DEMOCRACY AND HUMAN RIGHTS

THE CHALLENGES OF NATIONAL IDENTITY POLITICS IN WESTERN EUROPE

Learning from the Montenegrin Example

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There are three key lessons that West European political actors could learn from Montenegrin example: the political inclusion of minorities leads to their stronger identification with a country and maximises their loyalty; a successful forging of national identity based on common values is also possible in a multi-ethnic and multi-religious country; by allowing the possibility of multiple identities, society becomes stronger.

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Contents

Summary

For a lengthy period of time the issue of national identity has not been one that has played an important role in the political systems of Western Europe. However, intensified immigration and demographic factors have led to an increased ethnic and religious heterogeneity of West European societies and pushed the national identity issue to the forefront of political debate, thereby causing a conflict over criteria for membership in the nation. This rise of national identity politics has the potential to seriously jeopardise Western liberal democracies. Identity conflicts are usually followed by intense partisan polarisation and could be misused to undermine constitutional order and subvert democratic institutions. Yet it would be wrong to argue that there is a direct causality between the increased salience of identity politics in the political system and democratic backsliding. How this development will affect West European party systems – and democracies in general – largely depends on the attitudes of the leading political parties. In this context, there are three key lessons that West European political actors could learn from Montenegro, a country that achieved economic and democratic progress despite being a multi-ethnic and multi-religious country with no ethnic majority, but only a 'majority minority': the political inclusion of minorities leads to their stronger identification with a country and maximises their loyalty; a successful forging of national identity based on common values is also possible in a multi-ethnic and multi-religious country; by allowing the possibility of multiple identities, society becomes stronger.

1

INTRODUCTION

In a March/April edition of Foreign Affairs, Francis Fukuyama argued that "liberal democracy cannot exist without a national identity that defines what citizens hold in common with one another".[1] Fukuyama's claim about the importance of completed nation-building for a functional democracy is nothing new since many papers on this topic have already been written. What is striking about Fukuyama's claim is that, contrary to these papers that dealt with newly (re)established democracies, Fukuyama was referring to 'old' and consolidated Western ones.

For a lengthy period of time the issue of national identity has not been one that has played an important role in the political systems of Western Europe. West European societies were predominantly mono-ethnic and mono-cultural societies with a quite clear definition of what it means to be, for example, German, Swedish or French. However, this is not the case anymore. Intensified immigration (since the beginning of the 21st century) and demographic factors have been transforming predominantly homogenous Western societies into heterogeneous ones. This development has pushed the national identity issue to the forefront of political debate and caused a conflict over criteria for membership in the nation. This rise of national identity politics has the potential to seriously jeopardise Western liberal democracies. As emphasised by Yascha Mounk, "to an extent we prefer to disregard…the functioning of democracy may have depended on (ethnic and cultural) homogeneity".[2] Therefore, it is necessary to analyse how this trend developed, the negative results that could accompany it, and the experiences from which one can learn about the successful 'managing' of societal diversity.

1 Fukuyama, F. (2019) Fukuyama Replies, Foreign Affairs, March-April.
2 Mounk, Y. (2018) The People Vs. Democracy: Why Our Freedom Is in Danger and How to Save It. Harvard University Press.

2

GROWING HETEROGENEITY

Since the beginning of the European refugee crisis in 2015, the immigration issue has been one of the hottest topics in West European societies. Yet in analysing this important question it is often forgotten that many West European countries have, for years now, been dealing with high immigration rates. The refugee crisis has only made this phenomenon more obvious and more salient. Since 2000, the percentage of a foreign-born population in Germany has risen from 11% to 15%; in the Netherlands from 9% to nearly 12%; in France from 10% to 12%; in Sweden from 11% to almost 17%; in Denmark from nearly 7% to 10%; in Austria from 10% to 18%; in Finland from 2% to 6%; in the United Kingdom from 8% to over 13%; in Belgium from 10% to more than 16%; in Norway from 6% to 15%; in Switzerland from nearly 22% to 28%.[3]

