the dependent variable (extent of welfare expansion). Another reason is a MSSD comparative case study allows us to detail the circumstances in which pro-welfare civil society drives welfare expansion. A third reason is that robust quantitative data on the key independent variable and the dependent variable in East Asian countries are largely unavailable. This alone makes the MSSD comparative case study more feasible than a quantitative study.

Table 1: MSSD Comparison Between Singapore and South Korea (2010-2017)

Country	Strength of pro-welfare civil society	Incumbent government	Bureaucrats	Employers	Level of social expenditure	Level of social protection	Extent of welfare expansion
Singapore	Weak	Conservative	Considerable influence in policymaking	Mixed-market economy	Low	Moderatre	Low
South Korea	Moderate						Moderate

Source: Author.

Having clarified the rationale of using the MSSD, I now move to demonstrate the suitability of Singapore and South Korea as case studies for the comparison. Firstly, we can eliminate the proposition that differences in the nature of the incumbent government – i.e., pro-welfare or conservative – explain the differences in the extent of welfare expansion in both countries. This is because the incumbent government in both countries were conservative from 2010 to 2017. In Singapore, the conservative People's Action Party (PAP) held a supermajority in parliament. Similarly, in South Korea, President Lee Myung-bak (2008-2013) and President Park Geun-hye (2013-2017) were both from the Saenuri Party (formerly the Grand National Party), which is widely recognized as conservative. Secondly, we can reject the proposition that differences in the capacity and power of bureaucrats can explain why welfare expansion was greater in South Korean than Singapore. This is because the bureaucracy in both countries are rather similar in their roles in welfare policymaking. They both command strong institutional resources afforded by historical legacies of the developmental state and are generally effective at developing and implementing welfare policies but largely remain subordinate to the policy objectives of the executive branch (Ringen et al. 2011; Jones 2016). Third, we can dismiss the proposition that differences in the form of capitalism and the role of employers have led to more welfare expansion in South Korea than Singapore. This is because Singapore and South Korea are both broadly recognized as mixed-market economies (MME), which combine features of CMEs and LMEs, because they utilize a mix of state coordination and market institutions to drive economic development (Hundt and Uttam 2017). Following the VoC theory, we can expect both governments to commit towards providing considerable social protection for employees (Hall and Gingerich 2009). Lastly, we can reject the hypothesis that differences in the level of social expenditure and social protection led to more welfare expansion in South Korea than Singapore. The logic is that the lower the level of social expenditure and protection, the easier it is for governments to pursue and register a larger expansion of welfare policies. In both Singapore and South Korea, as I detail later, the level of social expenditure and social protection remains modest

(Ministry of Finance Singapore 2020; OECD 2020), and hence cannot explain their differences in the extent of welfare expansion from 2010 to 2017.

One notable difference between Singapore and South Korea is the state of democracy in each country. In the Polity IV index, Singapore is recognized as a "closed anocracy" in which one party, the PAP, has maintained parliamentary supermajority since the country's independence in 1965 (Marshall and Gurr 2020). In contrast, South Korea is considered a "democracy" because it features regular rotations of power and robust political pluralism (Marshall and Gurr 2020). Significantly, this hints at the presence of more intense party competition in South Korea than in Singapore. The intensity of party competition is often associated with higher levels of social spending by parties across the political spectrum in contemporary times, as parties attempt to appeal to their voter base (Abou-Chadi and Immergut 2019). However, upon deeper investigation, I argue that this broad difference in the type of democracy is not relevant to understanding why welfare expansion was greater in South Korea than Singapore. This is because dominant ruling parties in autocratic regimes – like their counterparts in democratic regimes – are responsive to negative electoral shocks. Specifically, negative electoral shocks to ruling parties is associated with an increase in social welfare spending following elections (Miller 2015). Just as the conservative Saenuri Party experienced intense electoral competition with the Democratic Party of Korea in the 2012 Presidential and Legislative Elections (Gajdos and Bendini 2013), the PAP returned to power with the smallest margin of popular votes since Singapore's independence in the 2011 General Election (Elections Department Singapore 2011). In short, the incumbent government in both Singapore and South Korea faced considerable electoral competition to increase social welfare spending.

Crucially too, differences in the extent of civil liberties enjoyed by citizens in Singapore and South Korea, which partially stems from the type of democracy practiced in each country, is already captured in the key independent variable – the strength of pro-welfare civil society. As such, the broad difference in the type of democracy is not relevant to their comparison. Then, having shown that Singapore and South Korea display similarity across all relevant extraneous variables, we can confidently apply the MSSD in comparing both cases.

Singapore

Weak Pro-Welfare Civil Society

Between 2010 and 2017, Singapore had a weak pro-welfare civil society because of the dominance of conservative welfare attitudes among the public, limited social networks among pro-welfare CSOs and with the state, and restricted civil liberties for social activism. Qualitative and

quantitative surveys on the welfare attitudes of Singaporeans revealed that most believed in the necessity of expanding welfare provision to better help the poor, but only to the extent that it promoted self-reliance and meritocracy in Singaporean society (Chong and Ng 2017; Institute of Policy Studies 2013; Matthew and Ng 2016; Ng 2015). Time-series data is unavailable because each of these surveys were conducted independently; they nonetheless provide insights into the conservative attitude of Singaporeans then. The Institute of Policy Studies (2013) found that 45% of Singaporeans favored more welfare provisions, yet only 33% were willing to pay higher taxes to fund it. Similarly, Ng (2015) showed that 64% of Singaporeans supported an increase in welfare expenditure, though only 40% were willing to pay higher taxes for it.

While these quantitative findings present mixed results on the preferences of Singaporeans, available qualitative studies more decisively demonstrate Singaporeans' wariness towards welfare expansion. According to a survey by Chong and Ng (2017), supporters of welfare expansion generally believed in limited forms of reforms that were consistent with the Singaporean government's anti-welfarist discourse. That is, they believed in limiting welfare provisions to encourage citizens to take personal responsibility in generating sufficient income through formal employment to provide for themselves and their dependents, relying on family members if one was unable to work. In their view, the state was the supporter of last resort (Chong and Ng 2017). Matthew and Ng (2016) further confirmed this finding through their qualitative survey on the working poor in Singapore. Even those who are the most supportive of welfare expansion in earlier quantitative surveys generally believed that welfare recipients should be encouraged to work and family members should remain the primary social safety net rather than the government. In short, Singaporeans generally favored very limited forms of welfare expansions that were aligned with the incumbent government's anti-welfarist rhetoric.

Crucially too, pro-welfare civil society in Singapore was weak because its CSOs had been unable to develop strong social networks. This is evident from two key indicators. One indicator is that CSOs rarely engaged or collaborated on research and advocacy activities to advance pro-welfare reforms (Tan 2010). The deliberate channeling of state and private funding towards the provision of social services, as opposed to advocacy and research activities, incentivizes CSOs to focus on delivering social services often in isolation or in competition with their counterparts (Chong 2005). As such, few CSOs command the necessary financial resources to carry out research and advocacy. Hence, there exists little grounds of solidarity among the CSOs over welfare issues and policies.

Another indicator is that CSOs largely remain disengaged from bureaucrats and politicians in the policymaking processes. Bureaucrats and politicians are sometimes compelled to work with

CSOs to implement social policies and programs, especially when these CSOs have the expertise and ground connections that the bureaucracy lacks (Chua 2014; Hong 2017). However, for the most part, policymaking remains a technocratic exercise confined within the walls of the bureaucracy. Politicians and bureaucrats define what issues are available for dialogue, controls who gets access to opportunities for collaboration, shapes the form and extent of that access (Rodan and Jayasuriya 2007).

The weakness of pro-welfare civil society in Singapore is further compounded by the pervasiveness of formal and informal restrictions on civil liberties. Formal restrictions are utilized to inhibit political dissent and collective organization (Bal 2015). Some key legislations include the Societies Act, which requires "societies" of ten or more persons to be approved; the Public Order Act, which require individuals and organizations to have state-issued permits for protest activities; the Trade Union Ordinance, which empowers the state to deregister or to reject the registration of unions; and the Newspaper and Printing Presses Act, which enables the state to control the appointment of the management board of local media outlets. Informal restrictions also hindered political dissent and collective mobilization by pro-welfare CSOs in Singapore. As Chua (2014) describes, there exists an obscure and unwritten code of conduct for CSOs involved in advocacy, especially when speaking out against the government. These CSOs and activists must avoid direct confrontation with the state, make narrow claims that appeal to the value of social stability and avoid claims to greater rights, ensure the legality of their public actions, and protect the international image of Singapore. A failure to adhere to this dance of "pragmatic resistance" may evoke extraordinary repression including hefty lawsuits, exclusion from state funding, and loss of employment or promotion opportunities in state-linked institutions such as think tanks and state-owned enterprises (Abdullah 2020; Chua 2014). Yet, in adhering to the dance of "pragmatic resistance," CSOs find themselves dampening their creativity into a form of routinization of strategy and repression that culminates into self-regulating their actions according to accepted and expected norms (Chua 2014). In essence, CSOs either practise self-censorship and blunt their advocacy or risk surviving at all.

Limited Political Impetus for Welfare Expansion

Having discussed the fundamental weaknesses of pro-welfare civil society in Singapore, I will now elaborate how it led to the limited success of pro-welfare activism in creating political impetus for change between 2010 and 2017. For analytical clarity, I distinguish between two broad forms of pro-welfare activism – protests and non-protest – and evaluate their ineffectiveness independently.

I begin by discussing the limited success of protests in driving pro-welfare reforms. Table 2 lists out all protests that propagated some form of welfare expansion, occurred between 2010 and 2017, and were covered by local or foreign mainstream media outlets. A couple of key points are salient from Table 2. Firstly, pro-welfare protests were fairly infrequent in Singapore. Secondly, only a small segment of Singaporeans participated in these protests. Together, these two points reveal that the protests had limited appeal among the wider population. This can, in part, be explained by the fundamental weaknesses of pro-welfare civil society in Singapore. For starters, while Singaporeans favoured welfare expansions in these protests, the reforms demanded remain poorly articulated and conservative. Moreover, the organizers behind these protests lacked strong social networks with established CSOs and credible political elites (Goh and Pang 2016). The latter group largely distanced themselves from these protests as part of their broader strategy of avoiding direct confrontation with the state (Sim 2015). As a result, these protests generally faded out of existence without much impact on the policy discourse of pro-welfare reforms.

Table 2: List of public demonstrations in Singapore from 2010-2017

S/N	Public demonstration	Date	No. of participants	Source
1	White Paper Protests	Feb 2013	4000	Hodal 2013
		May 2013	4000	Chang 2013
		Oct 2013	1000	Chang 2013
		May 2014	350	Xu 2015
2	Return Our CPF Protests	Jun 2014	2000	Aripin 2014
		Jul 2014	Unknown	Yong 2014
		Aug 2014	Unknown	Chen 2014
3	Water Hike Protest	Mar 2017	100	Yong 2017

Source: Author.

This can be illustrated with the Population White Paper Protests (2013-2014), of which the February session is widely recognized as the biggest protest in Singapore since its independence. The protests centered on the opposition towards the government's plans to allow more immigration to increase the population size to 6.9 million by 2030, with foreigners making up 45% of that number, and the variety of welfare issues associated with it: the rising cost of living,

deepening income inequality, and job insecurity among locals (BBC 2013). Notably, the series of protests did not seek to pursue deep pro-welfare reforms but was fixated with tightening immigration flows. This is remarkable because it reflects the implicit acceptance of most Singaporeans over the existing welfare regime – excessive immigration, and not the limited welfare regime, was perceived to be the main issue. Moreover, the Population White Paper Protests were mainly organized by the activist Gilbert Goh, who belonged to the fringe opposition and was unaffiliated to any well-established CSOs (Vasu 2014). As such, there lacked a strong network of CSOs to support and strengthen demands for pro-welfare reforms at the protests. Crucially, as the government took measures to tighten foreign workers inflows, support for the protests – and the demands for broader pro-welfare reforms associated with it – dissipated almost completely by 2014 (Agence France-Presse 2014).

At the same time, non-protest forms of welfare activism had limited success in creating political impetus for pro-welfare reforms. For analytical clarity, such efforts can be categorized into those occurring on the domestic and international stage. Domestically, pro-welfare CSOs and activists produced critical commentaries and research that challenged the dominant policy discourse of anti-welfarism. Notable works include prominent economists Linda Lim and Lee Soo Ann's (2010) academic publication which criticized the PAP government for exacerbating income inequality through its staid policies; former senior civil servant Tan Jee Say's (2011) policy document which ignited much debate on the implementation of minimum wages during the 2011 election; and Donald Low and Sudhir Vadaketh's (2014) book which called for stronger welfare support in Singapore. Importantly too, CSOs and activists organized and participated in public dialogues where they advocated for pro-welfare reforms. In particular, the advocacy of prominent establishment figures – such as former chairman of the National Wage Council (NWC) Lim Chong Yah and Ambassador-at-large Tommy Koh – against the PAP government's anti-welfarist principles and policies captured the headlines of mainstream media (Rahim 2015). These CSOs and activists not only reflected public grievances, but also fueled them by highlighting the flaws in the socio-economic policies of the PAP government.

However, such domestic efforts had limited success at generating political impetus for pro-welfare reforms. As explained later, the PAP government introduced several piecemeal initiatives that do not substantially alleviate the economic pressures of the working poor (Rahim 2015). Again, this can be attributed to the fundamental weaknesses of pro-welfare civil society in Singapore. CSOs and activists rarely have social networks with bureaucrats or political elites, who could bring their concerns and suggestions into the policy discourse within the bureaucracy (George 2020). This creates the oft-mentioned perception that the Singaporean government

remains isolated and distanced from conversations on the ground (George 2020). Furthermore, opportunities for non-protest forms of welfare activism remained restricted too. As George (2021) writes, individuals who participate in activism risk becoming blacklisted or greylisted by the government. That is, the state's security apparatus would open files on individuals containing observations that they would never have a chance to see or counter; and word would get around within the bureaucracy that these individuals might be "controversial." Once on the blacklist or greylist, it is common for activists to be shut out of employment in the public sector, which includes the think tanks, institutions of higher learnings, bureaucracies, and more (George 2021). Furthermore, these activists become shunned from Singapore's mainstream media, which in effect mutes pro-welfare activism and amplifies dogma (George 2021). Consequently, pro-welfare activists either practise self-censorship in their activism to remain friendly to the government, or risk becoming "cancelled" by the government.

Pro-welfare activism on the international stage did not generate much political impetus either. One of the most important form of pro-welfare activism on the international stage occurs at the United Nations' (UN) review of the implementation of UN conventions, which are legally-binding international agreements that set out the social entitlements of certain vulnerable populations. At these reviews, the UN will evaluate the progress of countries at implementing the Conventions by engaging the civil society (and government) of each countries to each produce a report, and later provide recommendations for improvements. Significantly, this opens up space for civil society to advocate for pro-welfare reforms through the UN. Between 2010 and 2017, the UN began conducting reviews on two conventions: the Convention for the Elimination of All Forms of Discrimination against Women (CEDAW) and the Convention for the Rights of Persons with Disabilities (CRPD).

While Singapore's civil society had participated in the review of the CEDAW and CRPD, little political impetus for pro-welfare reforms was created. This can be explained by the fundamental weakness of pro-welfare civil society again. Social networks among CSOs were weak – few participated in the review of the Conventions, especially as many were primarily focused on the provision of social services rather than advocacy and concerned about repercussions from the government for participating in the review. For instance, in the 2017 review of CEDAW, a coalition of 13 CSOs submitted a joint report, while 47 other CSOs declined to participate in the review (Toh 2017). In the 2019 review of CRPD, only one CSO submitted a solo report while all other CSOS in the disability sector chose to abstain from the review (Disabled People's Association 2019). Furthermore, while the civil society should have remained independent in its reports on the Conventions, there was considerable interference by the Singapore government –

such as reviewing initial drafts – to ensure the report remained friendly to them. This shows how limitations on civil liberties impeded pro-welfare activism in Singapore.

Limited Welfare Expansion

Whatever limited political impetus created by civil society was further dampened by the incumbent government's resistance towards pro-welfare reforms. In particular, the PAP government has been effective at co-opting the narratives of pro-welfare activism to promote their conservative stance. Stemming from the self-realization that it has overextended itself in the management of society, the PAP government deliberately permits and encourages civil society to initiate and sustain discussions of civic concerns but attempts to either control or mold them to suit its agenda (Birch and Phillips 2003). It hence responds to pro-welfare activism in three ways. Firstly, it cooperates with pro-welfare activists to galvanize political support for the reforms that it favors, to understand the situation on the ground, and to implement new policies or programmes (which it then takes credit for). In these instances, pro-welfare CSOs become co-opted as "junior partners" to the state (Chua 2003).

Secondly, the PAP government justifies the productivist limits of its welfare reforms by appealing to Singaporeans' belief in meritocracy. It reiterates its social policy objectives in supporting Singaporeans to become self-reliant and economically productive, rather than making them immune from market dependency. It argues that such policies accord dignity to welfare beneficiaries, discourage free-riding on taxpayers' monies, and respect the merits of talented and hardworking Singaporeans (Zulkifli 2021). Thirdly, it consistently and convincingly promotes the notion that the state has provided sufficient welfare to Singaporeans through their parliamentary speeches, government campaigns, news reports and social media. Even critical-minded Singaporeans would have difficulties looking beyond the rosy picture portrayed by the PAP government (Teo 2018).

Ultimately, the limits of pro-welfare activism are evident from the modest increase in Singapore's social expenditure as a percentage of GDP over the past decade. While the PAP government has almost doubled their social expenditure from $17 billion in Financial Year (FY) 2010 to $31 billion in FY2019 (Ministry of Finance Singapore 2020), this marks only a 1.2-point increase in social expenditure as a percentage of GDP from 7.1% to 8.3%. (Annual data on Singapore's social expenditure is unavailable as the government does not publish them.) Singapore's size of social expenditure hence remains significantly lower than Organization for Economic Co-operation and Development (OECD) countries which averaged 20% in 2019 (OECD 2020).

The PAP government often justifies its low social spending by pointing to Singapore's remarkably high performance in income, education, and health. It ranks 11th globally in the 2019 United Nations Development Program's Human Development Index (UNDP 2020). Its students also ranked second overall in the OECD's PISA test in 2018 (OECD 2018a). However, beyond these broad-based indicators, little is known about the detailed performance of the Singapore's welfare system. Information on common indicators of welfare performance – including insurance replacement rates, coverage of benefits, beneficiary incidence, benefit levels and distributional effects – remains inaccessible to researchers, even though they might provide a more nuance picture of Singapore's successes. For instance, OECD (2018b) estimates that net pension replacement rates for a median income earner in Singapore is 58.6%, which is well below the World Bank's (1994) recommendation of 78% to ensure that seniors can maintain their lifestyle in their old age. Therefore, it might be presumptuous to justify Singapore's low social spending on its performance on broad-based indicators such as the HDI and PISA.

The inefficacy of pro-welfare activism is further reflected by the limited transformation of the logic and principles of welfare in Singapore. Here, two features of recent welfare reforms need to be explored. Firstly, the Central Provident Fund (CPF) continues to play the central role in financing social expenditure in Singapore (Lee and Qian 2017). The CPF is a mandatory savings system wherein a proportion of an individual's income from formal employment is deposited into his or her individual account monthly, with matching contributions from the employer. It fulfils the state's vision of ensuring that individuals are ultimately responsible for their own housing, healthcare and retirement needs through sustained employment.

Secondly, increases in direct spending on citizens have been largely limited and conditional on specific behaviors or demographics, rather than universal (Teo 2015). Low-income citizens must stay employed to benefit from wage subsidies under the enhanced workfare schemes, and to gain full access to available subsidies for childcare (ECDA 2021). Enhanced healthcare subsidies have been distributed according to age-cohorts: the Merdeka Generation born between 1950 and 1959, and the Pioneer Generation born before 1950. Social assistance, or ComCare, are mostly made available only to households with per capita income below $650 on a modest and short-term basis (Ministry of Social and Family Development Singapore 2021). Exceptions to this trend are the introduction of a universal health insurance MediShield Life in 2015 and national disability insurance CareShield Life in 2020 as the state aims to defray rising healthcare expenditures by relying on more risk-pooling among citizens (Ministry of Health Singapore 2020). Even here, however, citizens are expected to be self-reliant in financing the insurance premiums. Premium

subsidies are given only to citizens who cannot finance them independently or through family members, and after a stringent application and assessment processes (Hansard 2021).

