

NSU Summer Session 2018 - July 29- August 5 – Fårö, Sweden

Circle 5: Patterns of Dysfunction in Contemporary Democracies;  
Impact on Human Rights and Governance



## GLOBALIZATION AND DEMOCRACY

	Monday 30	Tuesday 31	Wednesday 1	Friday 3	Saturday 4
07h30-09h00	Breakfast	Breakfast	Breakfast	Breakfast	Breakfast
9h00-10h00	<i>Magdalena Tabernacka</i> <u>Fair trade - the global decentralization of social responsibility</u>	<i>Barbara Gornik</i> <u>Understanding the human right to seek and enjoy asylum in view of the "changed situation in the field of migration"</u>	<i>Gorm Harste</i> <u>The Democratic Surplus Constituted in European Integration</u>	<i>Mogens Chrom Jacobsen</i> <u>Responsibility and Democracy</u>	
10h00-10h30	Pause	Pause	Pause	Pause	Pause
10h30-11h30	<i>Gorm Harste</i> <u>Convergences between Europe and China - a long term historical appraisal of work ethics, coordination and synchronization</u>	<i>Lucas. Cardell,</i> <u>World of States: Citizenship Deprivation and its Resonance in the International Legal Sphere</u>	<i>Insuk Kim</i> <u>Seels, EU and democracy (preliminary title)</u>	Oleg Bresky TBA	
12h00-13h30	Lunch	Lunch	Lunch	Lunch	Lunch
13h30-14h30					
14h30-15h30					
15h30-16h00	Coffee	Coffee	Coffee	Coffee	Coffee
16h00-17h30	Keynote	Keynote	Keynote	Keynote	Activities
17h30-18h30	Activities	Activities	Activities	Activities	Activities
18h30-20h00	Dinner	Dinner	Dinner	Dinner	Dinner
20h00-	Cultural Program	Cultural Program	Cultural Program	Cultural Program	Cultural Program

## **Abstracts:**

*Barbara Gornik, Science and Research Centre Koper Institute for Social Studies*

Understanding the human right to seek and enjoy asylum in view of the "changed situation in the field of migration"

As a signatory to the Universal Declaration of Human Rights, Slovenia is bound to respect everyone's right to seek and to enjoy asylum from persecution. In response to the recent refugee crisis, government policies have shown that this supposedly universal human right is opened to different interpretations; while the Declaration recognizes that all people are born with equal freedom and rights stemming from their human nature, the political practice of human rights demonstrates that the right to seek asylum is de facto not implemented on the principle of human dignity. The paper analyses the enactment of the right to seek asylum in the light of the amendments to the Slovenian Foreigners Act of 2017; its main objective is to critically assess reasons that are listed therein as legitimate circumstances for derogation of Republic of Slovenia from respecting the right to seek asylum, namely, when a in a context of "changed situation in the field of migration" state's public order or internal security are threatened. The paper thus testifies that it is not the human dignity, but political economy of the state, that plays decisive role in recognition of the human rights, including of the right to seek and enjoy asylum.

*Magdalena Tabernacka, Associate Professor, University of Wroclaw, Poland.*

Fair trade - the global decentralization of social responsibility

Globalization of economic interdependencies is a fact that contemporary societies have to take into account. Naturally, it also has to be taken into account by governments, who are responsible for reacting to social problems. Globalization has transformed the forms of economic interdependence between people, which is yet to be met with a similar transformation along the power-and-political-systems axis; a transformation that would ensure the degree of security that is expected in modern societies. The Fair-trade movement is not, of course, a systemic remedy for the problems of globalization. It is; however, a symptom of certain important trends in the social and ethical dimension, in which the global problems are responded to through local actions. It can be said that, thanks to the empathetic approach to economic issues, which assumes social responsibility of individuals who benefit from the fruits of labour of distant producers, fair distribution of goods on a global scale is possible. This is, of course, just an example of a decentralized response to global problems, but it allows to observe and describe a mechanism that will make finding a remedy possible. If this topic would not be suitable for the session, I have another idea also linked to decentralisation, but focusing more on the reaction of the Polish local governments to the populist historic policy. This presentation would concern the response of the local government units to the changes of the old street names by the national government, conducted in the spirit of "erasing the memory" of "unworthy" historical figures.

*Mogens Chrom Jacobsen*  
Responsibility and Democracy

A recent opinion poll (collected February/March 2017) conducted by Fondapol/Ipsos shows a rather astonishing support for government by a strongman or rule by experts. Even though much fewer people are willing to consider democracy as a bad thing, it does show that many people are tempted to deposit their responsibility as citizens with a strong leader or the experts. You will find many of the high scores in Eastern Europe, but this trend is equally present in Western Europe with rather high scores in Italy, Austria, Germany and Portugal. Noticeable is, furthermore, a gap between generations in some countries. In Poland, Romania, Denmark and Sweden young people (less than 35 years) are much more tempted by this kind of rule than their elders. Is this the sign of an erosion of democracy? Very possibly, but before any attempt to explain this (which we will not do here), we should try to determine what is being eroded, and this will be the subject of this paper. We have described the phenomenon as the abandon of responsibility. In a democracy, the citizens control either directly or through their representatives the government and make it accountable. Abandoning this power would also mean to abandon one's responsibility as a citizen. In order to clarify this notion, we will take our point of departure in the notion of "taking responsibility for oneself". This notion is well known, but has not attracted the same attention from philosophers as the related notion of moral responsibility. This notion should also be distinguished from the notion of autonomy, though they are related and mutually supporting each other. The essential point here is, however, how this notion of "taking responsibility for oneself" relate to the responsible citizen, who takes responsibility for his/her society. This particular notion of taking responsibility for something does not seem to have an independent status in standard studies on moral development, even though they hint at the subject. We will mainly look into Jean Piaget. One of the key issues here is, of course, education. Citizen education touch upon the subject, but does it really get to the bottom of it?