I acknowledge that globalisation has strongly contributed to this trend. Globalisation has made inequalities in the world much more visible and this is one of the main driving forces behind such intensified immigration. However, it must also be noted that besides globalisation many other factors are responsible for mass migration, such as family reunification, humanitarian migration, and migration for educational and training purposes. Climate change is also to be regarded as one of the causes of increased migratory movements and the same applies to wars, poverty, and political persecution - a reality in many regions of the world. In addition, the international debate on migration and development has also changed in recent years. Emigration has now been encouraged both by the UN and the migrants' home countries. According to the UN, there is an overall more positive assessment of the impact of migration on development, and for some countries of origin, remittances are an important source of income, accounting for up to one third of the GDP.[4] Since many of these migration factors are regulated by international conventions (European Convention on Human Rights, Geneva Convention, and Convention on the Rights of the Child), the manoeuvring space for West European countries to reduce immigration is limited.

Besides the high levels of immigration, demographic factors also substantially contributed to an increasing ethnic and cultural heterogeneity. Western Europe's fertility rate dropped below replacement level almost fifty years ago[5] and the latest Eurostat data from 2017 only confirm this trend. According to these data, overall fertility in the EU is 1.59 and not a single EU member state is characterised by the 2.1 level needed to replace the population.[6] Thus it comes as no surprise that, according to some predictions such as David Coleman's of the University of Oxford, most West European countries will be 15-35% non-white by 2050.[7]

3   Milacic, F. and Vukovic, I. (2018) The Rise of the Politics of the National Identity: New Evidence from Western Europe, Ethnopolitics; Fukuyama, F. (2018) Identity: The Demand for Dignity and the Politics of Resentment. Farrar, Straus and Giroux.

4   Angenendt, S. (2017) Development-oriented migration policy. In: Integration conference of the Friedrich-Ebert-Stiftung, March, Berlin.

5   Kaufmann, E. (2018) Whiteshift: Populism, Immigration, and the Future of White Majorities. Harry N. Abrams

6   Eurostat, "Plus de 5 millions de naissances dans l'UE en 2017", available at: https://ec.europa.eu/eurostat/document s/2995521/9648821/3-12032019-AP-FR.pdf/99bbdb3d-be-de-467c-bce0-6e033b488946

7   Coleman, D. (2012) The changing face of Europe, in J. Goldstone, E. Kaufmann and M. Duffy Toft (eds), Political Demography: How Population Changes are Reshaping International Security and National Politics, Boulder, Colorado: Paradigm

3

NEW POLITICAL COMPETITION IN WESTERN EUROPE

In sum, the growing societal heterogeneity is here to stay as we are witnessing an unprecedented transformation of predominantly mono-ethnic and mono-cultural societies into multi-ethnic and multicultural ones. This development is dramatically changing the nature of political competition in Western Europe. It has placed the national identity issue at the forefront of political debate as these increasingly heterogeneous societies are now in need of a new common identity. This has further caused a new polarisation line within West European party systems which are now characterised by a conflict over criteria for membership in the nation. They have thus become polarised as to the question of who belongs to the 'people' (see figure 1).

This, namely, is a struggle between two concepts. On the one hand, a civic concept that emphasises loyalty to legal order and the key values of society – such as tolerance, equality, pluralism, a belief in a democratic system, secularism – as the decisive criteria for membership in the nation. Furthermore, it tolerates a high degree of non-integration and accentuates those values which could be shared by any citizen regardless of race, religion, or ethnicity. According to this notion, most collective identities are "like shirts rather than skin"[8], i.e., they are, in theory at least, optional, not inescapable.

On the other hand, there exists an ethnic concept that places an emphasis on language, religion, traditions, descent and ethnicity. Ethnicity is a highly exclusive criterion. And while religion, language, and traditions, could be, in theory, 'acquired' whereby an 'outsider' can become an 'insider', an ethnicised definition of 'the people' excludes this possibility as it emphasises genetic differences that cannot be assimilated.