Overall, owing to its weaknesses, pro-welfare civil society has been unable to create the political impetus for significant welfare expansion in Singapore. This is reflected in the limited growth of social expenditure (as a percentage of GDP) and the persistence of productivist principles underlying the PAP government's welfare policies.

South Korea

Contentious Pro-Welfare Civil Society

South Korea (herein after Korea) has a strong pro-welfare civil society because of the presence of popular support for welfare expansion, extensive social networks among CSOs and connections to state actors, and robust civil liberties for social activism. In the past decade, the majority of Koreans have consistently supported welfare expansions although demonstrating some reluctance to contribute more taxes to fund them. This is most evident from the Surveys on Welfare Perception (SWP) that is conducted every three years within the Korea Welfare Panel Surveys (KoWEPS) and constitutes the only nationally representative database on welfare attitudes in Korea. Table 2 draws upon the SWP of 2010, 2013 and 2016 to analyze longitudinal trends in the level of support for an increase in government spending across nine welfare policies and for higher taxes to fund them (KoWEPS 2017). All socioeconomic classes generally favor some welfare expansion across the nine areas of welfare in all years, as reflected by their mean scores being moderately greater than the median of three, with low-income Koreans consistently being the most supportive. However, support for increases in taxes to fund welfare expansions is generally lackluster. The 2016 Survey registered a mean score of 2.9, which is slightly below the median level. Lim (2018) explains that such mixed attitudes mainly result from Koreans' perception that the existing system of risk pooling is unfair. The upper-middle and upper classes think they pay more taxes than others with similar economic capacity. Furthermore, Koreans' trust in the tax system has been hampered by repeated allegations of a waste of taxpayers' money to government corruption and mismanagement. Hence, Koreans believe that the government should be able to offer more generous protection without collecting more taxes from them and have become more reluctant to increase their contributions. Ultimately, the SWP reflects that Koreans hold pro-welfare attitudes which are moderated by perceptions of unfairness in their risk-pooling system.

Table 2: Average Scores of the Variables of Welfare Attitude on Five-Point Scales from 2010 to 2016

Policy	Income	2010		2013		2016	
		Mean	s.d	Mean	s.d	Mean	s.d
Health insurance	All	4.6	9.03	3.5	0.79	3.4	0.84
	Middle	4.5	9.11	3.5	0.81	3.4	0.86
	Low	4.6	8.68	3.6	0.68	3.4	0.69
Public pension	All	4.6	9.07	3.4	0.88	3.2	0.80
	Middle	4.6	9.16	3.4	0.89	3.2	0.82
	Low	4.6	8.69	3.6	0.79	3.2	0.69
Unemployment insurance	All	4.5	9.05	3.4	0.75	3.3	0.85
	Middle	4.5	9.13	3.4	0.76	3.3	0.87
	Low	4.6	8.71	3.6	0.70	3.3	0.71
Support for the poor	All	4.7	9.04	3.6	0.71	3.4	0.85
	Middle	4.7	9.12	3.6	0.71	3.3	0.86
	Low	4.7	8.69	3.7	0.72	3.5	0.83
Support for the elderly	All	4.6	9.02	3.5	0.73	3.3	0.88
	Middle	4.6	9.11	3.5	0.74	3.3	0.89
	Low	4.6	8.67	3.7	0.63	3.5	0.79
Support for people with disabilities	All	4.7	9.21	3.8	0.64	3.7	0.83
	Middle	4.7	9.10	3.8	0.65	3.7	0.85
	Low	4.8	9.75	3.9	0.56	3.7	0.73
Support for families with children	All	4.8	9.01	3.4	0.89	3.4	0.88
	Middle	4.8	9.09	3.4	0.89	3.5	0.90
	Low	4.7	8.66	3.5	0.88	3.4	0.67
Support for higher taxes to increase welfare	All	3.1	1.07	3.2	0.94	2.9	0.93
	Middle	3.1	1.07	3.2	0.93	2.9	0.95
	Low	3.2	1.04	3.3	0.98	2.9	0.83

Source: KoWEPS (2017).

The pro-welfare sentiments of Koreans are activated through the extensive layers of social networks among CSOs and their connections to state actors. Firstly, institutionalized CSOs have developed a tradition of forging strong inter-organizational ties among themselves to advocate for pro-welfare reforms. This tradition emerged from the confrontational oppression-resistance relationship between the civil society and state during Korea's democratization between the 1970s to 1990s. In spearheading democratic and welfare reforms, CSOs achieved more success in mobilizing the masses by relying on more moderate and institutionalized means of action and seeking the participation of a broader spectrum of citizens. This led to the formation of *simin undong*, or citizens' movements, that emphasized the development of inter-organizational ties to unify and coordinate the goals and strategies of different CSOs, so as to amplify the impact of their advocacy (Shin 2020). Secondly, ordinary citizens and communities are loosely connected through informal activism networks that have been critical to the emergence and spread of spontaneous and decentralized collective actions which Castells (2015) terms as "networked social movements". A new form of protest in Korea called *chotbuljiphoe*, or candlelight protest, symbolizes this trend. It involves the rapid mass mobilization of citizens who are diversified in their age, sex,

occupation, and prior experience in activism. Participants independently coordinate their actions and recruit more participants through digital communications, and without reliance on the leadership of political parties or formal CSOs (Shin 2020). Thirdly, pro-welfare CSOs have established informal strategic alliances with bureaucrats and political elites to drive welfare reforms. Given the popularity and strength of CSOs at the national level, CSOs have become critical partners for political entrepreneurs seeking to generate policy alternatives and mass support for pro-welfare reforms (Lee and Kim 2019). In turn, CSOs leverage political entrepreneurs to table pro-welfare reforms on the national policy agenda and to pass them in the legislature.

Pro-welfare attitudes and solidarity networks are, moreover, facilitated by the broad civil liberties enjoyed by Korean civil society. While restrictions on certain civil society activities persist – especially those sympathetic to North Korea – Koreans are generally guaranteed rights to freedom of speech, press, association, and peaceful assembly (Freedom House 2020). This allows for the active campaigning and collective mobilization for pro-welfare reforms in Korea.

Political Impetus for Welfare Expansion

Having discussed the fundamental strengths of pro-welfare civil society in South Korea, I will examine how it succeeded in generating significant political impetus for pro-welfare reforms between 2010 and 2017, owing much to its strengths.

Between 2010 and 2012, pro-welfare civil society pressured Lee Myung-bak's administration into increasing the government's subsidies on university education for South Koreans. During this period, public spending on higher education as a proportion of the total is below the OECD average of 69%, leaving most of the tuition burden on students and parents (Kim 2011). Moreover, in another OECD survey, South Korean universities were ranked last among the member countries in terms of college education environment, which suggests that their students get little in return for the exorbitant charges (Kim 2011). Lee had promised to halve university tuition fees and improve the quality of university education in his 2007 election campaign, but displayed little commitment towards fulfilling this promise up till 2011 (Kirk 2011a). In 2011, as part of an annual ritual in late May after semester examinations, university students in Seoul and other cities held protests almost daily, with some shaving their heads, holding candle-lit vigils, and shouting their pet slogan "Halve Tuition Fees!" (Borowiec 2011). Critically, the students drew support from some 510 civil society groups, which formed a coalition to support the students in a clear escalation of the campaign in 2011 (Kim 2011). The students also garnered support from the opposition political elites, who helped push the students' demands through cross-party talks with the incumbent government (Kim 2011). Impressively, the 2011 student protests elicited

concessions from the Lee administration to cut tuition fees by 30% over the following three years (Kim 2011).

Significantly, this instance demonstrates that the success of pro-welfare civil society in generating political impetus for pro-welfare reforms is intimately linked to their strength. The Korean public supported an increase in government subsidies on university fees and could effectively mobilize through its extensive social networks to pressure the government into passing the reforms. Furthermore, pro-welfare civil society could utilize their civil liberties to organize annual protests that captured the attention and sympathies of the broader public to galvanize more support for educational reforms.

Another key instance of successful pro-welfare activism during the Lee administration was their victory at the 2011 Seoul free lunch referendum. In 2011, Seoul Mayor Oh Se-hoon campaigned to end free lunches for all elementary and middle school students and replace it with a limited free meal service to children from the poorest 30 percent of households only (Kirk 2011b). Pro-welfare CSOs and activists responded, in support with the Democratic Party, by calling for a boycott of the referendum. For example, Superintendent Kwak No-hyun – the city's top school official – filed a lawsuit against the city government to the Constitutional Court, claiming that the government has no right to make a decision on free school meals (Shin and Kim 2011). Due to low voter turnout, the referendum failed and Oh Se-hoon resigned. Instead, Seoul's education office expanded the free lunch program to cover fifth- and sixth-grade students who were previously excluded from the program (Na 2011). This again demonstrates how the strength of pro-welfare civil society – public preferences for welfare expansion, CSO networks, and civil liberties to organize and dissent – is crucial to its success at galvanizing political impetus for reforms.

Besides episodes of social mobilization, sometimes the credible threat of it by pro-welfare civil society is sufficient to galvanize reforms. Following the outbreak of the 2008 global financial crisis, the Lee administration were concerned about the political costs of mass unemployment and associated income deterioration among the populace (Yang 2017). They hence quickly responded with specific and targeted labor policies – including the simple expansion of unemployment benefits, targeted job creation programs for the youth and the elderly, assistance for workers on leave without pay, creation of temporary employment, and so forth – to help prevent mass unemployment. These initiatives caused the government spending on labor market measures to increase by threefold from 2009 to 2012 (Yang 2017).

Moreover, non-protest forms of activism have also contributed towards reshaping the political discourse to favor pro-welfare reforms. The everyday grievances and complains of

ordinary South Koreans, alongside the production of critical commentaries and research by pro-welfare CSOs and activists, helped create a socio-political environment that was increasingly discontented with the growing socioeconomic inequality in Korean society and the predatory practices of *chaebols* at the expense of smaller businesses. This propelled pro-welfare reforms to the forefront of policy discourse as the Lee reached the end of his tenure in 2012.

This is evident from Park Geun-hye's political positioning in the 2012 presidential elections. Cognizant of the electorate's demand for pro-welfare reforms and the dwindling approval rate of the GNP, Park reformed the ruling party to aggressively embrace welfarism upon assuming the party's leadership in December 2011. She changed the party's name to Saenuri Party, or "New Frontier Party", and adopted red as its new official color to signal its turn to the left. Under Park, the Saenuri Party began competing aggressively with the Democratic Party on generous social policies such that there was no major difference in the locus and magnitude of Park's and Moon's pledges in the 2012 presidential elections (Yang 2017). Specifically, Park promised free childcare and education for all children under six years old, free education for high school, free healthcare services for four critical illnesses, and a doubling of monthly basic pension to $181 for seniors above sixty-four (Yang 2017). At the same time, Park promised to review the current rules which benefitted the chaebols at the expense of small-to-medium enterprises (Gajdos and Bendini 2013). Crucially, this demonstrates the effectiveness of pro-welfare civil society in bringing reforms to the forefront of the policy debate in the Korean elections.

Pro-welfare civil society maintained political pressure for welfare expansion throughout Park's presidential term, especially as her administration sought to backpedal on its electoral promises. The Park administration had promised to expand the welfare without raising taxes which, not surprisingly, has proven impossible. Realizing the fiscal impracticability of their welfare pledges, the Park administration scraped out many pledges like free tuition for high school and made cost-cutting modifications on key pledges such as basic pension and free medical services for four critical diseases (Yang 2017). The Park administration further promoted deregulation and quantitative easing that mainly benefitted the *chaebols* while betraying her campaign promises on economic democracy (Lee 2019).

In response, pro-welfare civil society mobilized to demand the reforms that Park had promised. It actively transformed citizens' resentment over welfare issues into a broad and fundamental critique of Korean society by actively problematizing the soaring inequalities. Neologisms like *hell Joseon*, *gapjil*, and the "spoon class theory" emerged in the everyday discourse of Koreans, which transpired diverse imaginings about a fairer Korean society that addresses welfare issues. *Hell Joseon* denotes Koreans' frustrations with present-day social hierarchies that

resemble the rigidity of those during the Joseon dynasty (Kim 2018). *Gapjil* reflects the pervasiveness of abusive practices by employers on salaried workers (Shin and Moon 2017). The "spoon class theory" signifies popular sentiment about the impossibility of class mobility for low-income families (Kim 2017). Significantly, such everyday political discourse would help transform pro-welfare reforms into a key priority for politicians.

Most evidently, pro-welfare discourse formed the discursive basis of the Candlelight Protests that erupted against Park Geun-hye from October 2016 to March 2017 (Lee 2019). Prompted by the unprecedented political irregularities committed by then President Park Geun-hye and her confidante, Choi Soon-sil, citizens (with candles in their hands as a symbol of peaceful dissidence) began to protest in October 2016 (Jhee and Park 2019). The ensuing protests continued every Saturday for almost six months in the nation's major cities, in particular Seoul's Gwanghwamun Square, and even in Korean communities worldwide. It would draw a culminative total of 17 million participants over these six months, making it the largest weekly protest in South Korean history (BBC 2016). The *toejin haengdong*, or People's Action for the Immediate Resignation of President Park, was formed as an umbrella group of some 2,3000 civic organizations to coordinate their action for mass demonstrations (Lee 2019).

Crucially, as the extent of the massive corruption scandal became more apparent to the public, popular resistance grew to raise a fundamental critique of the inequality in Korean society and demand various pro-welfare reforms to curb the unbridled power of the chaebol, improve labor laws, and enhance public safety and accountability (to prevent instances such as the Sewol ferry disaster) (Lee 2019). This was encapsulated in the agenda for each rally organized by the People's Action, who was chiefly responsible for preparing the protest logistics, arranging the speakers and artists for performances, and managing the finances for the protests, especially for those at Gwanghwamun Square in Seoul (Lee 2019). Therefore, the Candlelight Protests not only led to the impeachment of Park, but also elevated pro-welfare reforms to become a key priority in Korean politics. In fact, Moon Jae-in from the Democratic Party would emerge victorious at the 2017 presidential elections, in part because of his ambitious welfare pledges that were aimed at meeting the demands of protestors at the Candlelight Protests (Dostal 2017).

Again, the Candlelight protests was successful at creating political impetus for change because of the fundamental strengths of pro-welfare civil society in South Korea. The populace generally favored pro-welfare reforms, enjoyed the freedom of speech and assembly, and could be mobilized through the social networks of CSOs.

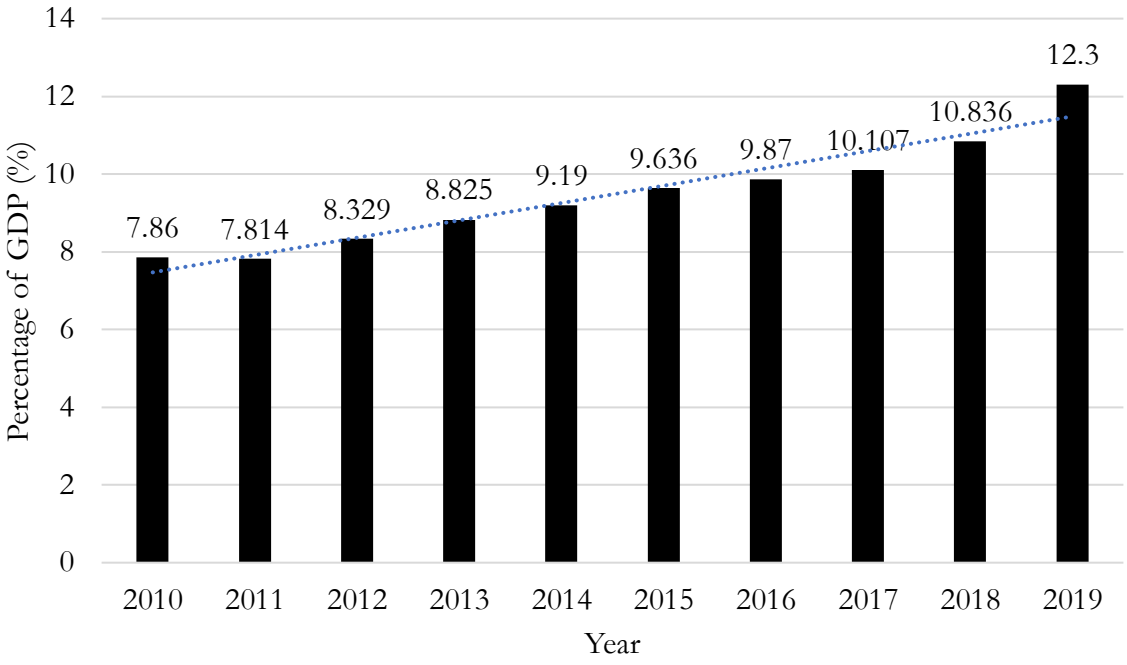
All in all then, owing to its fundamental strengths, pro-welfare civil society in South Korea was generally successful at organizing public demonstrations, shaping the policy discourse, and

leveraging its social networks with political elites (especially those from the opposition Democratic Party) to create political impetus for reforms.

Moderate Welfare Expansions

Overall, we examine that this political impetus generated by pro-welfare civil society had compelled the two conservative administrations of Lee Myung-bak (2008-2012) and Park Geun-hye (2013-2017) to steadily expand South Korea's welfare programs. This is clearly evident from the increase in South Korea's social expenditure (as a percentage of their GDP) by 4.44 percentage points from 7.86% to 10.107% between 2010 to 2017 (OECD 2020). In contrast, the average social expenditure across the OECD fell from 20.6% to 19.9% over the same period. This stands as testimony to the effectiveness of pro-welfare activism in driving welfare expansions in South Korea.

Figure 2: South Korea's Social Expenditure as Percentage of GDP from 2010 to 2019



Source: Author.

Notably, despite resistance by both the Lee and Park administrations to implement pro-welfare reforms (which they promised in their electoral campaigns), Korean pro-welfare civil society was successful in pressuring them to fulfil their welfare pledges at least partially through a variety of means. The Lee administration represented the conservative forces in Korea and remained wary of non-market based, pro-welfare reforms. Nonetheless, the 2011 student

demonstrations had compelled Lee to expand government subsidies on university education; pro-welfare civil society also defeated the Lee administration's attempt to end the free lunch program in Seoul; and the threat of mass demonstrations alone had compelled the Lee administration to expand the government's labor market policies. Similarly, the Park administration was deeply conservative. But the outpour of public grievances had compelled it towards making bold welfare pledges. While the Park administration failed to fulfil its promises, political pressure by pro-welfare civil society ensured that these pledges were, at least, partially implemented. Moreover, pro-welfare activism would see to the electoral victory of Moon Jae-in (from the left-leaning Democratic Party), who would indeed demonstrate more commitment to expanding the welfare state in South Korea than his predecessors. Welfare expenditure ballooned by 2.19% just within the first half of Moon's term in office (2017–2019). Therefore, it is demonstrated that the political impetus for pro-welfare reforms was primarily created by pro-welfare civil society in South Korea.

Discussion

Having examined the cases of Singapore and South Korea independently, this discussion section will directly compare pro-welfare activism in both countries from 2010 to 2017 to elucidate two salient points about the NPA. Firstly, the NPA illustrates that pro-welfare civil societies play a critical role in generating the political impetus for welfare expansions, especially when the incumbent government is resistant towards such reforms. This is demonstrated in both Singapore and South Korea. In Singapore, pro-welfare civil society (despite its weaknesses) was the chief driver of reforms, especially as the PAP government remained resistant towards welfare expansion. It represented and fueled the populace's dissatisfaction with growing socioeconomic inequality and woes. Crucially, this weakened the PAP's popularity at the 2011 general elections, thereby prompting the PAP government to introduce some piecemeal, pro-welfare reform after 2011.