*Insuk Kim, Master Student, University of Greenland.*

Since 2015, the EU made an exemption on import of seal products captured by the Inuit and indigenous communities. However onetime banned seal products into the EU have a negative perception to the people outside of Arctic communities. In addition, yet there are numerous people who still have the cute images of seal pups in their heads, therefore indigenous communities especially the Inuit from Greenland and Canada were treated as savages by people out there. For those reasons, especially seal skin industry from the Inuit communities has been heavily suffering. However international law guarantees rights to indigenous people to secure and enjoy their own ways of subsistence and keep traditional economic activities. For the Inuit people, there have been no such sustainable resources other than seals. For centuries, seal meat and blubber have been important food resources and seal skin has been indispensable clothing for Inuit people especially during the harsh and long winter time. Moreover, unlike polar bears, narwhals and walruses, there are no quotas for seal hunting in Greenland and hunting seals is considered sustainable. Nevertheless, as a result, EU's amended regulation towards seal products has not been sufficient, also this made difficult to have the observer status for the EU into the Arctic Council. In addition, the number of hunters is decreasing and the current hunter generation advises their children to have another job other than hunter. Therefore seal ban did not affect only the Inuit's economy but also it has been threatening Inuit tradition. Greenland is not a member of the EU however as one of

Overseas Countries and Territories, Greenland has special relations with the EU. In democracy, minorities used to being ignored however with the issues of climate change, although the Inuit people especially people in the Arctic are minorities, they are considered very important. Arctic, the Inuit people and relevant issues such as seal products should be globally recognised.

*Lucas. L. O. Cardiell, Research Fellow, The Migration Institute of Finland*

Stateless in the World of States: Citizenship Deprivation and its Resonance in the International Legal Sphere

During the past few years, there has been an extensive analysis and fervent legal debate over criminal and administrative measures meant to fight international terrorism, specifically to cease the flow and prosecute the so-called “foreign fighters”. The impressive number of individuals joining terrorist organizations, and the international dimension of their activities, mobilization, and travel patterns, have created an “acute” situation and a growing threat to national and international securities. Turning to citizenship law has been one of such measures aiming at turning concerned individuals into aliens and keep them out of state’s borders to empower national security. Citizenship deprivation, however, is not a new phenomenon to the international legal domain. The practice reached extreme levels during and after World Wars, as illustrated by the denaturalization of British and Belgian citizens of German origin after the World War I. During the Nazi era and inter-war years citizenship deprivation was used as a legal and political tool to banish a large number of populations, political opponents, and their Jewish citizens. This was obvious in the case of Belgium’s stripping citizenship of the collaborators after World War II. However, the war against terrorism following the 11/9 events revived the issue in the foreground. In the UK, it was passed as part of the Immigration Act, which enabled the government to revoke citizenship in some cases even if it results in statelessness; similar cases occurred in the US and Canada but neither passed. In a comparable vein, reforms have meanwhile been announced in Israel, Spain, France, Belgium, Norway and the Netherland concerning citizenship law following the latest terrorist events took place in Europe and the US. The act of citizenship deprivation is considered according to two different often interrelated, dimensions, namely: external and internal. The former refers to the act of deprivation resulting in statelessness when it has impacts on the rights and interests of other States, or when it otherwise touches international obligations. The latter dimension refers to the act of deprivation also resulting in statelessness but that as local consequences in cases where a State would treat a citizen deprived of his/her citizenship like a non-citizen in regards of social and political rights. This paper examines a particularly troubling instance and problems of the external dimension of citizenship deprivation resulting in statelessness and questions depriving states’ international legal commitments. It poses the following questions: “What are the external effects of the act of citizenship deprivation resulting in statelessness?” and “Is citizenship deprivation inconsistent with a State's international obligations defined by IL?” The paper argues that the newly expanded citizenship law used as a tool of counterterrorism put the depriving state in a position at risk of its international legal obligations as rendering someone stateless is a prohibition found in the corpus of IL. And such a policy may undermine the national security of other states by exporting terrorism abroad in a sense that the primary burden of dealing with stateless individuals is left mainly on the shoulders of the state in which these individuals are operating in.

*Gorm Harste, Associate Professor, Aarhus University, Denmark*

The Democratic Surplus Constituted in European Integration

Convergences between Europe and China - a long term historical appraisal of work ethics, coordination and synchronization

*Oleg Bresky, Professor, European Humanities University, Lithuania.*

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