Figure 1
National identity politics polarisation line

Left			Right
Singularities with Equal Rights	Common Values	Cultural Homogeneity	Ethnic Homogeneity

The fact that identity is becoming one of the bases of politics is very menacing to democracy. Identity conflicts are usually followed by an intense partisan polarisation and hostility since political actors do not represent different policies, but rather different worldviews that are often mutually exclusive and non-negotiable. Accordingly, political competition is dominated by a series of zero-sum conflicts which are regarded as existential and possess a winner-take-all logic. In such political systems politicians do not respect the difference between an enemy and an adversary, which is a key condition for a democracy to work.[9] So once a 'Schmittian' version of politics as an opposition between 'friends and enemies' is inaugurated, the rules of the game are no longer respected and institutions become weapons[10], which altogether imperils democracy.

However, this threat to democracy is not only limited to the deep polarisation induced by the increasing salience of national identity politics. The examples of Hungary and Poland clearly demonstrate that national identity issue offers great potential for its misuse. By portraying themselves as champions of national interests and the protectors of the ethnic and cultural composition of the country, the mainstream nationalist political actors in those countries have not only sought to win elections and strengthen their legitimacy. This acquired legitimacy was then misused to undermine constitutional order and subvert democratic institutions.

Additionally, identity-based exclusionist policies, which are usually advocated by the populist radical right, have an anti-democratic character. By insisting that only they stand for the 'true people' and thus represent the 'volonté générale', the populist radical right parties undermine all institutions of liberal democracy that contest their claim.

Having in mind the effect identity politics has on democracy, it comes as no surprise that, according to Fukuyama, the rise in identity politics is one of the chief threats that modern

8   Hobsbawm, E. (1996) Identity Politics and the Left, available at: http://banmarchive.org.uk/articles/1996%20annual%20lecture.htm

9   Ignatieff, M. (2013) Enemies vs. Adversaries. available at: https://www.nytimes.com/2013/10/17/opinion/enemies-vs-adversaries.html

10   Levitsky, S. and Ziblatt, D. (2018) How Democracies Die. Crown: New York.

liberal democracies face.[11] Yet the gloomy scenario is not something inevitable. In his recent article in *Foreign Affairs,* Robert Sapolsky argued that neurobiology, endocrinology, and developmental psychology all paint a picture according to which humans have a fundamental need to be part of the collective identity and therefore the categorisation of 'us versus them' is natural to us.[12] Although this in-group/out-group thinking sounds disturbing, it is not necessarily. So if we cannot influence the fact that by nature we create boundaries between our group and outsiders, we can influence and shape the criteria for membership in our group. Inter-human relationships thus depend on the fact of whether these criteria for belonging are inclusive or exclusive.

In other words, there is no direct causality between the dominance of national identity politics in the political system and democratic backsliding. Its impact on democracy largely depends on the attitudes of the leading political actors: will they see the identity conflict as an opportunity to promote polarisation for their own particular interests or will they embrace a moderate position? Its impact, namely, depends on the degree of agreement between the mainstream political actors over the 'content' of national identity, i.e., it depends on the existence or non-existence of the generally accepted 'social glue' that is necessary for social cohesion. Regarding this, West European countries can learn from the example of a tiny country in the Western Balkans – Montenegro.

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11   Fukuyama, F. (2018) Identity.
12   Sapolsky, R. (2019) This is your brain on nationalism: The biology of us and them, Foreign Affairs, March-April.

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THE MONTENEGRIN EXAMPLE

The last decade of the twentieth century was marked by the bloody break-up of the former Yugoslavia. Accordingly, the stories of war, violations of democratic rules, authoritarian leaders, corruption, organised crime, and socio-economic depression dominated the research of many experts and scholars with respect to the territory of the former Yugoslavia. However, by focusing on all these negative stories, a positive one was completely neglected. The story of Montenegro slipped past under the radar even though this small country has something to offer. Montenegro turned out to be the only Yugoslav successor state that did not see an armed conflict on its soil[13] even though members of all the groups who fought against each other in the rest of the former Yugoslavia can be found living in Montenegro: in the last population census of 2011, 45% identified themselves as Montenegrins, 28% as Serbs, 12% as Bosniaks/Muslims, 5% as Albanians, and 1% as Croats (see Figure 2).