Similarly, in South Korea, pro-welfare civil society was at the forefront of advocating for reforms in the face of two conservative administrations. Both the Lee and Park administrations tried resisting pro-welfare reforms, even going as far as going silent or cutting back their welfare pledges. The onus for creating political impetus for reforms had, therefore, fallen into the hands of pro-welfare civil society and their political allies. A stark difference between Singaporean and South Korean pro-welfare civil society, however, is that the latter was more successful at overcoming the incumbent government's resistance towards welfare expansions than the former. This difference is because South Korean pro-welfare civil society is generally stronger at generating political impetus for welfare reforms than its Singaporean counterpart.

This brings us to the second point of the NPA. The NPA argues that the strength of pro-welfare civil societies (in generating political impetus for welfare expansion) differs across countries. Here, their strength is a function of three factors: (1) the extent of pro-welfare attitudes among the general population; (2) the extensiveness of the social networks of CSOs (with other CSOs, ordinary citizens, and political elites); (3) the level of civil liberties afforded to pro-welfare civil society. This is illustrated through a juxtaposition of Singapore and South Korea. In Singapore, pro-welfare civil society was unable to mount impactful protests to promote welfare reforms, because its organizers were unable to build a strong coalition of supporters (especially in a political climate of oppression). At the same time, non-protest forms of activism – such as the production of critical commentaries on the domestic and international stage – were constrained by government surveillance and interference, which mutes dissidents and induces self-censorship among activists.

In contrast, South Korean pro-welfare civil society could generate more political impetus for welfare expansion. It was successful at mounting protests against the Lee and Park administrations to attain pro-welfare reforms, because of the presence of widespread support for pro-welfare reforms, which could be mobilized through strong networks of CSOs that enjoyed the freedoms of speech and assembly. Moreover, sometimes the credible threat of mass dissatisfaction and protest is sufficient to motivate the incumbent government to implement pro-welfare reforms, as with the Lee administration between 2010 and 2012 in response to the 2008 global financial crisis. Importantly too, non-protest forms of activism – such as critical commentaries and everyday disobedience – played a critical role in bringing pro-welfare reforms to the forefront of the political discourse in South Korea. Therefore, we observe more welfare expansion in South Korea than Singapore from 2010 to 2017.

Conclusion

Overall, this paper argues that pro-welfare civil society is the main driver of welfare expansions when the incumbent government is conservative. This is because conservative governments actively resist welfare expansions and needs to be coerced or persuaded into enacting pro-welfare reforms. In contrast, progressive governments might enact such reforms regardless of the existence of a strong pro-welfare civil society. By implication, the stronger the pro-welfare civil society in generating political impetus for reforms, the greater the extent of welfare expansion in the country with a conservative government. I demonstrate the theory of NPA through a comparative case study analysis of Singapore and South Korea, where the latter had a stronger

pro-welfare civil society which could generate more political impetus for reforms, and hence experienced more welfare expansion from 2010 to 2017.

The contribution of this paper is twofold. On the theoretical front, the NPA fills a theoretical gap in current literature on the relationship between contemporary civil society and welfare expansion, at least in East Asia. On the practical front, researchers and policy analysts studying the trajectory of social policies may utilize the NPA as a rudimentary framework to account for the influence of pro-welfare civil society.

There remains much for scholars to explore. Firstly, the relationship between CSOs and employers has not been explored, despite the regularity of engagement between both parties on issues of welfare. Secondly, the dilemmas and interests of political parties when responding to pro-welfare activism requires more investigation to understand when they might respond favorably or not. Of particular concern is how political parties might juggle vested interests in small welfare states, fiscal discipline, and public demand for welfare expansion. Thirdly, the operationalization of welfare state expansion can be improved by developing uniformed quantitative indicators that track the actual change in the coverage and depth of social policies. The lack of quantitative data on the level of social expenditure and other indicators in some countries, such as Singapore, hinders such efforts. Overall then, the NPA provides a foundational framework to advance future research on the relationship between civil society and welfare state expansions.

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Modelling the Collapsing University

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Abstract

Although university's contribution to the democratic society has been studied adequately, the establishment of its internal democratic institutions has not. Issues of autonomy and accountability exist whereas, today's Postmodernism introduces further uncertainty. After constructing a framework for measuring democracy within a university using democracy indicators selected from international organizations, we attempt to interrelate these indicators to its democratic characteristics, raising the question: "To what extent could these characteristics be eroded before the university collapses?" Interviews with European academics were conducted and the influence of forces external to the university were studied using the Central European University in Hungary as a case study. The findings show that increased state control undermines institutional autonomy and so does imposing unnecessary restrictions. Protecting democracy and academic freedom, civil rights, and supporting an open society are of paramount importance, otherwise the university collapses. A model that captures such catastrophic state changes is finally proposed.

Keywords

Democratic University; Civil Society; Collapse; Crisis; Governance

Introduction

The democratic establishment of the university itself is neither obvious nor given. Although its role and contribution to the general democratic societal operation has been studied to some extent (Gallagher 2018; Glaeser et al. 2007; Higgins 2017; Straume 2015), the way and specific processes of creation, establishment and interaction of the institutions that act internally to the university, have not been sufficiently studied at all. Issues of autonomy, accountability, legal independence and institutional dispute are raised; while there exist, in analogy to society, formal and informal institutions and bodies. As democracy is in recession over the last decade (Diamond 2015), this has a direct and powerful impact on the university as well. The rapid technological evolution and development exerts great pressure on the university's organization and operation (Frank and Meyer 2007; Valero and Reenen 2016; Weymans 2010). The university's role requires an adaptation to the needs of the society for broader access to knowledge and lifelong learning (Kohler and Huber 2006; Snellman 2015; Zgaga 2005).

We consider these to be of paramount importance as the university's interaction with society is intense and long lasting, whereas there are cases in the modern history that the university has served as a bastion of democracy (Corbett and Gordon 2018; Renaut 2002; Schulz-Forberg 2009; Valero and Reenen 2016). One of the most recent examples is the "case of the Hungarian-based Central European University (CEU), which, in March 2017, became a byword for academic freedom under attack, and asks what general lessons, if any, we can draw on state of academic freedom in Europe" (Corbett and Gordon 2018, 1).

This raises the central question of this research: is modern university prone to attacks, and if so, how can it survive serving its academic role under an environment of financial cuts, New Public Administration techniques driven by performance and efficiency measures and with an increasing role of different stakeholders pushing for their own benefits. This paper is an attempt to shed light to the critical factors that may contribute to a university's destruction and shutdown, especially in an environment of recessing democracy. Initially, a conceptual model of the modern democratic university is briefly presented, as developed in our previous research, highlighting its main characteristics. The proposed model is used in reverse in this research, to depict these characteristics that can be crucial to the university's survival before collapsing, according to the views of a diverse group of European academics. Their views are further supported by analyzing, as a case study, the CEU during its presence in Hungary, as mentioned above. Finally, all the information gathered is used to build a new model that is capable of capturing catastrophic state changes based on measurements of the

selected democratic indicators and university characteristics. Our aim is to propose a novel, objective tool to university policy makers that would eliminate selective interpretation of democracy and its crucial transitions within the university, by allowing political change and its heavy impact to be meaningfully understood in its proper perspective, using facts and data.

The Democratic University Theoretical Framework

In Papanikolaou et al. (2021), we have presented a new association scheme for revealing dimensions of democracy within a modern university. Certain indicators that have been internationally established and validated for the measurement of the institutional characteristics of democracy and are monitored and stored in international databases were examined and assessed for their applicability to the institutional characteristics of the university, after appropriate adaptation.

More specifically, various international organizations and research programs have as their main objective the systematic creation and support of specialized, time-spanning databases using variables and indicators and composing global reports that record and highlight the quality characteristics of democracy, both locally and globally. In Papanikolaou et al. (2021), an in-depth analysis of the features presented in six of the most important and representative such databases and organizations were attempted, namely: Varieties of Democracy (V-Dem) (Coppedge et al. 2018), The International Institute for Democracy and Electoral Assistance (International IDEA) (Skaaning 2017), Center for Systemic Peace (Marshall et al. 2017), Freedom House, (Bradley 2015), Democracy Barometer (Merkel and Bochsler 2018), Economist Intelligence Unit (EIU) (Kekic 2007).

The basic conceptual characteristic features of democracy presented in all databases provide a theoretical framework that allows for direct comparisons and discussion on similarities and differences each approach is adopting. Each system provides a unique roadmap with a distinctive conceptual range at a global level and a large time span, the core of which is the understanding, interpretation, and measurement of democracy. Moreover, in the six systems of measurement of democracy, a crucial element is the concept of the *political identity* of the individual with respect to the *participation in the public sphere*, the *protection of the fundamental freedoms* of individuals, the *exercise of control over the forms of governance* and the *effective exercise of power in the interest of the citizens*. The *participatory component* is also fundamental in all databases, with only subtle differences in quality among them. In any case, when combining all main categories of indices from all databases, we get a full view of all aspects of democracy

and how they can be measured and monitored. It should be noted that these are only the most representative categories of the indices used in each database, respectively. An overall number of more than 500 indicators are shared among the databases, covering almost any measurable aspect of democracy.

The analysis above revealed a set of significant characteristics that are complementary to each other, providing a consensus for the construction of a common conceptual framework. In this way they contribute to the establishment of the objective and true essence of the concept of Democracy as this is constituted by facts and data. Thus, the difficulties arising by the possible subjective ways of perceiving and interpreting it by the citizens are overcome, while at the same time the diversity, variety, and pluralism of these databases eliminate the risk of selective interpretation of data, a criticism often exercised on them (Bush 2017; Coppedge et al. 2016).

The university, on the other hand, is a multifaceted social institution with strong interactions with many and diverse sectors of society. In Papanikolaou et al. (2021), an extensive literature review was conducted with the focus placed on the democratic characteristics reported in these databases. The selected papers present theories and the results of empirical studies that help in clarifying the necessary qualities a democratically structured university should have. It was shown that the notion of the 'Democratic' university is constituted by a set of features relating to its mission, the multifunctional operations it performs and its highly complex interactions with all societal actors and the state. Essentially, this was an attempt to systematically approach and analyze democratic institutions embedded within the university by constructing an appropriate conceptual model framework, as defined by the following characteristics:

1. Autonomy in the institutional organization of its governance, its "laws" and its rules of operation. This implies a professional self-regulation under which academics independently, on the basis of internal regulations, run their research and teaching operations under a representative democracy that grants participatory rights to them in institution decision-making processes (Fukuyama 1989; Groof 1998). Autonomy is a multi-faced concept (Estermann et al. 2011) and it is important that universities are able to adapt to the changing governmental policies and societal conditions without losing their identity (Olsen 2009).
2. Accountability towards all stakeholders that are influenced by or influence its operation and, ultimately, to all citizens. Accountability calls for a re-focusing of

attention on outcomes of the university rather than inputs alone (Brenneis and Wright 2005). In scrutinizing such outcomes, state policy makers have sought to influence institutional behavior for the purpose of improving performance (Berdahl 1990; Bleiklie and Kogan 2007). This has led to performance funding policies (Mc Lendon 2006). Accountability could be considered as the exact counter-balance to autonomy (Dunn 2003; Fukuyama 1989).

3. To inspire a high prestige, as a well-established institution (Fukuyama 1989) of promoting knowledge and research owes to, and to preserve moral values, independence and respect for every individual and his ideas. Higher education should be a site of moral and political practice (Kohler and Huber 2006) whose purpose is not only to introduce students to diverse intellectual ideas and traditions (Groof 1998) but also to delve into those inherited bodies of knowledge through critical dialogue, analysis, and comprehension (Olsen 2009).
4. Students as "citizens" in a democratically organized university and strengthening the commitment and dedication of students to the democratic institutions of the university (De Boer and Stensaker 2007).
5. Regulatory and legislative framework for the legal and disciplinary issues of its members and collective bodies, as well as on the administration of justice, as regards standards, financing, transparency, compatibility, etc. (Groof 1998).
6. Separation of powers at central administration level, as well as at faculty, departmental, and student organization levels. Concerns about the dangers inherent in the concentration of powers on institutions of university governance, with anything approaching a monopoly of power becoming the greatest single danger in the operation of a system of higher education (De Boer and Denters 1999).
7. Economic and institutional autonomy from the central government and the external pressures of technology, economics, and marketing. A university's ability to improve its economic welfare, in the increasingly knowledge-based societies (Etzkowitz et al. 2000) relates to the degree of institutional autonomy granted by the regulatory governance framework in which it operates (Olsen 2009). This link was established for all dimensions of autonomy, including organizational, financial, staffing, and academic autonomy (Estermann et al. 2011). Financial "strong" universities are most closely correlated to and important for democratic society and economic development (Kohler et al. 2006).

8. Control over the operating procedures and the expected learning outcomes from teaching and research. This is about the freedom of the university in respect of research, teaching and learning and, more broadly, the implementation of appropriate mechanisms for quality assurance (McLendon 2006).
9. Control over quality assessment and effective management. Whereas academics seem not to have any problem with the principles of accountability, transparency, and fairness (Hoech 2006), when these are reflected in quality assessment (Haug 2003), some may perceive them as a change from being trusted to being controlled (Snellman 2015), and it affects not only academic but personal relations as well (Tam 2001). Quality culture plays a vital role in university functions. It is a factor that supports autonomy and incorporated governance (Bendixen et al. 2017).
10. Equality, fairness, and justice towards multiculturalism and diversity among its "citizens", respecting different social origins and classes, language, ethnicity, gender, religion, people with disabilities; a culture of inclusion where cross-cultural capabilities should be integrated with global perspectives (Giroux 2010).
11. Tolerance towards diversity, towards heretical approaches and in questioning existing ideas structures, and provision of protection of speech and thought. Freedom and promotion of critical thinking and expression among its "citizens". Critical pedagogy is required to open up a space where students should be able to come to terms with their own power as critically engaged citizens (Giroux 2010) by providing a sphere where the unconditional freedom to question and assert is central to the purpose of higher education (De Boer and Stensaker 2007).
12. Learning processes and curricula as pillars to support the democratic operation of the university. These democratization operations include the ownership, the practice of sharing the authority and responsibility (Giroux 2010), group decision-making, horizontal network organizational structure and long-term employment practices of university management (Şen et al. 2012).
13. Excellence based on equal opportunities and Virtue in research and teaching (Hoech 2006). Spiritual devotion and commitment shown by the academics, overcoming the individual interest for the sake of an ultimate goal of serving the broader public good (Giroux 2010).
14. Creation of real communities and fair leadership at the central governance level but also at the level of faculties and departments. Another argument in favor of the distribution of powers (Kohler and Huber 2006) is based on the presumption that

decisions based on joint decision-making are more generally accepted (Klemenčič 2012).

15. Extended investigation of indices that effectively depict the significant impact of certain behaviors, especially divergent ones. For example, academic misconduct is a systemic problem that manifests in various ways and requires similarly diverse approaches to management, with a focus on preventive education (Shields 2007). As universities function in an increasingly complex environment such behaviors are unlikely to be easily mitigated (Şen et al. 2012).

In Papanikolaou et al. (2021), a framework was established to link appropriate measurement indicators developed for democracy with qualitative democratic characteristics of the university in order to effectively promote its institutional role. The operation and capabilities of the proposed evaluative instrument were verified, after encapsulating variations and complex interdependencies among the variables, on a real-life case study, spanning a large time period and influenced by adverse social and economic changes.

The focus of the research presented in this paper is quite the reverse: we use this framework as a model of deconstructing and eroding the democratic university and thus, the central research question can be formulated as follows: which of the model characteristics, how many of them, and to what extent can each be eroded, neglected or ignored before the democratic operation of the university collapses?'

Methodology

Structured Interviews

In order to determine the basic parameters of the research question, i.e. university characteristics that are crucial to its democratic operation and which type of interference and to what extent it could be tolerated by the system before it collapses, a number of structured interviews were conducted with a group of European academics and university administrators. For pragmatic reasons a combination of convenience and purposive sampling technique was used (Robinson 2014), as discussed in detail in the following: 15 academic members from nine countries (France, Italy, Palestine, Poland, Portugal, Romania, Spain, Turkey, and United Kingdom) were interviewed. They include professors, directors of International Studies, managers of Quality Assurance units, a Vice-Rector for Academic Affairs, and others. They come from both public and private universities, of different sizes and disciplines. They all participated in an International Workshop organized by the

International Hellenic University, in Thessaloniki, Greece, May 2019 (Alexander Technological Educational Institute by then). Prior to the interviews, they all took part in specific workshops on subjects such as Good Practices in Higher Education, Quality Assurance in Higher Education, the Internationalization of Higher Education etc.

The questions and conversations with the participants were held privately with each of them, lasted approximately an hour, and were mainly focused of the proposed model and its democratic characteristics, as discussed in the precious section. The researcher, after presenting the conceptual framework to each of them, attempted to identify the specific characteristics in the answers of the participants, according to their knowledge and expertise. Although the proposed model served as the main tool, questions were grouped conceptually wherever possible and deviations from the main course of questioning were allowed if necessary.

The interview transcripts were analyzed using Thematic Analysis, which is a flexible method "for identifying, analyzing and reporting patterns (themes) within data" (Braun and Clarke 2006, 79). We have chosen to perform manually the thematic analysis, immediately after the interviews, in order to get full grasp of all detailed information. In the analysis, we read and re-read the transcripts and coded the text segments particularly with regard to factors that contribute to the collapsing of the university. Initially, a list of codes was generated for each interview. Subsequently more general categories were abstracted and formed the main themes.

The participants identified the following issues as the most important themes relating to the erosion of the characteristics of the democratic university that could lead to its demolition:

- Increased state control and intervention, mainly through financial means or law amendments;
- Market forces intervention and New Public Management techniques adopted in university governance, aiming simply at increasing output efficiency;
- Limiting the degree of university autonomy versus accountability to all stakeholders;
- The anemic role of international bodies and associations, that are unable to actually support the universities;
- The violation of fundamental humanitarian values, discrimination of any type, limiting the freedom to speech, etc.

Due to the large number and conceptual complexity of the characteristics, it was difficult to impose any priority scheme on the answers with respect to their significance and,

thus it was decided to seek further help and deeper understanding by focusing on a real-world, contemporary case study, namely the 'rise and fall' of the CEU in Hungary.

Case Study: The Central European University in Hungary

Although there are several examples of universities that have been shut down worldwide in recent years e.g. in China and Turkey (Corbett and Gordon 2018), the case of the CEU during its operation in Budapest was chosen. This is mainly since CEU was situated in the heart of Europe, the bastion of contemporary liberal democracy, the university had an excellent academic record and reputation, and also because some of the participants in our international workshop had already some knowledge about it.

A thorough, detailed search and the study of all available relevant publications in legitimate news sources during that era, together with declarations of European academic bodies such as the European University Association (EUA) and, even more, the views of European Parliament representatives on the matter, were all taken into consideration in determining the root causes of the university eventually leaving the country and transferring to Austria. Based on all the above, and while trying not to take sides, we will attempt to provide an as objective as possible analysis taking into consideration the line of actions that occurred and projecting them onto the characteristics of the proposed conceptual model of the university. We state that the reported facts and opinions expressed were taken exclusively from the cited sources and that they by no means reflect our own views. Our exclusive aim is to determine how these actions influenced and eroded some (or many) of the characteristics and to what extent (taking also into consideration the results of the interviews in the previous section) led to the eventual shut down of the university.

Framework Analysis and Background of the CEU Operation in Hungary

CEU Identity

The CEU as a private higher educational institution established in Budapest in 1991 and chartered in accordance with the law of the State of New York. It was accredited with regard to its Hungarian operation by the Middle States Commission on Higher Education. The Middle States Commission is also the accrediting body that evaluates all American universities in the "middle states" area and continuously supervises the operation of the CEU and conducts an overall review on the basis of the criteria for accreditation every four years (Central European University, official documents 2022). For its operation it has been granted

a charter by the Board of Regents of the New York State Education Department, under section 210 of the State Education Law.

The CEU obtained its license to operate in Hungary as a foreign university from the Ministry of Culture and Education by Resolution No. 5563/94 of 5 January 1995. This operational license was modified based on the Ministerial resolution No. 2123-8/2005 of 18 April 2005, in such a manner that it authorized the continued operation of CEU in Hungary under the name of the "Central European University, New York". A Declaration to support its activities in Hungary was signed in April 2004 by the Governor of New York State and the then Prime Minister of Hungary (European Commission for democracy through law 2017).

The CEU operated pursuant to the Act CCIV No. 204 of 2011 on National Higher Education (Hungary 2011) and the Founding Charter of the University. Its governance and academic functions were in accordance with statutory provisions on the operation of private higher education institutions accredited by the Hungarian State (Eurydice 2022). It is important to note that CEU had a dual legal identity, since it operated in Budapest through two legal entities - one American, the CEU NY, and one Hungarian, the Közép-európai Egyetem – forming "one integrated academic community" (European Commission for democracy through law 2017, 9). In 2017, there were no other universities in the European Higher Education Area with such dual legal identity (EHEA 2022). The language of instruction and administration at the university was English (Central European University 2016).

In view of its US-based accreditation, the CEU is formally referred to as CEU New York (CEU NY). The CEU NY had an office in New York and a Board of Trustees based there but does not carry out any academic activity in the United States.

> CEU was well known at European and international levels, including for its having trained prominent leaders and civil society personalities from European and other countries in democratic transition, as well as from well-established democracies. Although figures vary slightly, the CEU welcomes nearly 1500 students from over 110 countries, including about 400 Hungarian students each year, and brings together academic staff from over 40 countries (European Commission for democracy through law 2017, 8).

The Crisis Context

In 2017, the Hungarian government passed a law that would ban foreign-registered universities from operating in Hungary unless they also provided courses in their home

country (The Guardian 2018). The Act XXV of 2017 amending the Act CCIV of 2011 on National Higher Education introduced new, more restrictive requirements for the licensing and operation of foreign universities (Hungary 2017a). The adoption of this law follows up on the findings of the Hungarian Education Authority, having examined foreign universities in the autumn of 2016 and discovered discrepancies and serious irregularities in their functioning. In addition, according to the government, the new regulatory framework was also intend to respond "...to wider policy imperatives related to the establishment and functioning of foreign higher education institutions including foreign policy and international cooperation in the field, as well as national security concerns…" (Hungary 2017b).

Another amendment, made alteration to this law and as a result, made it mandatory for the CEU to open an additional campus in the state of New York where it was registered. This provision put the university in a financially unviable situation. In practice, the CEU NY was the only university affected by this new requirement – since the other foreign universities already have a campus in their country of origin (European Commission for democracy through law 2017).

Another provision prevented Hungarian universities from delivering programs or issuing degrees from non-European universities on behalf of CEU. This amendment required the CEU to change its name. Furthermore, these changes followed the elimination of a good-faith waiver that was allowing academic staff from non-EU countries to work at the university without requiring a work permit (Bárd 2020).

On top of all the above, in August 2018, the Hungarian government announced plans to eliminate gender studies from the country's list of accredited university study programs and the CEU was running such a program (Tycner 2017). This decision was considered a contradiction of the Hungarian Constitution (Fundamental Law) which protects academia from government interference:

> Article X
>
> (1) Hungary shall ensure the freedom of scientific research and artistic creation, the freedom of learning for the acquisition of the highest possible level of knowledge and, within the framework laid down in an Act, the freedom of teaching.
>
> (2) The State shall have no right to decide on questions of scientific truth; only scientists shall have the right to evaluate scientific research.
>
> (3) Hungary shall protect the scientific and artistic freedom of the Hungarian Academy of Sciences and the Hungarian Academy of Arts. Higher education institutions shall be autonomous in terms of the content and the methods of research and teaching; their organization shall be regulated by an Act. The

> Government shall, within the framework of an Act, lay down the rules governing the management of public institutes of higher education and shall supervise their management. (Hungary 2016)

The EUA reacted to this pointing out that:

> The Board of the EUA calls on the Hungarian Ministry for Human Resources to cancel its plans as gender studies are a well-established scientific discipline, taught at the most prestigious institutions around the world, with benefits for graduates and society at large. Such a ban would pose a serious threat to academic freedom and institutional autonomy in Hungary and would confirm the trend towards increased state control that began with legal reforms in 2014 that have already undermined institutional autonomy in Hungary's universities. EUA calls on the Hungarian government to refrain from further interference in academic affairs. (EUA 2018)

The government's response in these complaints was that Hungary does not wish to accredit and finance such programs because of the low number of graduates they attract and a poor track record of employability. However, the changes were made "unilaterally by the government, without consent and consultations with the [Hungarian] accreditation agency", said Michael Gaebel, director of higher education policy at the EUA (Science Business 2018).

In support of the CEU, the European Association for International Education expressed concerns on the restrictions that could lead in xenophobia against multi- cultural and universal humanist values (EAIE 2017). It is worth noting that the CEU library was considered the biggest library of social sciences and humanities in Central and Eastern Europe following some of the principles of its mission and its international character: "the pursuit of truth wherever it leads, respect for the diversity of cultures and peoples" (Central European University, Official documents 2022).

At the same time, an article published by the Hungarian magazine 'Figyelo' a weekly pro-government magazine, titled "Immigration, homosexual rights and gender science – these topics occupy the researchers of the Academy", reported that research carried out by the Centre for Social Sciences of the Hungarian Academy of Sciences is politically suspicious and suggested that the government should have "greater insight" into the Academy's work (Science Business 2018).

As a matter of further concern, a number of judges were allegedly reported to be stepping down in quick succession from the National Judicial Council. At the same time, owners of hundreds of private news outlets simultaneously donated to the same holding

company, raising suspicions and concerns to European Observatories about the control over the media. Further accusations on Anti-Semitism, the unapologetic stance against immigration, Islam, and liberalism have resulted in the European Commission suing Hungary in the European Court of Justice over the higher education law (Enyedi 2018; New York Magazine 2018) and raising calls for supporting the CEU (Endangered Scholars Worldwide 2019; European Parliament 2018; Scholars at Risk 2021).

European Union Policy on Higher Education

Education was formally recognized as an area of European Union (EU) competency in the Maastricht Treaty of 1992. Higher education assumes a central role in the EU strategy about a common community although the EU agenda regarding the majority of policy decisions in this field sometimes function as recommendations:

> [The EU] does not have the competency to adopt decisions on certain matters, like the financing of universities, as they fall into exclusive member state competencies. […] it has the power to help member states to cooperate (e.g. Erasmus cooperation) […] EU law has direct or indirect effect on the laws of its Member States (Magna Charta). (Ziegler 2019)

Further, EU competencies could be very useful from a fundamental rights perspective based on the Council of Europe's work on the civic and democratic role of higher education as well as the Bologna process, where European governments engage in discussions regarding higher education policy reforms basis of common key values, such as academic freedom, freedom of expression, institutional autonomy, free movement of students and staff (European Commission for democracy through law 2017).

Responses of United Nations (UN) and the EU on the amendment of Hungarian Act CCIV of 2011

On 11 April 2017, a letter of the special rapporteur on the promotion and the protection of the right to freedom of opinion and expression of the UN, Human Rights Office, send to the Hungarian permanent mission in the UN in Geneva, informing them about receiving concerns on the bill T/14686 amending ACT CCIV of 2011. Noting that "the bill appears to specifically target the Central European University and undue interference with academic freedom and independence" (UN 2017).

On 27 April 2017, in Resolution 2162, the Parliamentary Assembly of the Council of Europe requested the opinion of the European Commission for democracy through law

(Venice Commission) on the compatibility of the Hungarian Act XXV of 2017 with the Council of Europe's standards (Council of Europe 2017; European Commission for democracy through law 2017, 3).

As a result, the Court of Justice (CoJ) of the EU, judgment in Case C-66/18 Commission v Hungary (2020), ruled that Hungary has failed to comply with the commitments in relation to national treatment given under the General Agreement on Trade in Services (GATS), concluded within the framework of the World Trade Organization (WTO). That requirement was also contrary to the provisions of the Charter of Fundamental Rights of the EU relating to academic freedom, the freedom to found higher education institutions, and the freedom to conduct a business (CoJ 2020).

The Role of Civil Society

The bill T/14686 amending ACT CCIV of 2011 was allegedly adopted in a swift legislative process where there were no civil society consultations and obligatory impact assessment carried out (Hungary 2017b). Although there is no legal mandate that civil society organizations have to be consulted before state decisions are implemented, the role of civil society in democracies and in democratically established society institutions as the universities cannot be ignored.

Civil society is one of the most important indicators measuring quality of democracy. In the 2020 Freedom House country report for Hungary, its score on the Civil Society indicator is lower mainly because:

> Academic freedoms were under increased pressure during the year. As a result of the 2017 "Lex CEU"„ which established new requirements for universities accredited abroad and specifically targeted Central European University (CEU) […] Even though the university said it had met the new requirements, Hungarian authorities refused to countersign the intergovernmental agreement required by law. Upon adoption of the law, the MTA stated that "the bill stands in contrast with basic European research funding principles and seriously endangers academic freedom, and asked for a review by the Constitutional Court to determine any violations of the principle of academic freedom and MTA's property rights. (Freedom House 2020, 9-10)

This score is even lower in the 2021 report, declining from 4.50 to 4.25 (Freedom House 2021, 13).

In 2019, the European Association of Judges published a report stating that "the Hungarian Judiciary is facing a kind of 'constitutional crisis'" since May 2018 due to the

activity of the President of the National Office of Justice (NOJ) who denies any collaboration with the National Judicial Council (IAJ 2019). The report also found that the NOJ's extensive powers relating to the appointment and promotion of judges and the secondment of judges from one court to another were "particularly problematic under the aspect of judicial independence" (Freedom House 2021, 13).

These government decisions and actions were perceived as attacks to academic freedom, liberal values, democracy, independent and rational thinking and tradition of scientific inquiry (Corbett and Gordon 2018; Halmai 2018). Finally, they led to the eviction of CEU from Hungary since the university could not accept new students after January 1, 2019. In September 2019, CEU's incoming students started the academic year in Vienna. CEU is the first university to be driven out of a EU member state in the history of the bloc. As European Parliament member Guy Verhofstadt remarked, it is also the first government closure of a university in Europe since 1943 when the Nazi occupation government in Norway shut down the University of Oslo (New York Magazine 2018). Above all, it is worth pointing out that Hungary is by now classified as an 'electoral authoritarian regime' and it is the first member of the EU under this classification, according to the V-DEM report of 2020 (Lührmann et al. 2020).

Analysis and Findings

When combining the views expressed in the structured interviews about the line of actions that led to the demolition of and eviction of CEU in the case study, the following findings summarize the ways in which the proposed conceptual model of the democratic university was gradually eroded, up to the point of demolition.

First, increased state control, exercised according to the dominant political ideology, undermines institutional autonomy. Usually this comes in total contradiction with most EU countries Constitutions, which protect academia from government interference. This affects adversely the university autonomy in the institutional organization of its governance, the financial autonomy i.e. characteristics 1, 2, and 7 of the university model framework. This is supported by the following quotations:

> the Commission… noted that Lex CEU […] is not compatible with the fundamental internal market freedoms, notably the freedom to provide services […] and the freedom of establishment […] but also not compatible with the right of academic freedom, the right to education and the freedom to conduct a business as provided by the Charter of Fundamental Rights of the European Union… as well as not compatible with the Union's legal obligations under (Bergan et al. 2020, 35).

Second, passing law amendments that put the university in financially unviable situations without benefits, such as waiving certain benefits such as free work permits or changing its name and identity. Imposing unnecessary restrictions and obstacles incurs needless financial and human resource costs. This has major impact on characteristics 1, 5, 10, and 14 of the model. This is expressed in the bill T/14686 amending ACT CCIV of 2011: "In the territory of Hungary, a foreign higher education institution may pursue training activities leading to a diploma […] (b) qualifies as a publicly recognized higher education institution operating in the country of establishment and actually pursuing higher education there […] (Hungary 2017, 2)

Third, altering the composition of National Judicial Council ((NJC) key institution for an independent judiciary system), that in turn, could lead to state interference with the university. Once more, characteristics 1 to 5 and possibly 8 and 9 of the model are under attack and this is reflected in the following statement of the International Association of Judges: "The jurisdiction of the National Office for the Judiciary relating the appointment and promotion of judges and the secondment of judges from one court to another is particularly problematic under the aspect of judicial independence. If the composition of the NCJ indeed needs additional members a bye-election must be organized as quickly as possible and the procedure should be initiated by either the NOJ or the NJC" (IAJ 2019, 11).

Fourth, limiting the number of private news outlets, concentrating them to only a few holding companies, or shutting down opposition newspapers. A measure clearly against any kind of democratic operation, affecting almost all of the model's characteristics, with more emphasis put on the freedom of expression and preservation of moral values, the pursue of equality, fairness and justice, serving the broader public good, i.e. characteristics 10, 11, 12, 13 and 15. As in Freedom House country report (2018, 8) mentions, "Hungary's constitution protects freedoms of speech and the press, but complex and extensive media legislation enacted by Fidesz created avenues for politicized media regulation, undermining these guarantees".

Fifth, unilateral governmental decisions not consulting independent, national, or international accreditation bodies and associations (e.g., the university itself, Rectors' Conferences, the EUA) and setting very short answer or response deadlines for the university as a pretext for dialogue. These may come as pressing demands from market-oriented stakeholders that are solely concerned about performance and effectiveness. This limits autonomy and meaningful accountability. It is a blow to the prestige of the institutions, i.e.

characteristics 1 to 3, and undermines administration structures and power, characteristics 6, 8, 9, and 14. This is further justified in the following statement of the Hungarian Academy of Studies (2018), "In an email sent on 12 June 2018, the Ministry of Innovation and Technology informed the Hungarian Academy of Sciences about the proposed amendment of the XL 1994 Law on the Hungarian Academy of Sciences and requested the Academy deliver its opinion and respond within an unrealistically short deadline". Further in an article of the Times Higher Education (2017), government spokesman Zoltán Kovács made the following statement: "Many in this country have sent their kids to university…even if [the subject they studied] was not a marketable area of knowledge. And, in that, we definitely need a change".

Sixth, academic freedom, autonomy and democracy coming under attack, along with key European values like the safeguarding of civil and international rights, the freedom of speech and association, maintaining a rule of law, supporting an open society, and the protection of refugees. This can be depicted as an erosion of characteristics 4, 10, 11, and 13. The European Parliament stated in a resolution that "recent developments in Hungary have led to a serious deterioration in the rule of law, democracy and fundamental rights, which is testing the EU's ability to defend its founding values". Therefore, the resolution, among other things, calls for "the Hungarian Government to repeal laws tightening rules against asylum-seekers and non-governmental organizations, and to reach an agreement with US authorities, making it possible for the Central European University to remain in Budapest as a free institution" (Halmai 2018, 2).

Seventh, Anti-Semitism, promotion of a nationalist ideology, unapologetic stance against immigration, religion, liberalism, gender equality, human rights, and human dignity. Similarly, characteristics 10, 11, 13, and 15 are under attack. "The relevant provisions of the Act should ensure that the Hungarian government's intention to support the direction and field of international higher education cooperation, the foreign policy objectives, and the movement of students and lecturers involved in the operation of international relations take into account the current national security aspects" (Hungary 2017a, 8).

Eighth, the government's recurring intervention in the curricula and research topics. Attack on social and humanitarian subjects which are characterized as "suspicious" (Science Business 2018), unworthy, and so on. Only market-oriented studies get funded at the expense of humanities. Characteristics 8, 9, 10, 11 and 13 are most affected. As an example of this government position, the Deputy Prime Minister Zsolt Semjén asserted that gender studies "has no business [being taught] in universities" because it is "an ideology, not a science" (University World News 2018).

To sum up the ways that the model of the democratic university can be affected and severely eroded: state intervention (in ways that serve non-academic purposes), together with undemocratic procedures of ignoring the administration principles of the university and pursuing sorely other types of benefits, strongly related to New Public Management and market-oriented demands, disregarding human rights, freedom of speech, freedom to determine curricula and research directions, are the main ingredients forming an explosive mixture that can blow up the operations leading to a complete shut-down and final collapse.

Building the University State Change Model and Future Directions

The analysis above shows that some democratic indicators measuring specific university characteristics can be complementary to each other and growing in the same direction supporting democratic operation or, on the contrary, shrinking together in the same direction at the expense of democracy (e.g., measuring civil liberties, academic freedom, supporting autonomous curricula). Other indicators may measure competing notions of democracy within the university. For example, indicators measuring state intervention and control or unilateral governmental decisions on one hand, and indicators measuring university economic and institutional autonomy from the central government and the external pressures of technology, economics, and marketing on the other hand. In this case, one feature may be increased only at the expense of the other, leading to a very much constrained university administration.

The following methodology based on Multi-objective Optimization Theory (Emmerich and Deutz 2018) is proposed for optimal decision-making on the state change process, driven by the scores of the sets of indicators on democracy stored in the respective databases. Multi-objective Optimization theory refers to the process of optimizing systematically and simultaneously a collection of objective functions in order to find the optimal value or best solution. Many decision and planning problems involve multiple conflicting objectives (indicators in our case) that should be considered simultaneously. This kind of problem is found in types of every science such as mathematics, engineering, social studies, economics and politics (Gunantara 2018).

Weighted Sum Model of Complementary Indicators between University Transition States

Assuming complementary indicators (indicators increasing or decreasing in the same direction), a weighted sum model could be used. In general, for a given problem defined on

m alternatives (different University States in our case) and *n* decision criteria (indicators evaluated through the different University States resulting from the transitions):
Suppose that w_j denotes the relative weight of importance of the criterion (Indicator) C_j and a_{ij} is the performance value of alternative A_i (the State the University is in) when it is evaluated in terms of criterion C_j. Then, the total (i.e., when all the criteria are considered simultaneously) importance of alternative State of University A_i denoted as $A_i^{\text{WSM-score}}$, is defined as follows:

$$A_i^{\text{WSM-score}} = \sum_{j=1}^{n} w_j a_{ij}, \text{ for } i = 1, 2, 3, \ldots, m.$$

It is clear that the combination of different complementary indices (even in the trivial case where weights are all set to one), provides an amplified result on the measurement of the final state. For the maximization case (indices measuring desirable university characteristics increasing positively), the best University State out of the possible University Transition States is the one that yields the maximum total performance value, but, even more crucially, the worst University State is the one yielding minimum performance values, clearly denoting a collapsing tendency (concurrent diminishing values of the indicators measuring academic freedom, autonomy, civil rights etc.).

Pareto Optimization of Competing Indicators

If the final University State cannot be improved in any of the indicators without degrading at least one of the other indicators (the case of competing indicators), a *Pareto Optimal Solution* should be sought for decision-making (Emmerich and Deutz 2018). In mathematical terms, such a multi-objective optimization problem can be formulated as

$$\begin{aligned} &\min(f_1(x), f_2(x), \ldots, f_k(x)) \\ &\text{s.t. } x \in X, \end{aligned}$$

where the integer $k \geq 2$ is the number of objectives (Indicators in our case) and the set X is the feasible set of decision vectors (States of University in the present work). The feasible set is typically defined by some constraint functions. In addition, the vector-valued objective function (the set of Indices values for the specific university state in our case) is often defined as $f: X \rightarrow \mathbb{R}k$, $f(x) = (f_1(x), \ldots, f_k(x))T$. An element $x^* \in X$ is a feasible solution; a feasible solution $x^1 \in X$ is said to (Pareto) dominate another solution $x^2 \in X$, if

- $f_i(x^1) \leq f_i(x^2)$ for all indices $i \in \{1, 2, \ldots, k\}$ and
- $f_j(x^1) < f_j(x^2)$ for at least one index $j \in \{1, 2, \ldots, k\}$.

In this case, indicators increasing towards a certain direction (e.g., state intervention, unilateral governmental decisions) cause others to decrease in value (e.g., autonomy) and this is reflected to the non-optimal Pareto solutions, again leading to the university collapse.

State Transition Detection

Finally, the periodic monitoring of the proposed indicators $f(x)=(f_1(x),\ldots,f_k(x))T$ would provide clear alarming signals for State Transitions in X (feasible States of the University). By combining the power of multiple indicators policy makers can obtain a clear view on the actual state the University is in, based on facts and data. University State changes provide appropriate alarms that call for immediate action to be taken, if democracy is to be preserved within the university.

Using the CEU case study, a model is build employing some characteristic indices from the V- DEM database for Hungary (Varieties of Democracy 2022). These indices are explained in the following Tables 1-5 and the detailed description of their values is in the Appendix.

Table 1: Civic and academic space

Indicator	**Year**								
Academic Freedom Index	2020	2019	2018	2017	2016	2015	2014	2013	2012
	0.44	0.46	0.47	0.5	0.56	0.57	0.58	0.59	0.59

Source: Authors.

The Academic Freedom Index is designed to provide an aggregated measure that captures the de facto realization of academic freedom, including the degree to which higher-education institutions are autonomous (Varieties of Democracy 2022).

The average level of protection of academic freedom in Hungary decreased gradually at the time of the democratic transition. The indicator has dropped from 0.59 in 2012 (1 is the highest level of 'Academic freedom' in a country, according to V-DEM methodology and 0 the lowest level (for more details see Appendix)), to 0.44 in 2020. The legislation of the Act CCIV in 2011 and of the Act XXV in 2017, following the amendment of the Hungarian constitution in 2016, has significant impact at 'Academic freedom index'. Teaching methods, curricula design, research objects, academic employment rights, the

universities mission to serve society and the restriction of academic disciplines, are some of the basic components of academic freedom that affected.

Table 2: Civil liberties

Indicator	Year								
Freedom of Academic and Cultural Expression	2020	2019	2018	2017	2016	2015	2014	2013	2012
	1.96	2.14	2.29	2.87	3	3	2.98	3.06	3.2

Source: Authors.

It is important to note that the value for the indicator 'Freedom of Academic and Cultural Expression' has dropped from 3.2 in 2012 (indicating that it is mostly respected by public authorities (there are few limitations on academic freedom and freedom of cultural expression, and resulting sanctions tend to be infrequent and soft, as explained analytically in the Appendix) to 1.96 by 2020 stating that it is only somewhat respected by public authorities (academic freedom and freedom of cultural expression are practiced routinely, but strong criticism of the government is sometimes met with repression).

Table 3: Media

Indicator	Year								
Print/ Broadcast Media Critical	2020	2019	2018	2017	2016	2015	2014	2013	2012
	1.5	1.68	1.71	1.8	1.84	1.84	2.02	2.02	2.23

Source: Authors.

The value of the indicator 'Print/Broadcast Media Critical' got the lowest value 1.5 in 2020. This indicates that the media freedom has affected. Their obligation to be critical on government -the executive power of a state- is significantly constrained (as it explained in Appendix). The consolidation of most Hungarian media, first into the hands of government-friendly foundations and business cooperation's, the loss of pluralism and the changing nature of the critical discourse that is consider as disloyalty, are some of the characteristics that illustrate how the media landscape transformed by 2012 were the value is 2.23. The independent media outlets and platforms not only reduced but further, the majority of the population can easily reach only the state-controlled media.

Table 4: Accountability

Indicator	Year								
Accountability Index	2020	2019	2018	2017	2016	2015	2014	2013	2012
	0.7	0.71	0.71	0.77	0.79	0.8	0.81	0.86	0.89

Source: Authors.

'Accountability Index' is considering crucial for the quality of democracy. The values of this indicator, similarly with the previous indicators, are decreasing through the years (details about the scales are in Appendix). Although, the value wasn't too high (0.89 in 2012) decreases significantly to 0.7 in 2020. This means that the extent of the ideal of government accountability achieved restricted, through the years. Accountability mechanisms include constitution, legislative acts, an independent judiciary system, free elections, checks and balances between institutions and an active civil society (free from political parties and governmental interferences). The lack of transparency is an important issue and although 2019 was an election year for Hungary (municipal elections) the value of the indicator continued to decrease.

Table 5: Diagonal accountability index

Indicator	Year								
Government Censorship Effort/ Media	2020	2019	2018	2017	2016	2015	2014	2013	2012
	1.91	2.01	2.01	2.15	2.29	2.3	2.82	2.84	2.85

Source: Authors.

Independent, oversight media institutions are critical components of the accountability in democracies. The indicator 'Government Censorship Effort/Media' shows the attempts of the government to censor the media in direct and indirect methods, how often these attempts are made, for what topics and media bias. Censorship seeks to limit freedom of thought and expression. The value 2.85 in 2012 (scaled low to high 0-4 (explained in Appendix)) shows that although attempts to censor the media are indirect and limited to especially sensitive issues, these attempts became a routine by the year 2020 (the indicator has a value of 1.91). This gradually development (the government censorship increased through the years) is an early warning signal for the process that leads to the decline of democracy.

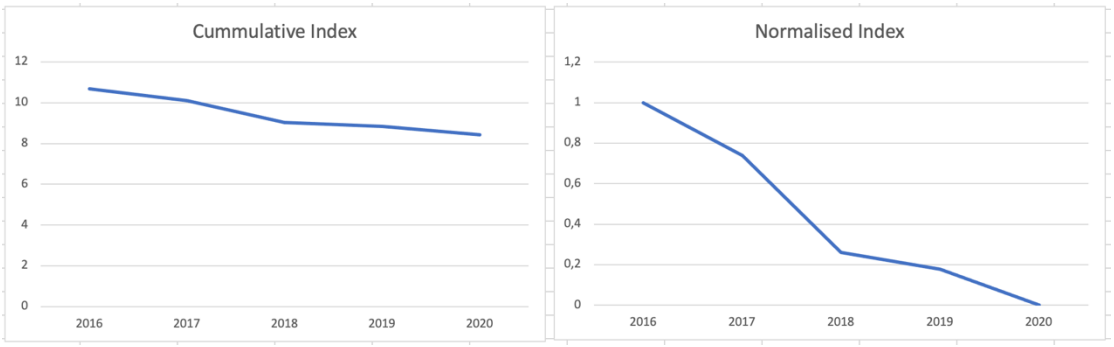
The proposed model is focused mainly on the era 2016-2020 which is of special interest since state changes have been reported in the respective annual democracy reports and data sets, of the Varieties of Democracy program. Using the weighted sum model of the equation proposed earlier, we summed up the values of the Academic Index shown on Table

1 (multiplied by a factor of 4 in order to equate its weight to the other indices), the Freedom of civic and cultural expression index shown on Table 2, the Accountability Index shown on Table 4 (again multiplied by 4 in order to equate its weight to the other indices) and the Government Censorship Effort/Media shown on in Table 5, for every year from 2016 to 2020. Results for the cumulative index A are shown in Figure 1a whereas, the same results after normalization in the range [0, 1] are displayed on Figure 1b.

Figure 1: Variation of the cumulative index A

Figure 1a: The variation of the cumulative index A

Figure 1b: The same index normalized in the region [0, 1]

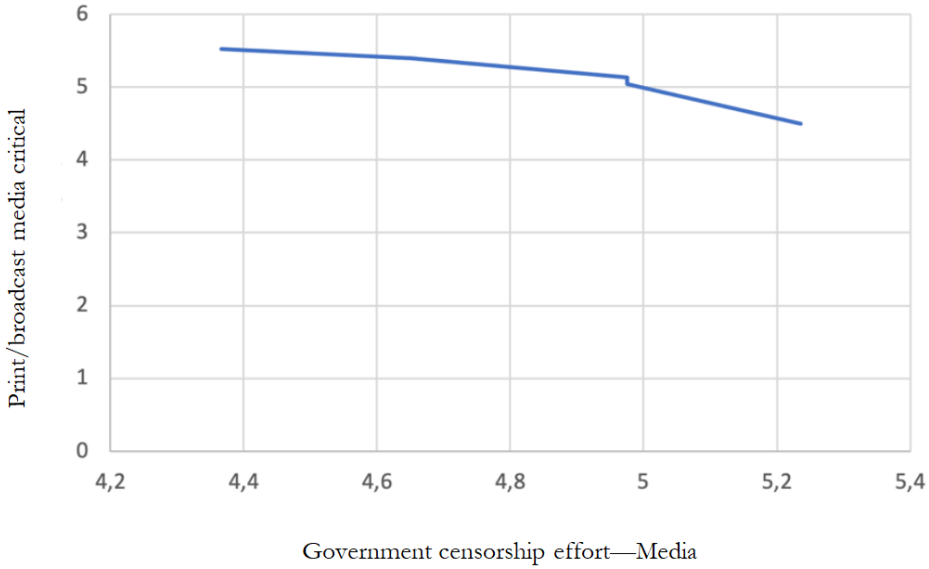


Source: Authors.

It is clear, especially on the normalized graph, that the proposed model captures the critical processes that took place during this period. A sharp decrease of the normalized index from 2017 to 2018 can account for leading CEU out of Hungary in 2019 and for finally downgrading the country to an electoral authoritarian regime. It is evident that determining the optimum weighting coefficients for the cumulative index A would require further work and more data would be required to test and validate the model. However, this first approach yields interesting results since it verifies the observations of the case study.

As far as competing indicators are concerned, we examine the Government Censorship Effort/Media indicator in Table 5 with respect to the Print/Broadcast Media Critical indicator of Table 3. Since the increased levels for Government Censorship are represented by smaller values we decided to invert (and normalize) these values, for consistency. As shown in Figure 2, in this case, indicators increasing towards a certain direction (e.g., media censorship by the government) cause others to decrease in value (e.g., the media being critical) and this is reflected to the non-optimal Pareto solutions described in the previous section, again leading to the university collapse. Again, it is worth noting that by 2018, Hungary was balancing on the verge of a breakdown to electoral autocracy (Lührmann et al. 2019).

Figure 2: Governmental censorship causing decrease in criticism by the media



Source: Authors.

The values of the 'Government Censorship Effort/Media' indicator range from very invasive, at low values (higher efforts of government censorship interventions) to not at all invasive at high values.

Although, once selected, the indicators range values and periodicity of monitoring should be specified, this requires further study depending on specific conditions of each university (Messick 1988). In any case, if monitoring such indicators is to be of some value, an appointed academic body should be responsible for measurements and should provide periodic reports. One such body in European universities could be the well-established Quality Assurance Unit (ESG 2015), whose role is to collect and process information concerning a large number of other indices. Alternatively, a 'Democracy State Observatory' should be initiated within each university to monitor indicators and provide appropriate alarm signals.

Conclusion

Although universities are considered birthplaces and incubators of knowledge and bastions of democracy in modern societies, there are cases of them shutting down their operations or moving to completely different areas after facing hostile behaviors from governments and other stakeholders. However, if one is to determine what destroys a university, one must first define the characteristics of an operating university. Thus, in this research, a model of the democratic university is employed, comprising a set of

characteristics that have been determined by extensive literature survey. The research question addresses the vulnerability of the university existence under the erosion of its characteristics.

Using the model in reverse, a group of European academics and university administrators were interviewed, providing insight on this matter according to their knowledge and expertise. When presented with the characteristics of the conceptual model, most of them were deeply worried and alarmed on the increased state interference with universities, in many cases in the form of financial cuts and budget manipulation. Additionally, they were concerned about New Public Management techniques that dictate which courses should be supported and which are to be abolished, based simply on efficiency and performance measures. They all report a recession in university's autonomy and a distorted view of accountability. Also, they expressed serious doubts on the efficiency and the role of international academic bodies and associations. Finally, the universities are no longer allowed to act as independent safe places supporting human rights and free speech. Participants considered that the combined effect of the above root causes can lead to the university's total collapse and shutdown.

It was useful to put these views under scrutiny through the case study of the CEU. By studying the CEU during its presence in Hungary, before being shut down and assuming operations in Austria, the findings were verified. Increased state intervention, coupled with techniques that control the university's curricula and research directions, with disregard to the university administrative bodies, do not leave room for the university to operate according to its vision and mission. Limiting academic freedom, free speech and association, no longer maintaining a fair rule of law and standing against immigration, liberalism, gender equality, human rights and human dignity, are significant factors that disintegrate the academic environment and lead to the university's collapse. Finally, a model based on Multi-objective Optimization Theory is proposed to encapsulate state changes within the university, especially with respect to the deteriorating values of the respective democratic indicators that may lead to its overall collapse. This can be used to signal and predict the deterioration of the university's democratic characteristics.

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Appendix

Indicators scales

Table 1: Civic and academic space

Indicator: Academic freedom Index

Clarification: Academic freedom is understood as the right of academics, without constriction by prescribed doctrine, to freedom of teaching and discussion, freedom in carrying out research and disseminating and publishing the results thereof, freedom to express freely their opinion about the institution or system in which they work, freedom from institutional censorship and freedom to participate in professional or representative academic bodies (UNESCO 1997 Recommendation concerning the Status of Higher-Education Teaching Personnel). The Academic Freedom Index is designed to provide an aggregated measure that captures the de facto realization of academic freedom, including the degree to which higher-education institutions are autonomous.

Scale: Interval, from low to high (0-1). (Coppedge et al 2022)

Table 2: Civil liberties

Indicator: Freedom of Academic and Cultural Expression

This indicator is based on the answer to the question "Is there academic freedom and freedom of cultural expression related to political issues?"

Answers were coded as follows:

Responses:

0: Not respected by public authorities. Censorship and intimidation are frequent. Academic activities and cultural expressions are severely restricted or controlled by the government.

1: Weakly respected by public authorities. Academic freedom and freedom of cultural expression are practiced occasionally, but direct criticism of the government is mostly met with repression.

2: Somewhat respected by public authorities. Academic freedom and freedom of cultural expression are practiced routinely, but strong criticism of the government is sometimes met with repression.

3: Mostly respected by public authorities. There are few limitations on academic freedom and freedom of cultural expression, and resulting sanctions tend to be infrequent and soft.

4: Fully respected by public authorities. There are no restrictions on academic freedom or cultural expression. (Coppedge et al 2022)

Table 3: Media

Indicator: Print/ Broadcast Media Critical

This indicator provides the answer to the question: "Of the major print and broadcast outlets, how many routinely criticize the government?". Responses were coded as follows:

Responses:

0: None.

1: Only a few marginal outlets.

2: Some important outlets routinely criticize the government but there are other important outlets that never do.

3: All major media outlets criticize the government at least occasionally. (Coppedge et al 2022)

Table 4: Accountability

Indicator: Accountability Index

To what extent is the ideal of government accountability achieved?

Clarification: Government accountability is understood as constraints on the government's use of political power through requirements for justification for its actions and potential sanctions. The sub-types of accountability were organized spatially. Vertical accountability refers to the ability of a state's population to hold its government accountable through elections, horizontal accountability refers to checks and balances between institutions; and diagonal accountability captures oversight by civil society organizations and media activity.

Scale: It is thus scaled low to high (0-1). (Coppedge et al 2022)

Table 5: Diagonal accountability index

Indicator: Government Censorship Effort/Media

Responses:

0: Attempts to censor are direct and routine.

1: Attempts to censor are indirect but nevertheless routine.

2: Attempts to censor are direct but limited to especially sensitive issues.

3: Attempts to censor are indirect and limited to especially sensitive issues.

4: The government rarely attempts to censor major media in any way, and when such exceptional attempts are discovered, the responsible officials are usually punished. (Coppedge et al 2022)

What are the Drivers of Constitutional Change in Turkey?

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Abstract

This paper explores the reasons for the last constitutional reform in Turkey. This paper argues that the strong Presidency in the 1982 constitution and 2007 amendments paved the way for the presidential reform in Turkey and the internal fragmentation and weakening tutelage of the military opened a window for institutional change. The power of Erdogan for mobilization of masses and the strong personalization of power around him provided a resource for the last constitutional reform. The failed coup attempt on 15 July 2016 triggered the regime change. The study was conducted by employing the method of causal process tracing and the theory of windows of opportunity as well as different approaches of path-dependence. This paper contributes to the literature by exploring the reasons for the institutional change by considering its historical and political context.

Keywords

Constitutional Changes; Institutional Change Theories; Regime Changes; Regime Transitions; Turkey

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Introduction

The erosion of democracy is a common experience in the world in recent years. Bermeo (2016) states that one of the trends in democratic backsliding is "executive aggrandizement" nowadays. It implies weakening checks on executive power gradually by elective actors through institutional changes. Turkey could be seen as a good example of it. This process reaches a peak point on 16 April 2017, when Turkey held a referendum to change its constitution from parliamentarism to presidentialism and presidentialism was approved with 51.4 percent of the votes. If Turkey's historical, political, and social contexts and the comparison of features of parliamentary and presidential systems are considered together, it can be understood that this is a confounding incident.

It can be asserted that executive aggrandizement may take place easier in presidential systems than parliamentary systems for a fragile democracy due to some of the features of presidential systems. Linz (1990) asserts a similar claim by comparing parliamentary and presidential systems. He concludes that parliamentary regimes are more likely to preserve democracy. This conclusion is based on two remarkable features of presidentialism. The first one is the democratic legitimacy of presidents which can coincide with an opposed and strong legislative majority (Linz 1990, 53). From Linz's perspective, in this case, both president and the legislator directly obtain their power from public votes. This situation always tends to create a conflict that can damage democratic stability and give armed forces a ground to interfere as a mediating power. The second feature is the president's fixed term in office which leads to personalization of power as well as discontinuity of political process and policies (Linz 1990, 54). This feature also has the potential to exacerbate tension and polarization in society because of zero-sum elections in the system. On the other hand, it can be easily asserted that parliamentarism has institutional features to prevent these kinds of problems and perils in presidential systems. This idea is widely accepted and supported in the literature (Lijphart 2007; Norris, 2008).

However, Turkey, which had a parliamentary culture for nearly one century and has always tried to have a stable democracy, changed its constitution from parliamentarism to presidentialism. Turkey has a political history with military coups and crises as well as a social structure with minorities and a deep cleavage between seculars and conservatives. As mentioned above, these features are more hazardous in a presidential system for a fragile democracy like Turkey. If these are considered, it can be asserted that the ratification of this referendum has the possibility of exacerbating Turkey's democratic backsliding (Esen and Gümüşçü 2018).

It is important to explore the ongoing effects of the referendum on Turkish democracy and its results. However, it is also important to explore reasons for the referendum and its

approval. This paper aims to explore possible drivers of constitutional change in Turkey. Undoubtedly, the exploration of the reasons for constitutional change in Turkey has vital importance in foreseeing and analyzing the future of the new system and Turkish democracy. Besides, it may help to discover the factors or events that have an impact on regime transitions for other countries. Turkey is an interesting case because it has experienced political, social, and historical conditions that resulted in the formation and conservation of parliamentary system for nearly one century. At the same time, it has conditions that have paved the way for the transition from parliamentarism to presidentialism.

While various studies examine the previous constitutional choice in Turkey (Ahmad 1985; Turan 1990; Heper and Çınar 1996; Özbudun and Gençkaya 2009), there are few studies about the current constitutional reform. Aytaç, Çarkoğlu and Yıldırım (2017) try to explore the electoral views about transition from parliamentarism to presidentialism and find that after twin-elections in 2015, public support for presidential system had increased and partisan cues are one of the factors for public support for presidential system. Esen (2017) evaluates the new "Turkish style presidency" and argues that this new system "is founded on an unbalanced relationship between the executive, the legislature and judiciary in favor of the executive". Scotti (2017a) emphasizes the role of the Army in Turkish political history and its effects on the presidency discussion and the possible risk of the 2017 amendments for Turkish democracy. Esen and Gümüşçü (2018) pose that the new system has the potential to institutionalize personalism and majoritarian rule in Turkey. Similarly, Cilliler (2021) focuses on the negative effects of the new system on Turkish democracy and how this new system escalates the authoritarian turn.

Yet, these studies generally do not provide a broad perspective to be able to understand the effective drivers of constitutional reform because they mainly focus only on the results of constitutional change or the reasons for public support of the presidential system. This paper aims at filling this gap in the literature by considering the historical and political context of Turkish constitutional reforms and the dominant factors for recent institutional change.

This kind of endeavor requires a method that can understand and explain causal mechanisms in case studies by making possible to include different and complex contextual factors. The method of causal process tracing provides a well-grounded basis for it. In this article, causal process tracing (CPT) is used which aims to discover "the many and complex causes of a specific outcome" (Blatter and Haverland 2014, 59). In this method, existing theories have crucial roles to build a consistent framework and explain the case at hand.

By considering these, this article benefits from theories of path dependency and windows of opportunity to explain the constitutional reform in Turkey in 2017. It finds that the

strengthening role and power of the president as a result of the 1982 constitution and the 2007 constitutional amendment represent two important stages in terms of showing the gradual institutional change in Turkey. The historical background of Turkish constitutional designs and reforms is summarized to show the path as well as the dominant factors and actors of Turkish political life because changes in power relations are also significant components in this transformation process. The Turkish military, as one of the strongest power holder in the system, experienced divisions which contributed to the transformation. In this context, the failed coup attempt on 15 July 2016 opened a window to create public support for structural change. Moreover, mobilization of political support as a resource by elected actors, which were rival agents to the military and represent another strong group in power relations, furthered and completed the process of transformations from parliamentarism to presidentialism.

The Historical Context of Constitution-Making in Turkey

Turkey's constitutional tradition began with parliamentary practice. The constitution of 1921 is the first constitution of Turkey. It was accepted by the constituent and revolutionary assembly, Grand National Assembly of Turkey (GNAT), under difficult conditions following the aftermath of WWI and the occupation of Turkey (Gözler 2007). Özbudun and Genckaya (2009, 10) define it as a short document that was a solution for urgent constitutional problems rather than an actual constitution. Therefore, the second constitution was adopted in 1924 by the assembly which was elected in 1923. For these two terms, Mustafa Kemal Atatürk, the founder of the Republic of Turkey, had a key role as not only a political leader, but also a military leader as a result of the ongoing conditions of the war (Tachau and Heper 1983, 19). This situation deeply affected the political culture later in Turkey. Although Mustafa Kemal attempted to set the military apart from the political arena, the Army was considered as the guardian of the new regime and state (Scotti 2017a, 252). This is because of the link between the domination of Mustafa Kemal on the political arena thanks to his role as President of the Republic, as well as his supporters in the only political party, the Republican People's Party (RPP), in the assembly and Atatürk's and RPP's top figures' military backgrounds (Scotti 2017a, 252; Tachau and Heper 1983, 19-20). It can be asserted that this symbolic relationship between civilian leadership and the military continued with Atatürk's successor İsmet İnönü, who was the second president of Turkey with a military background as a general, in the period of uninterrupted rule by the RPP until 1950.

The single-party period under the sovereignty of RPP ended in 1946 and the Democratic Party (DP) won the elections in 1950. This victory was seen as the result of the social and economic developments which led to the rise of middle-class entrepreneurs and segments of the provincial

(Tachau and Heper 1983, 20). These groups generally supported DP against RPP. These developments gave hope for the consolidation of democracy in Turkey. However, in the late 1950s, the tension between the government (DP) and the opposition (RPP) increased because the government used its powers to suppress the opposition and take some authoritarian precautions by exploiting the absence of restraints on the legislative powers in the constitution of 1924 (Özbudun and Gençkaya 2009, 13). Eventually, on 27 May 1960, the military intervened and overthrew the government. Heper and Tachau (1983, 21) interpreted this action as "somewhat partisan" because of the sympathy of the military for RPP and the results of the coup which was the execution of three leaders from DP.

The constitution of 1961 was written by state elites including the members of the military, university professors, and the bureaucracy and it was adopted by the majority of votes in the referendum. It is claimed that one of the main purposes of the 1961 constitution's writers was the prevention of "the re-emergence of an authoritarian partisan regime based on massive parliamentary majorities" (Tachau and Heper 1983, 22). This aim resulted in a new kind of political system which was able to restrict "the government's freedom of action" by establishing new institutions such as a second parliamentary chamber or a constitutional court; it also made possible the access of the military to politics in a more institutionalized way through the agency of the strengthened National Security Council (Tachau and Heper 1983, 22). The majority of the members in the council included military members and they were expected to prioritize the council decisions by political members of the council.

Özbudun and Gençkaya interpreted (2009, 16) these restrictions as the reflection of the distrust of elected organs and thus the foundation of "an effective system of checks and balances". Moreover, Scotti (2017a, 253) commented as a confirmation of the tutelage through institutions. Yet, this tutelage was not limited to institutions; the next two presidents of the republic had military backgrounds.

Nearly ten years later, on 12 March 1971, the military intervened in political life again with a memorandum. However, this time the military did not dissolve the parliament and took control directly. They forced the government to resign on the pretext of rising violence and economic unrest in the country. At that time, the government was the Justice Party (JP) which was established as the successor of the prohibited DP. Tachau and Heper identified (1983, 23) the 12 March 1971 military intervention as "a veto over civilian authorities with the goal of preserving the social and economic status quo". After this intervention, the constitution of 1961 was amended in 1971 and 1973. The 1961 constitution had been criticized by the elected government due to its weakening of the executive power. These constitutional amendments fulfilled expectations about

strengthening the executive. Additionally, while the autonomy of the military was increased, certain civil liberties and the power of the courts were curtailed with these amendments (Özbudun and Gençkaya 2009, 18).

On 12 September 1980, the Turkish armed forces seized power directly once again by alleging persistent instability, which was seen as a result of the spirit of the 1961 constitution, as a pretext. Economic crisis, civil violence, and the unsuccessful and repeated attempts to elect a new president for more than six months demonstrated certain indicators of instability in the country (Tachau and Heper 1983, 25-26). Another reason for the 1980 military intervention by the military was considered to be a potential threat to secularism, which had been one of the fundamental values of the Republic. The National Salvation Party, which was one of the political Islamist parties, organized "a provocative political rally" immediately before the coup (Tachau and Heper 1983, 25-26). By considering these reasons, it is possible to interpret that the perception of the 1980 military junta indicated itself as a "guardian" for the regime rather than a political veto (Tachau and Heper 1983, 28).

On 7 November 1982, two years after the 1980 coup, the 1982 constitution was approved by a referendum with 91.37 percent of the votes. This constitution was written by less representative members than the 1961 constitution, where the influence of state elites was more than that of the 1961 constitution. Moreover, the 1982 constitution did not reflect a broad consensus in terms of the designs of political institutions and orders (Özbudun and Gençkaya 2009, 19). Rather, it projected the values, interests, and desires of preserving the status quo of the military onto the system. The referendum question was combined with the approval of General Kenan Evren, the head of the coup, as the president of the Republic. It is possible to interpret this incident as the first indicator of the desire for the continuation of the status quo. The high level of approval votes can be explained by the one-sided campaign, the restrictions to debate publicly the constitution and the statement of the National Security Council members which hinted that "… in case of a rejection of the draft, the military regime would continue indefinitely" (Özbudun and Gençkaya 2009, 20). This means that if the referendum was rejected, Turkey would not be able to return to civilian party politics for a long and indefinite period.

The hegemony of the military on political life continued in the process of transition to civilian rule and democracy. The military council vetoed several attempts at the formation of new political parties for the general election in November. This provides an insight into the hegemony of the military on political life in those days (Ahmad 1985, 214). They determined the political arena according to their desire through their veto power on political parties and politicians.

The 1982 constitution significantly strengthened the role and power of the president who was (or is) given comprehensive legislative and executive powers as well as the power to appoint important positions, like judges of the Constitutional court (Tachau and Heper 1983, 29). The aim was to provide the continuation of the role and the control of the military through a strengthened presidency. This new system can be defined as "weakened parliamentarism" because of the power of the Presidency of the Republic (Özbudun and Gençkaya 2009, 20). In consequence of the distrust of civilian political elites, the 1982 constitution created numerous tutelary institutions to check the elected agencies apart from the strong presidency (Özbudun and Gençkaya 2009, 20).

The dominance of the tutelary spirit in the 1982 Constitution and its features have led to severe criticism, and it provided a basis for constitutional amendments. It has been amended several times. One of them is particularly important in terms of the scope of this paper where I argue that it paves the way for presidentialism in Turkey: the 2007 Constitutional Amendment that proposed the election of the President of the Republic with popular votes.

The Implications of Institutional Change Theories for Turkey

It is widely accepted that one of the fundamental components to study institutional change is the context. There are several theories that consider different aspects of contexts to explain institutional changes, such as historical conditions, actors, or evolutionary processes (Kingston and Caballero 2007, 19). Thus, when analyzing possible reasons or triggers of the last constitutional change in Turkey, one should consider special historical and political conditions. From this standpoint, two institutional change theories provide a broad understanding of the background and conditions of the last changes in the Turkish context.

The first theory is path-dependency theory. Mahoney and Thelen (2009) created a theory, which is mostly based on historical institutionalism. However, this theory also reflects an eclectic approach with rational-choice institutionalism to explain gradual institutional changes. They argued that "the interaction between features of the political context and properties of the institutions themselves" has an important role to explain institutional changes (Mahoney and Thelen 2009, 31). Therefore, institutional reform can be interpreted with the notion of "path dependence".

Institutional change generally happens gradually in the long run. Institutions are generally considered connotative of continuity rather than changes. However, when they are conceived as "distributional instruments laden with power implications", they also provide a basis for changes (Mahoney and Thelen 2009, 7-8). Although some traditions in institutional change theory, such as punctuated equilibrium model, point out the purpose and persistence of continuity and the role of

crisis or "abrupt institutional breakdown and replacement" in institutional changes and historical discontinuities; Streeck and Thelen (2005, 8) emphasized the importance of incremental process on the gradual institutional transformations which indicates actually "major historical discontinuities". In these incremental changes, one of the significant parts is the distribution of power in terms of institutions and the other important part is the degree of openness for actors to interpret and enforce the existing rules (Mahoney and Thelen 2009, 4).

This shows that agents and their strategies – which are affected by institutional environments – are important drivers for institutional changes (Mahoney and Thelen 2009, 31). The relations and interactions between the rule-makers and rule-takers, who are the competing main actors in a regime in conflict with each other, are a determinant factor for the transformation of regimes (Streeck and Thelen 2005, 13). In this regard, the significance of institutions is related to resources – which are mostly political or political-economic- and their roles in resource allocation between these actors: "… many formal institutions are specifically intended to distribute resources to particular kinds of actors and not to others" (Mahoney and Thelen 2009, 8). Institutions generally reflect the preferences of certain actors as well as the conflict among different actors whose institutional preferences and motivations differ from other actors (Mahoney and Thelen 2009, 8). Therefore, institutions represent not only stability but also vulnerability for a potential change at the same time (Mahoney and Thelen 2009, 8). While actors who benefit from existing arrangements desire continuity and stability of institutions, disadvantageous actors pursue changes (Mahoney and Thelen 2009, 9). These statements show the importance of "ongoing mobilization of resources" which include political support (Mahoney and Thelen 2009, 9). Political support is one of the key resources for different actors for their desire for continuity or change in institutions. The true and persistent mobilization and channeling of this support accommodate a significant potential for political aims in the long run.

Another important claim in Mahoney and Thelen's theory is that one of the effective reasons for institutional change is the shift in power relations over time. "Divided elites" and "united subordinate groups" are two important themes to explain reasons for a change in power relations as well as institutions in path dependency theory. If there are divisions among power holders which have remained ahead of the game until a certain time and in contrast to this, if disadvantageous subordinated groups have been organizing and enhancing their power to challenge the established power relations through institutional arrangements at the same time, this can result in institutional changes (Mahoney and Thelen 2009, 9-10).

At this point, the extent of openness of interpretation and implementation of institutional rules comes into prominence in terms of resource allocation and institutional changes (Streeck and

Thelen 2005, 19; Mahoney and Thelen 2009, 10-11). Actors have a significant role in terms of the interpretation and implementation of rules. Because "… institutional 'winners' and 'losers' have different interests when it comes to interpreting rules or dedicating resources to their enforcement" (Mahoney and Thelen 2009, 14). This aspect of institutional rules makes important to "the 'gaps' or 'soft spots' between the rule and its interpretation or the rule and its enforcement" for institutional changes due to raising the importance of actors' preferences and the coalitions (Mahoney and Thelen 2009, 14). This point emphasizes the role of coalitions for possible changes in the system in time.

The second theory is the windows of opportunity theory. Cortell and Peterson (1999) state the effect of incremental changes in coalition buildings that is related to institutional transformations. Their theory on windows of opportunity corresponds with the emphasis of previous theories. Cortell and Peterson (1999, 179) indicate three factors for institutional change: international and domestic events which can be crises or pressures (triggers), the actions and interests of actors – who are generally state officials – after these events (change-oriented preferences), and institutional capacity to be able to make a change. This kind of theoretical framework shows the influences and relations of processes, political contexts, and institutional characteristics on changes concerning crucial events.

Some crucial international or domestic events (e.g., war, revolution, coup, or economic problems) discredit existing institutions and open a window that creates an opportunity for changes (Cortell and Peterson 1999, 184-185). Even though these kinds of triggers create the necessary conditions for structural change, they cannot effect change without actors (Cortell and Peterson 1999, 187). Elected or appointed state officials are the central agents in institutional reforms, and they exploit windows of opportunity according to their perceptions, preferences, and calculations which aim at seeking or maintaining power and positions at the office (Cortell and Peterson 1999, 183-188). The ability of actors for institutional reform is also related to institutional configurations: There are some structural obstacles for elected actors to make changes due to veto points or power distribution in political systems (Cortell and Peterson 1999, 190). The abovementioned triggers, which are generally evaluated as a threat, create an opportunity for state officials to overcome institutional and political obstacles by "granting governments greater freedom from democratic constraints" (Cortell and Peterson 1999, 186-191).

By considering these aspects in the path dependency and windows of opportunity theories, the following hypothesis can be generated for the last constitutional change in Turkey: 1982 constitution and its amendments in the past paved the way for 2017 presidential reform in Turkey in time by changing power relations and distribution of power and resources. The internal divides

in the military, which had represented one of the most effective state elite groups and power holders in the system, and the weakening of its tutelage triggered the regime change. Strong personalization around President Recep Tayyip Erdoğan, provided resources for generating legislative and public support for the presidential reform and lastly, the unsuccessful coup attempt opened a window for constitutional change.

Methodology

To analyze the drivers of the 2017 constitutional changes in Turkey, I conducted the process tracing. This method provides an opportunity to study deeply within-case research. However, it has many different variants, and its definition and implications are not clear (Trampush and Pallier 2016). This situation necessitates presenting a certain definition and approach which is adopted in this study.

This study mainly benefits from the methodological approach of Blatter and Haverland's (2014) "Causal Process Tracing". In this understanding of process tracing, an outcome (Y) is the center, and it is primarily focused on the struggle to answer "why" and "how" questions to unpack the complex causal conditions, mechanisms, and configurations of outcome Y (Blatter and Haverland 2014, 59).

Although CPT is criticized due to its limitations for generalizations for other cases (Beach and Pedersen 2011; Kay and Baker 2014), it is useful to analyze a social incident. With the implication of causal process tracing, it is targeted to uncover "the sequential and situational interplay between causal conditions and mechanisms" which create the present outcome (Blatter and Haverland 2014, 59).

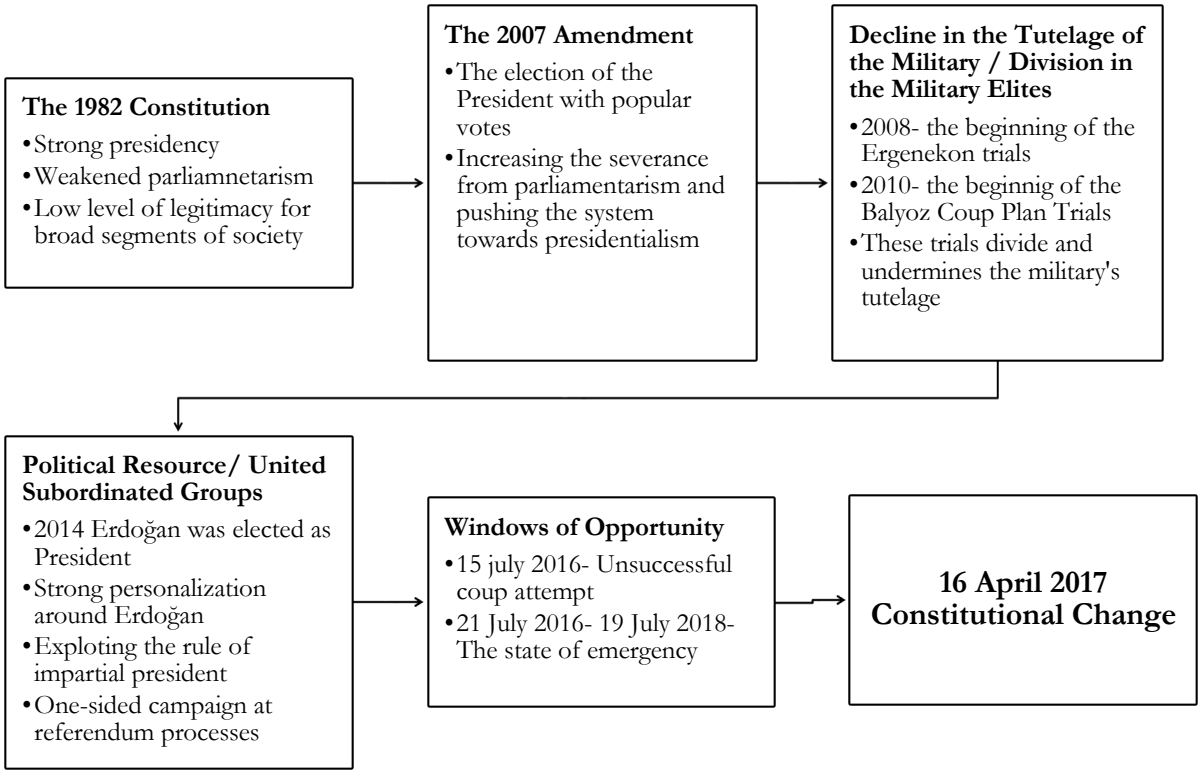
In causal process tracing (CPT), temporality and timing have substance importance (Blatter and Haverland 2014, 79). CPT can be defined as a method that focuses on processes and mechanisms to connect the causes and the effects (Blatter and Haverland 2014, 60). This point shows the emphasis on timing and temporality when it is tried to unpack the black box of a specific social outcome's causal inferences. Another crucial part of CPT is configurational thinking (Blatter and Haverland 2014, 64). Configurational thinking assumes that "social outcomes are the result of a combination of causal factors" (Blatter and Haverland 2014, 64). This stresses the role of process dynamics which is required to a comprehensive storyline (Blatter and Haverland 2014, 70).

In this study, the 2017 constitutional change in Turkey is at the center of analysis as an outcome (Y) and it is tried to discover the causal conditions or mechanisms which creates this outcome. I used CPT method to analyze the last constitutional reform in 2017. As mentioned above, firstly when it is used to understand why and how social outcome occurs in a certain time,

CPT offers a method which considers a comprehensive storyline, the value of processes as well as a strategic timing and combination of other different causal factors. Secondly, the method of CPT is benefitted from theories to analyze the outcome in a proper way. Thus, path-dependency and windows of opportunity theories are employed in this article to analyze the last constitutional reform in Turkey.

By considering all of these, first, I provide a background of Turkish political history and constitutions to construct a storyline of Turkish constitutional making until 1982 which is the last constitution. This makes easier to understand the effects of the processes, the context, and effective actors in the system on the last constitutional reform. After that, I explain theories of process tracing and windows of opportunity because they are highly relevant to understand the impressive causal factors on the issue and the strategic timing of the change. The presidential reform in Turkey is not the result of just one condition or one term. It reflects a complicated aggregation of many different mechanisms and their interactions with each other in time. The following chart summarizes the causal mechanism of institutional change in Turkey according to the CPT method.

Figure 1: Causal mechanism of institutional change in Turkey.



Source: Author.

Analysis

Presidentialism has been discussed in Turkey since the 1970s due to the military tutelage and instability in political life (Scotti 2017a, 254). Some influential political leaders have supported a presidential reform in Turkey (Scotti 2017a, 255). However, it also has been criticized and seen as a threat to Turkish democracy by broad segments of Turkish society (e.g. Turhan 1990; Tacir 2015). Moreover, the Turkish public had never shown its open support for this kind of institutional change before 2017. Bilgin and Erdoğan (2018, 39) analyzed different institutions' opinion polls held since 2010 and found that "public support for presidentialism was nearly 15 points lower than the actual "Yes" vote's recorded percentage in 2017". Therefore, it is important to discover the reasons and chains of mechanisms that resulted in the approval of the Presidential reform in 2017.

Firstly, constitutional reform in Turkey can be explained with Streeck, Mahoney and Thelen's institutional change theory which indicates the significance of gradual transformations, power shift between agents in the political system, and mobilization of resources.

Presidential reform in Turkey has developed in an incremental process thanks to the structure of the last constitution and its amendments. As mentioned above, the 1982 constitution reinforced the power of the Presidency in the political system, and it was the first step that made the way for institutional change. With this constitution, the Turkish political system had experienced its first deviation from traditional parliamentarism. 1982 constitution established a strong presidency that exceeded the power and symbolic role of the President in a conventional parliamentary regime. For that matter, it was named as "weakened parliamentarism" (Özbudun and Gençkaya 2009). Besides, this constitution reflected a tutelage regime in the perception of some segments of the public and its legitimacy had been becoming a problem for years. It did not reflect a consensus of society. Rather, it was evaluated as the construction of the status quo that mainly reflected the mindset of the military. The issue of legitimacy provided an environment for the following amendments in time.

2007 amendments, which proposed the election of the President of the Republic with popular votes, led to a breaking point for the last constitutional reform (Aytaç et al. 2017, 3). In 2007, military and state elites showed a strong reaction to the government's (Justice and Development Party -JDP) candidate for the presidency and tried to prevent his election through the Constitutional Court. This institution inherited and reflected tutelage in the perception of some segments of society. Thus, elected officials conducted a referendum for a constitutional amendment. These developments show consistency with the point of conflict between rule makers and rule takers in terms of the function of institutions as the distribution of power and resources as well as the different interpretations of rules by them in path dependency theory.

This amendment increased the severance from parliamentarism while it pushed the institutional system toward presidentialism. Thus, it represents the second important development in the causal mechanism of the 2017 constitutional changes. This change supports the strong power and role of the President in the 1982 constitution, and it leads to gaining the advantage in the discussion of legitimacy in favor of elected officials or the President. Thus, this development is also crucial in terms of political support which is an effective resource.

While JDP and elected officials had been raising their power and resources in the system, the military had been falling from power in Turkish political life. This is the other important reason for constitutional reform. Since 1999, the autonomy and impacts of the military on Turkish politics were decreased through constitutional and institutional changes (Gürsoy 2014, 174). Moreover, as one of the strong state elite groups and power holders, the military suffered from fragmentation. The trials of Ergenekon and Balyoz, which included commanders and generals among the defendants accused of plotting the government, deteriorated the reputation of the military and weakened it (Deveci 2013; Deveci 2016). These trials also can be evaluated as the first indicators of the fragmentation of the military and this fragmentation became concrete on 15 July 2016 with the failed coup attempt resulting from internal conflict and partial participation in the coup attempt. The trials of Ergenekon and Balyoz also can be considered as reasons for the divisions of the military (Jenkins 2014). Because, after the coup attempt, some people claimed that these trials were launched by the members of the Gülen Movement, which was held responsible for the 15 July 2016 coup attempt, to damage people who were opponents of them and to provide high positions for their followers and supporters in the military (Aljazeera Turk 2015; Sputnik Türkiye 2016; Jenkins 2014).

If I interpret these developments in terms of Turkish political context and theories in this paper, I argue that the divisions in the Turkish army and its weakening tutelage and reputation caused power to shift between actors in Turkish political life. After all of these developments, the past role of the military as "a veto over civilians" or "a guardian of the regime" has been undermined. As mentioned earlier, Mahoney and Thelen argued (2009, 9-10) that "divided elites" is one of the reasons for institutional changes and the military had been one of the strongest and most influential power holders in Turkish political life to prevent institutional changes.

On the other hand, the election of Erdoğan as President of the Republic in 2014 provided an important political resource that raised the role and importance of rule takers in the system. This situation accelerated the power shifts in Turkish political life by taking advantage of political support. Unlike division in the state elites, Erdoğan mobilized and united broad segments of groups. Besides, he used the soft spots of the system which occurred after the 2007 amendments.

In those days, the President of the Republic needed to be impartial. However, Erdoğan was not an impartial president, and he gave this situation as a pretext for the regime change by saying "it needs to be solved de facto situation" (BBC Türkçe 14 August 2015). He still directed the government (Aytaç et al. 2017, 3). He had many statements and actions in favor of JDP in those times and this has been interpreted as a reason for regime change by his supporters (Taşçı 17 August 2015). Aytaç, Çarkoğlu and Yıldırım (2017, 16) emphasized the effect of partisan cues on the support for Presidentialism. Contrary to the low level of support for Presidentialism among supporters of the opposition parties, the high level of support among the supporters of the JDP shows that political support can be mobilized and used as a resource for regime change (Aytaç et al. 2017, 8). From my perspective, this support is mainly based on the strong personalization around Erdoğan. This view can be supported by his organization of mass rallies during the election campaign in 2015 for "400 members of parliament" from JDP for constitutional reform instead of the formal leaders of this party (Aytaç et al. 2017, 3). Although he was the President of the Turkish Republic, he was not formally related to JDP at that time. Erdoğan held a public demonstration himself to gain more support and to assure the approval of the presidential reform in the assembly through JDP.

The last link in the causal mechanism is the coup attempt on 15 July 2016 which opened or broadened a window for a radical constitutional change in Turkey by increasing public support, creating new coalitions, and making it possible to overcome institutional constraints through the state of emergency.

In this failed coup attempt, 251 people were killed, and 2731 people were injured (Presidency of Republic of Türkiye Directorate of Communications 2020, 4). This event had a significant influence on the result of the 2017 constitutional change referendum due to the political and social unrest in the country. When we evaluate this event with Cortell and Peterson's (1999) theory, this bloody coup attempt intensified to discredit of the 1982 constitution, which had already low level of legitimacy in the perception of broad segments of society and reflected the tutelage of the military. This situation helped the government's actions for changes by building new coalitions and creating political support.

In both Cortell and Peterson's theory and Mahoney and Thelen's path dependency theory, the preferences of actors and coalitions play a determinant role. Although all opposition parties in the parliament – which are RPP, Nationalist Movement Party and Peoples' Democratic Party that are supported generally by Kurdish people- had been against a presidential reform in Turkey, the leader of Nationalist Movement Party agreed with Erdoğan to support the constitutional reform after the coup attempt because of the aim of the preservation of his leadership against a fraction

in the party (Paul and Seyrek 2017). This situation demonstrates the importance of agents' actions which are interest-driven and change-oriented.

However, more importantly, I argue that the failed coup attempt also helped the creation of support for and coalitions in the nationalistic and Islamic grassroots for an institutional change by stimulating national sentiment. One-sided campaign in favor of support for presidentialism helped the government to raise its influence on these grassroots. The referendum was held in the state of emergency and this situation created a misbalance of power in terms of access to media and public space visibility between the two camps (Esen and Gümüşçü 2017). The state apparatus was used in the referendum processes for the campaign in favor of presidentialism (Esen and Gümüşçü 2017). The unfair campaign process was also a resource for the ruling party in the transition of the system.

In this regard, it can be argued that the unsuccessful coup, which was considered a threat, and the subsequent declaration of the state of emergency opened a window for constitutional reform by creating new coalitions and overcoming institutional and political support constraints. Besides, the unsuccessful coup attempt and state of emergency broaden the windows of opportunity for the elected actors. They rise their capacity to overcome institutional and political constraints and change the system.

Conclusion

This paper contributes to the literature by considering the historical and political context of the last Turkish constitutional reforms and the dominant factors for recent institutional change.

This study explored possible drivers of constitutional change in Turkey by employing the theory of windows of opportunities and different approaches of path-dependency to explain the reasons for presidential reform in Turkey. It is explored that constitutional changes in 1982 and following amendments paved the way for institutional change in Turkey by rising the power of the executive. The weakening of the tutelage and reputation of the Turkish army forces created an opportunity to change the regime for political actors and strong personalization around Erdoğan provided the necessary resource to manipulate political support for constitutional reform. The 2007 constitutional amendments and the 15 July 2016 failed coup attempt can be considered turning points for the presidential reform in Turkey.

After the 2017 constitutional changes, the decline in Turkish democracy has been continuing. Freedom House Index has considered Turkey as "not free" since 2018. The 2017 constitutional change can be evaluated as a turning point in Turkey's democratic backsliding and authoritarian turn (Arat 2021). Thus, further studies should give priority to discover the different

aspects of background factors of the 2017 constitutional changes in Turkey by employing different methods and theories. This kind of endeavor may help the restoration of democracy and prevent a democratic collapse.

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The Incompatibility of Moral Relativism and Brennan's Argument for Epistocracy

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Abstract

In Against Democracy, Brennan argues in favor of restricting suffrage, proposing epistocracy. He argues political power should not be held by incompetent and morally unreasonable people (i.e., the competence principle) and that epistocracy would create more just outcomes than democracy. However, Brennan assumes his argument is compatible with different meta-ethical frameworks. In this article, I examine the extent to which his argument is challenged by meta-ethical moral relativism, aiming to answer the following central research question: what are the repercussions of meta-ethical moral relativism for Brennan's use of the competence principle and the creation of just outcomes as an argument in favor of epistocracy over democracy? I argue that democracy better satisfies Brennan's own principles compared to epistocracy, for the epistocratic reliance on experts renders epistocracy inherently incapable of collecting sufficient information about moral facts from the right voting population.

Keywords

Analytical political philosophy; Democracy; Epistocracy; Jason Brennan; Meta-ethical moral relativism

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Introduction

Ever since Plato's *Republic*, the idea that democratic electorates lack sufficient (political) competence has been used to criticize democracy (Plato 2015). In his book *Against Democracy*, the political philosopher Jason Brennan articulates this issue by claiming that citizens can be biased, irrational, ignorant and morally unreasonable (Brennan 2016). Instead, he argues for epistocracy, a polity in which only a select group of competent and morally reasonable people can hold political power, including the power to vote; it aims to exclude people with bad moral or epistemic character (Brennan 2011, 701). In Brennan's view, democracy violates the competence principle, which holds that important decisions that affect others should be made morally and competently by morally reasonable, competent people. As citizens often lack sufficient political competency, the democratic belief in unrestricted suffrage (a form of political power in Brennan's view) violates this principle. In addition, Brennan thinks restricting suffrage will result in more just outcomes. It is for these reasons that Brennan argues epistocracy is less unjust compared to democracy.

However, Brennan does not give a clear account of the moral framework underlying his principles. He does not elaborate on what a 'just outcome' entails and takes it that moral reasonability can be "filled in by the truth, whatever that is" (Brennan 2011, 705). Brennan thereby assumes his theory is compatible with different meta-ethical frameworks, as long as these are compatible with his competence principle and instrumentalist views. But there are good reasons to believe that this assumption must be questioned. The way in which moral facts underlying moral reasonability and just outcomes are constituted meta-ethically influences how these moral facts can be discovered, which in turn impacts which polity will be most successful in acting in accordance with these moral facts. Importantly, meta-ethical models thereby also provide us with valuable insights about the locus of moral facts, i.e., who or what constructs moral facts. Brennan's argument heavily relies on experts to make normatively desirable, political decisions, but this claim could be challenged by meta-ethical frameworks that undermine the moral status of epistocracy's experts. As Brennan is a prominent philosopher within this advancing debate, it is crucial to explore this meta-ethical lacuna in his theory in order to see if experts can really be relied upon to take political decisions for us.

In particular, it is important to further explore meta-ethical moral relativism, a framework that has received increasing interest by meta-ethicists, political philosophers and political leaders over the past few decades (Gowans 2015, 10). Moral relativism is a second-order, meta-ethical framework that takes first-order moral judgments, principles and values (including concepts of moral reasonability and justice) to be valid only given some socio-historically contingent set of categories and assumptions (Accetti 2015; Gowans 2015, 1). Proponents of moral relativism

generally defend their framework by attacking the tenability of moral objectivisim, which arguably fails to sufficiently address objections to the existence of objective and universal moral standards. This paper focuses specifically on James Ryan's conception of meta-ethical moral relativism called 'societal relativism', taking moral facts to be relative to particular societies (Ryan 2003). Societal relativism is particularly interesting because it most directly challenges Brennan's reliance on experts, as it places the locus of moral facts in societies rather than single experts.

This paper aims to answer the following research question: what are the repercussions of meta-ethical moral relativism for Brennan's use of the competence principle and the creation of just outcomes as an argument in favour of epistocracy over democracy? The paper provides an internal, theoretical critique of Brennan's position by demonstrating that meta-ethical moral relativism significantly impacts the extent to which epistocracy can meet his normative principles.[1] My argument is structured as follows:

A1: Societal relativism is true.

A2: If both epistocracy and democracy fail both the competence principle, then the most just polity[2] is the one that will produce more just outcomes (Brennan 2016, 109).

Assuming A1 and A2, I argue for two claims:

P1: Epistocracy and democracy both fail the competence principle.

P2: Democracy will produce more just outcomes than epistocracy.

This leads me to the conclusion that:

C1: Democracy is more just compared to epistocracy.

I argue that, whereas Brennan is right to say democratic electorates lack sufficient epistemic competence, epistocrats cannot be relied upon to make morally reasonable decisions in a morally reasonable way, for epistocracy's reliance on select groups of experts risks divergence from moral facts as constituted in societal relativism. Therefore, epistocracy and democracy both fail the competence principle in their own way (P1). Secondly, I draw on Thomas Christiano's minimalistic, yet essential, distinction between value-only-voting democracy and epistocracy to render epistocracy inherently incapable of becoming informed of the moral facts underlying just outcomes (Christiano 1996). After laying out the relative success of democracy and democracy's potential to improve on its epistemic competence internally, I come to believe P2 is also true. Consequently, Brennan's argument for epistocracy is incompatible with societal relativism, as it

[1] With 'principles', I denote his competence principle and his instrumentalist view of creating just outcomes.
[2] The most just (or least unjust) polity is here solely defined in terms of its capacity to satisfy Brennan's normative principles and his own view of what a just polity constitutes.

implies that democracy is more just compared to epistocracy based on Brennan's own principles (C1).

Although the argument is primarily targeted at Brennan and epistocracy, its relevance extends to discussions on the broader role of (moral) expertise and political authority as well. Indeed, there is a vast literature on the epistemic qualities of 'experts' in light of political decision-making, especially in comparison to democratic groups. This paper enrichens this debate by demonstrating how the second-order, meta-ethical status of the first-order normative views of experts partially determines the desirability of expert political decision-making. It thereby emphasizes the importance of considering meta-ethical models when it comes to questions concerning *who* should decide on public policy, and emphasizes the role of societal views therein.

Exposition

Brennan's Epistocracy

As I draw on a broad set of political and philosophical theories, it is important to expatiate on them in further detail before elaborating on my argument, starting with Brennan's theory. Drawing on several studies about voter competence, Brennan suggests most citizens are ignorant, irrational and misinformed (Brennan 2011, 701). According to Brennan, citizens have the right that political power over them must be exercised competently. He defends this by introducing the competence principle, which holds that:

> "It is unjust to deprive citizens of life, liberty, or property, or to alter their life prospects significantly, by force and threats of force as a result of decisions made by an incompetent or morally unreasonable deliberative body, or as a result of decisions made in an incompetent and morally unreasonable way". (Brennan 2011, 700)

Democracy violates the competence principle because incompetent or morally unreasonable citizens have suffrage and therewith political power over others. Epistocracy does not violate this principle, as it denies suffrage to morally unreasonable and incompetent citizens. Brennan's second argument arises from his purely instrumentalist outlook of the justification of democracy. In Brennan's view, we should use whatever form of government that can most reliably track what "sorts of policies governments ought to implement or what outcomes governments ought to cause" (Brennan 2016, 13). He believes that restricted suffrage will produce more just policies as decisions are made by less incompetent and morally unreasonable people. Therefore, instrumentalist accounts of polity-justification also direct us to epistocracy; this is Brennan's second and last argument for opting for epistocracy over democracy.

Existing Critiques of Epistocracy

In response to Brennan's argument for epistocracy, a large set of theorists (especially proponents of democracy) have tried to contest his claim. Most counter-arguments challenge Brennan's argument based on epistemological grounds. For example, Landemore (2012) defends the epistemic competence of collective decision making based on the cognitive diversity of democratic electorates in her book *Democratic Reason*. She argues that large, diverse groups of citizens are generally more capable of making correct decisions than small groups of experts. Similarly, Christiano disagrees with Brennan, as he believes that expert knowledge is not always necessary for citizens to make good decisions (Christiano 1996).

Brennan's argument has also been criticized on ethical grounds. Justin Klocksiem, for example, argues that epistocratic techniques cannot be implemented fairly, calling it a "wolf in wolf's clothing" (Klocksiem 2019, 1). Steinar Bøyum demonstrates that Brennan's competence principle does not have to lead us to epistocracy, but that it could also indicate that citizens have a democratic duty to educate themselves instead (Bøyum 2018). Although several theorists have thus criticized Brennan's argument for epistocracy on epistemological and ethical grounds, there currently is no literature on the meta-ethical qualities of epistocracy. Considering the substantive impact meta-ethics can have on Brennan's argument, it is important to determine its implications in more detail in this regard as well, as this can bring a unique addition to the existing literature on epistocracy and its critiques.

Value-only-voting Democracy

Christiano agrees with Brennan that voters cannot be expected to have sufficient knowledge to make wise choices about complex policies. Alternatively, he holds that citizens do not need such expert knowledge in order to vote. In *The Rule of The Many*, Christiano proposes the following interpretation of democracy: "Citizens are charged with the task of defining the aims the society is to pursue while legislators are charged with the tasks of implementing and devising the means to those aims through the making of legislation" (Brennan 2016, 209). He argues that, if citizens only have to vote on the fundamental moral values and normative aims of government, they can generally be expected to do a good job in doing so. Although Christiano admits that there are some risks to this process, he suggests solutions must be found internal to democracy, as we cannot rely on a select group of people to determine the aims and values of government for us (Christiano 2017a, 9).

To account for the epistemic incompetence of the electorate, legislators can decide on the means in politics to achieve their electorate's ends. Such a division in labor between citizens and

legislators in a value-only-voting democracy does grant legislators a large amount of political power. Nevertheless, both Brennan and Christiano agree that such a system qualifies as a type of democracy (not epistocracy). This is due to the fact that citizens still have an equal say in deciding on the values and normative aims of government; fundamental political power is thereby spread evenly among citizens. The power of legislators is solely instrumental; they are "administrators more than leaders" (Brennan 2016, 209). The relation between the democratic electorate and its legislators is analogous to the owner of a boat telling its captain where to go. Despite the fact that the captain does the sailing, the owner is in charge. It is for this reason that democracy is compatible with having epistemically competent legislators. More importantly, Christiano therewith shows that universal suffrage to decide on values and normative aims of government is sufficient to speak of a democratic polity, a small yet crucially important distinction between democracy and epistocracy. Apart from his particular critiques of Brennan's theory, it is exactly this minimalistic interpretation of democracy that Christiano provides that will be of utmost relevance to my essay (as we will see later), as it will help me argue that Brennan's epistocracy cannot sufficiently become informed of moral facts (as constructed in societal relativism) without adopting a minimal form of democracy.

Moral Relativism

Meta-ethical moral relativism is the philosophy that moral judgments are not absolutely true, but only relative to some perspective, position or tradition (Gowans 2015). As mentioned before, this essay focusses specifically on societal relativism, of which a clear definition can be found in Ryan's essay *Moral Relativism and the Argument from Disagreement*. I focus on his exposition in particular, for it can account for the cultural diversity within states, while also unifying diverse groups into a larger society (which is helpful to analyze meta-ethical implications in a political context). According to Ryan, a society (in a meta-ethical sense) is a group of people with a set of shared moral standards and values (Ryan 2003, 380). Here, we can distinguish sub-societies from their larger society. Sub-societies are relatively small groups of people with specific shared values. When a sub-society converges with other sub-societies on some fundamental moral values and standards, these sub-societies together form a larger society (similar to subcultures united in a state or political party) (Ryan 2003, 384-385). According to Ryan, it is the majority's preference in a society that forms the basis of moral facts about right and wrong. Ryan gives the example of the United States, wherein a minority holding communist values is simply wrong in light of its larger society. But given that moral facts are abstractly construed by the majority in a society, how can we, more concretely, come to know of these facts? Most moral relativists hold that such moral

facts can only be extracted empirically. Rene Williamson claims that relativists can extract values through a vote, claiming it is a predominantly mechanical rather than an intellectual activity (Williamson 1947, 151). Similarly, Ryan holds that "the discovery of equivocation is […] an empirical discovery of fact" (Ryan 2003, 383). Michael Wreen observes that moral relativists often extract notions of right and wrong through consulting some form of a poll (Wreen 2019). Moral relativism thus assumes an essentially empirical view of extracting moral facts.

The Competence Principle

Two Components of the Competence Principle

Having elaborated on the main theories of my argument, I now turn to defend the first premise. It holds that democracy and epistocracy both fail the competence principle in their own ways. This section shows that the competence principle can be dissected into two parts, namely: 1) epistemic competence and 2) moral reasonability. The rest of the section demonstrates that, from a social relativist perspective, democracy still fails the epistemic part of the competence principle, but epistocracy fails the principle's moral component. To reiterate, according to the competence principle, morally unreasonable and incompetent citizens should be excluded from holding political power (Brennan 2011, 704). Let us first define more precisely what we mean when we talk of incompetence and moral unreason. Brennan is clear about what counts as incompetence. He sees it as a lack of epistemic ability; it refers to the idea that politically deliberative bodies must not be irrational, nor ignorant of the social scientific knowledge required to deliberate and take complex decisions (Brennan 2011, 707-710).

Things get more complicated when we talk of moral (un)reason. From Brennan's perspective, reasonable individuals can disagree about matters of justice, morality and the good life, a view in line with political liberalism (Brennan 2011, 705). Nevertheless, he also claims that it is certainly not the case that all kinds of disagreements are reasonable. As Brennan does not provide an exact account of moral reasonability, this term requires further clarification. A politically liberal account of moral reasonability can be understood as entailing those moral convictions and values that "people can still share, despite their differences about the good life" (Larmore 1999, 602). In terms of Ryan's moral relativism, moral reasonability is based on the shared moral values and views of the majority in society (Ryan 2003, 384). This leaves open space for reasonable, inter-societal disagreement; matters can be right relative to an individual's sub-society and wrong relative to some other society. However, as we analyze moral reasonability here in a political context, we should analyze moral reasonability primarily from the perspective of the majority of a larger society. This is due to the fact that important, political decisions must be

morally reasonable and just for everyone within a society (Brennan 2011, 704). Moral reasonability thus requires one to adhere to those moral values and views of the majority of everyone that is part of this larger society in a particular time. We can speak of moral unreason if a deliberative body is unreliable or even fails in adhering to these moral values. How epistocracy and democracy account for these factors (i.e., epistemic competence and moral reasonability) will be discussed in the next section.

Epistemic Incompetence and Moral Unreason

In this section, I grant Brennan that epistocracy is epistemically superior to democracy but show that epistocracy fails and democracy passes the moral component of the competence principle. I will start by briefly touching upon the epistemic component, after which I will elaborate in more detail on the moral component of the competence principle. Brennan points out that, even in Christiano's model, citizens must express their values about concrete issues, which still requires some basic level of epistemic competence (Brennan 2016, 210-211). A morally reasonable, democratic electorate can still make mistakes in voting if they lack sufficient knowledge of the topics they are voting about (e.g., favoring ineffective policy proposals). As citizens are often irrational, biased and ignorant, democratic electorates, even as a collective, would fail the epistemic part of the competence principle. Alternatively, satisfying the epistemic component of the competence principle proves to be a much better case for epistocracy. A select, epistocratic electorate will, in Brennan's view, be more competent in figuring out how policy can efficiently and effectively be set up, given that epistocracy filters out those who are (severely) incompetent. As societal relativism does not impact this part of Brennan's argument, he is right to suggest that democracy fails the epistemic component of the competence principle, whereas epistocracy passes it by excluding irrational and ignorant citizens from its electorate.

We now turn to the moral component of the competence principle. I argue, first, that societal relativism interferes with epistocracy's capacity to satisfy the competence principle, drawing on Christiano's fundamental distinctions between epistocracy and democracy. This is followed by a short analysis of the relation between democratic electorates and members of the society to which moral facts are relative. My analysis reasons from the perspective that electorates generally vote in light of what they think is moral and in the common good. I base this perspective on several studies done about voter-intentions in democratic electorates and in line with the main philosophers used in this thesis (Brennan 2016, 50; Christiano 2017b; Cohen 2006). To begin, there are good reasons to believe that epistocracy is not sufficiently able to create a morally reasonable electorate to make decisions in a morally reasonable way. Recall that Brennan suggests

filtering out the morally unreasonable via a competence test. He provides two options to determine the standards for moral reasonability in this test: 1) through moral experts, or 2) through democratic procedures. Let us begin with analyzing the first option. Moral experts can broadly be described as those who have sufficient knowledge and skills within the topic of ethics. This includes being knowledgeable of moral terminology and ethical theories or skilled in applying ethics to real-life cases (think of philosophers or ethicists). However, if societal relativism is true, such moral experts are not necessarily experts about moral facts, since the right moral values are solely determined by the majority of a particular society. We have seen in the exposition that these values cannot be drawn out rationally by doing philosophy (Ryan 2003; Williamson 1947; Wreen 2019). Despite the fact that moral facts can only be extracted empirically, philosophers and ethicists rarely carry out empirical research towards the values of the majority in their society. They are thus not necessarily reliable sources to show us which moral values we should adhere to. Some studies even suggest that the moral views and values of ethical philosophers systematically deviate from that of their society (Schwitzgebel and Rust 2013). An epistocracy could therefore certainly not guarantee that the (more particular) values of epistocrats accurately reflect those of the majority of their society. As a consequence, moral experts cannot be solely relied upon to form the basic standards underlying what must be a morally reasonable decision for everyone.

If one were to suggest that moral experts could adopt an empirical approach to extracting values (e.g., by surveying the population), this would be not much different from Brennan's second option, which is to adopt democratic procedures to form the basic moral standards upon which morally reasonable decisions in an epistocracy can be based (and morally unreasonable citizens can be excluded). Brennan thinks that using democratic procedures is compatible with his epistocratic convictions (Illing 2018). In his view, people generally know what good standards for competency and moral reasonability are, but they are simply not good at applying this. He suggests the following: "Let democracy decide what goes on the test. […] Let them deliberate with one another, let them work together. […] And then we use that test to weigh votes" (Illing 2018, 28). A major problem with Brennan's suggestion becomes apparent when we consider both societal relativism and Christiano's distinction between democracy and epistocracy. Recall that Christiano shows that, if a polity grants everyone in its society fundamental political power equally to decide on moral principles/values, this constructs a *democratic* (not epistocratic) polity. This interferes with Brennan's capacity to let everyone in a society decide (e.g., through a referendum) on the basic moral values that should underlie the competence test and political decisions, as this would already grant everyone in society equal political power similar to that proposed by Christiano. In such a system, all citizens have an equal say in deciding on those moral values and normative aims upon

which anyone who passes the competence test should hold. As fundamental knowledge and application of these values are necessary for making morally reasonable decisions, epistocracy would either have to grant the people such power (in which case it becomes essentially democratic) or it will lack sufficient knowledge of the right moral values in order to make decisions in a morally reasonable way. This demonstrates epistocracy's incapacity to create a morally reasonable electorate to make morally reasonable decisions, given that they have no method to figure out what the moral facts are in the first place (without resorting to becoming democratic itself). Consequently, epistocracy fails the moral component of the competence principle.

Alternatively, there are good reasons to believe that a democratic electorate, as a collective, *is* morally reasonable enough to pass the competence principle. As we have seen earlier, a deliberative body can be deemed morally reasonable if they adhere to those moral values of the majority of the entire population of a society (Ryan 2003). Reasoning from a social relativist perspective, an accurate extraction of the moral values of a society necessitates that every individual member of this society must be considered equally [3] (Williamson 1947). This bears great resemblance to the democratic notion of universal and unrestricted suffrage and its conception that each vote must be considered of equal value. Aggregating the votes of all citizens coincides with the social relativist method of extracting moral facts empirically. Moreover, democracy also accounts for the dynamic nature of morality by ensuring voting is done periodically. Given that democratic electorates generally vote in light of the common good, we can generally expect democratic electorates to adhere and express the right moral values. It can be objected that sometimes, small societies located within the borders of a state do not share sufficient moral standards with other sub-societies of that state. In such cases, democracy stumbles upon difficulties, as it forces societies to adhere to those values that are democratically converged upon by a majority in the larger society, whereas these sub-societies should not even be considered as part of the state as they do not share sufficient moral standards (Ryan 2003). Considering the limited scope of this project, this is a problem primarily concerning borders and boundaries, a topic I cannot get into here.[4] Despite the fact that there are still morally unreasonable citizens (i.e., the minority in societal relativism) within democratic electorates, Brennan observes that: "[…] the competence principle only requires that the electorate *as a collective body* makes its decisions competently, but this does not imply that *individual* voters must be competent" [emphasis mine] (Brennan 2011, 709). From this perspective, we can hold that democratic electorates tend to make

[3] This is not to say that equality is a first-order normative judgment that is necessarily correct in moral relativism, as that would be a self-undermining claim. I only mean to say that societal relativism, as a second-order meta-ethical framework, assumes that the views of the majority in a society cannot be extracted accurately if we weigh the moral values of some members within this society higher than others (Accetti 2015).

[4] For more on this issue, see *Fault Lines of Globalization: Legal Order and the Politics of A-Legality* (Lindahl 2013).

reasonable moral choices as a collective body, despite the fact that some individuals within a democracy are morally unreasonable.

Admittedly, the exact division between morally reasonable and morally unreasonable electorates is blurry. Nevertheless, even if Brennan manages to show that democratic electorates are still sometimes morally unreasonable, he is stuck with the problem that epistocracy nonetheless also fails his own competence principle. This leads us to the conclusion that both epistocracy and democracy fail the competence principle in their own way. Democratic electorates lack sufficient epistemic competence, whereas epistocratic electorates cannot be expected to represent the moral values of their entire society (which is necessary in order to make decisions in a morally reasonable way). This raises the question as to which polity could create more just outcomes, which will be discussed in the next section.

Producing Just Outcomes

Against Epistocracy

As we note from above, there are good reasons to believe that both democracy and epistocracy fail the competence principle in their own ways. This section defends the second and final premise of my argument, which claims that democracy will likely produce more just outcomes than epistocracy (assuming societal relativism is true). I defend this premise by arguing that epistocracy lacks a crucial ability to create just outcomes, and that the epistemic incompetence of democratic electorates is less problematic than the moral ignorance of epistocrats. Bringing together the idea that democracy is instrumentally superior to epistocracy with the fact that the competence principle leaves us indifferent between democracy and epistocracy, I conclude that democracy is more just compared to epistocracy, reasoning from Brennan's own principles.

This brings us to analyze epistocracy's supposed, instrumental superiority. Understanding the moral values and convictions of one's society is of crucial importance to creating just outcomes. However, as Brennan's epistocracy is built on an unreliable mechanism (select expertise) vis-à-vis the extraction of these moral facts, I argue it cannot be relied upon to produce just outcomes consistently. For clarity's sake, I divide my argument against epistocracy as an instrumental polity in several stages. It is structured as follows:[5]

P1: Consistently producing just outcomes requires a polity to be capable of creating policy that satisfies the moral values of the majority of the entire population of a society in a particular time.[6]

[5] To clarify: this is a sub-argument that partially supports the second premise of my main argument.
[6] The 'majority of the entire population of a society in a particular time' will hereafter be referred to as 'MSPT'.

P2: In order for a polity to be capable of creating policy that consistently satisfies the moral values of MSPT, it needs to be able to: (i) gather information about the moral values of MSPT *and* (ii) legislate and execute policy that stimulates the fulfillment of these objects appropriately.

P3: Epistocracy is unreliable as a system to gather information of the moral values of MSPT.

These premises bring me to the conclusion that:

C: Epistocracy is unreliable as a system to produce just outcomes consistently.

To begin with, the first premise of this sub-argument can be defended solely based on the presupposition that societal relativism is true. When considering a particular account of a 'just outcome', it must be clarified if this account aligns with the moral views of the particular society in question. Only by articulating this space of shared moral values can we move to agreements on principles of justice (Carens 1987). Ryan gives an interesting example of a utilitarian society in a galaxy far away, in which it is considered to be a matter of justice to give up your life for organs if this can save the lives of many others (Ryan 2003, 379). Despite the fact that such views are controversial, their account of justice is actually true relative to their society. Furthermore, in order for a polity to consistently produce just outcomes, this polity needs to know the moral convictions and hierarchical structure of moral values of MSPT. Whether a society embraces a utilitarian, libertarian, or any other conception of justice that underlies just outcomes, it always remains true that a polity has to align its policies with these moral facts in order to produce just outcomes.

This brings us to the second premise. Succeeding in satisfying the moral values and views of MSPT demands a capacity to become informed of these values and an ability to fulfill these through legislation and execution. Without knowing what the values of MSPT are, a polity cannot know which values to satisfy or which account of justice to adhere to. Information gathering is thus of crucial importance. Only thereafter, once a legislator adheres to the right account of morality, can competence be used to set up policy efficiently and effectively. The reason that this premise requires both a capacity to gather information *and* competency to setup policy is that a polity might hypothetically be very capable of legislating and executing policy given any moral value, but as long as it is not sufficiently informed of the exact values of MSPT, it cannot be expected to reliably satisfy their values (rather than any other evaluative prioritization). To make this more concrete, one can imagine that a polity is capable of producing very efficient and effective immigration laws. However, it could only really be expected to produce just outcomes therewith if it could also come to know what the right moral values and convictions are concerning,

for example, moral obligations towards refugees. Similarly, a system that knows what the right values are can still be incapable of satisfying these values through legislation and execution, which would also result in failing to create just outcomes.

The grounds for the third premise of this sub-argument are, to a large extent, already developed in the previous sections. Epistocracy is not sufficiently able to become informed of the moral values and convictions of MSPT, as it only gives suffrage to a superior select group. We have seen that epistocracy fails to extract these moral facts, unless it adopts measurements that turns it into a democracy. This does not only influence epistocracy's capacity to be morally reasonable; it also has a profound impact on its capacity to produce just outcomes. As the right values that underlie any just outcome are constituted by MSPT, and as epistocracy risks misrepresenting the values of MSPT, epistocracy cannot be relied upon to produce just outcomes.

Democracy: the Lesser of Two Evils?

Having established that epistocracy is unreliable as a system to produce just outcomes, I now turn to argue that epistocracy is also more problematic than democracy. But first, it is important to set out Brennan's core objection to Christiano's democratic solution to the epistemic incompetence of citizens. Brennan focuses his objection on the fact that Christiano's proposal is "based on real platforms, such as protecting the environment versus economic growth" (Brennan 2016, 211). As voting on issues like these still demands social scientific knowledge from citizens (which most citizens lack), Brennan argues that Christiano's proposal to vote solely on values does not provide an answer to the epistemic incompetence of democratic electorates. Conceding that democracy is imperfect due to the epistemic incompetence of citizens, I contend that there is no conclusive evidence that suggests epistocracy will create more just outcomes compared to democracy. Conversely, I show that there are serious indications that suggest epistocracy would nonetheless create less just outcomes than democracy if societal relativism is true. Notably, I agree with Brennan's observation that any comparison between "the most promising forms of epistocracy" and democracy will be based on speculation since there is no reliable, empirical data of the performance of epistocratic systems yet (Brennan 2016, 16). Nevertheless, there are still good reasons to believe that Brennan's speculative conception of the instrumental superiority of epistocracy is severely flawed.

Firstly, epistocracy's epistemic superiority would have to create more just outcomes than an already relatively good working system (democracy) despite the fact that epistocracy has a major problem discovering moral facts in societal relativism. Brennan admits to the relative success of democracy: "In general, the best places to live right now are […] democracies, not dictatorships,

one-party governments, oligarchies, or real monarchies" (Brennan 2016, 8). Although Christiano's particular interpretation of democracy is, of course, somewhat different from the liberal democracies Brennan is talking about, it still incorporates democracy's most fundamental feature: its equal distribution of political power. Not only is epistocracy thus inherently flawed, but it also has to compete with a polity that has historically been relatively successful in creating just outcomes. More importantly, whereas democracy has the potential to counter its epistemic deficiencies internally, epistocracy seems to be unable to counter its moral ignorance. By improving on its translation mechanisms, democracy can aim to better translate the abstract moral values and convictions of citizens into concrete policy. One example of improving democratic translation mechanisms is provided by Christiano himself, who suggests that epistemically incompetent citizens can vote relatively accurately by relying on information-shortcuts (such as news outlets, articles or the relational networks of people) (Christiano 2017a). Other philosophers propose we can account for the epistemic incompetency of democratic electorates by improving democratic deliberation processes and others propose stimulating the availability of receiving advice from impartial, epistemic experts (Bates 2018; Landemore 2012). We may even use and modify some of Brennan's corrective mechanisms (e.g., his simulated oracle) without doing away with the fundamental mechanisms of democracy.

Of course, these suggestions do not imply that perfect solutions to the problem Brennan ascribes to democracy can simply already be found in the current literature. But it does show that democracy has possibilities to improve on its capacity to create just outcomes internal to its mechanisms, in addition to the fact that it already functions relatively well. Epistocracy, on the other hand, has no obvious solution to its moral ignorance. As we have seen, the locus of right moral values is necessarily excluded from the epistocratic scope. This gives democracy a significant, practical priority over epistocracy (i.e., democracy has many more options to stimulate its capacity to create just outcomes compared to epistocracy). This renders Brennan's suggestion to move from democracy to epistocracy fruitless and even counterproductive. Although this premise can only be supported by a speculative, comparative analysis of these two polities, the primary purpose of this paper is to provide an internal critique to Brennan's argumentation. Note that Brennan himself makes the *positive* claim that epistocracy is less unjust than democracy, and that it will produce *more* just outcomes compared to democracy. Considering epistocracy has to face these meta-ethical implications, Brennan would either have to take a meta-ethical stance that denounces societal relativism, or he must take on the burden of proof to demonstrate that epistocracy will, despite its moral ignorance, still produce more just outcomes than democracy. If he does not, he should remain agnostic as to which system is superior in satisfying his own

principles. Meta-ethical, societal moral relativism thus raises profound questions surrounding any extrapolation from Brennan's principles towards an argument for epistocracy.

This investigation of Brennan's argument and its incompatibility with meta-ethical moral relativism demonstrates the importance of taking the relation between meta-ethics and political philosophy more seriously. Although the broader impact of meta-ethical models on politico-philosophical arguments has to be explored in more detail, it has become clear that the meta-ethical foundation of moral facts can significantly impact normative arguments in political philosophy. Indeed, it has become clear that the locus of moral facts is of significant importance when distributing political power, as it will determine to a large extent the capacity of a polity to align its decisions with the moral facts.

Conclusion

We can see through this discussion on Brennan's argument that adopting meta-ethical moral relativism can have a profound impact on the satisfaction of his principles. If societal relativism is true, the moral values that ground moral reasonability and justice can only be empirically extracted by extending the electoral scope to the entire population of a society. As we have seen, moral experts such as philosophers often have radically different moral views from their societies. Similarly, seeking to extract moral values from only select groups of citizens risks over-representing or under-representing certain sub-societies within a state. By invoking Christiano's theory, we observed that, as long as all citizens can vote on the basic moral values and normative aims of government, fundamental political power is already distributed equally to such an extent that we should speak of democracy rather than epistocracy. This interferes significantly with epistocracy's capacity to act in a morally reasonable way, a necessary part of satisfying the competence principle. Brennan's argument against democratic electorates lacking sufficient epistemic competence is therewith not resolved, but it shows that epistocracy is not the promising solution to democratic problems Brennan takes it to be. Considering that democracy is also already relatively capable of creating just outcomes and given the fact it can improve on its imperfections internally (whereas epistocracy inevitably risks being morally ignorant), moral relativism suggests democracy is the more just polity as it is more likely to satisfy Brennan's own principles than epistocracy. Brennan's case illustrates that the second-order meta-ethics underlying first-order normative principles can impact the capacity of different polities to satisfy these principles. Whichever meta-ethical views one holds, the impact of these views needs to be considered more explicitly in future discussions. Apart from this, anyone interested in contemporary discussions about the role of (moral) expertise and political authority should take into account the significant

impact of meta-ethics on the capacity of knowledgeable experts to be morally reasonable. Although the impact of different meta-ethical accounts is yet to be discovered, it has become clear that Brennan must further clarify their arguments in order to face these pressing, meta-ethical implications.

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