Figure 2
Ethnic Composition of Montenegro
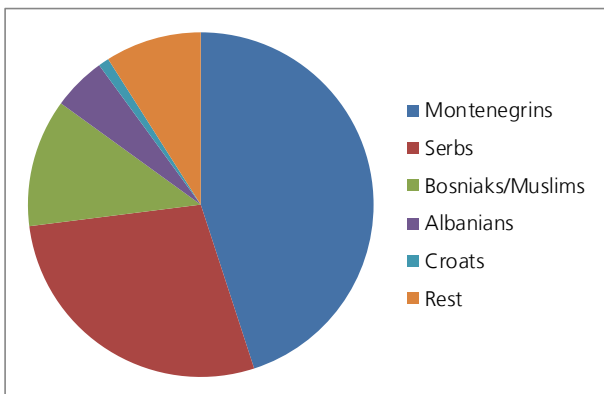
Furthermore, from one of the least developed parts of the former Yugoslavia, Montenegro developed, according to World Bank data, to become the richest country in the Western Balkans, with a GDP per capita 25% higher than Serbia's, the second most developed country of the region.[14] This country also joined NATO in 2017 and is the most advanced in the region along the path towards membership of the EU, so far opening all but one of the negotiating chapters. In other words, Montenegro, a multi-ethnic and multi-religious country with no ethnic majority, but only a 'majority minority', defies the widespread thesis that diverse countries are poorer and more conflict-ridden than homogenous ones. And all this in the war-torn Balkans! Thus the question arises, how was heterogeneous Montenegro able to firstly, maintain peace and stability in the region caught in the fire of the post-Yugoslav wars and, secondly, achieve considerable democratic and economic progress?

This has been an achievement of the Montenegrin political elite and its definition of Montenegrin national identity. A great majority of Montenegrin political actors – both from the government and the opposition – advocated an integrative national identity that is needed to create a cohesive national democratic community. National identity was thus shaped in a way that promoted inclusion and participation, and was based on two pillars.[15]

4.1. The First Pillar: Institutions of the System

In the process of institutionalisation Montenegro avoided the regional pattern of ethnically defined states. It is the only Balkan state constitutionally defined as "civic". For example, in December 1990, the new Croatian Constitution was adopted, defining Croatia as "the national state of the Croatian people and a state of members of other nations and minorities who are its citizens". Serbs, the largest national minority in Croatia, thus lost the status of a constitutive nation. In March 1989, Serbia's Parliament passed amendments to the Republic's Constitution abolishing the political autonomy of its provinces, Vojvodina and Kosovo. This significantly degraded the political status of the Kosovo Albanians, the biggest ethnic minority in Serbia.

In spite of the dominance of nationalist ideas throughout the region, being ethnic Montenegrin was not designed to be a superior form of national identity. The first Constitution of Montenegro, adopted on October 12, 1992, defined Monte-

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13 Montenegro was only briefly directly involved in the war when the units of the Yugoslav People's Army from Montenegro attacked Dubrovnik (October 1991- May 1992). On the Montenegrin territory there were, however, several incidents in which paramilitary units intimidated and expelled the Muslim population.

14 World Bank, GDP per capita, available at: https://data.worldbank.org/indicator/NY.GDP.PCAP.CD?locations=ME-BA-AL-MK-RS

15 One must admit that the task was eased due to the fact that 95% of the population speak the same language which is only different in name. As Wimmer argues, common language is a key precondition for successful nation-building as it makes it easier to build political alliances across ethnic divides.

negro not as an ethnic state. The preamble of the Constitution referred to "citizens of Montenegro". Moreover, ten articles of the 1992 Constitution defined "Special Rights of National and Ethnic Groups", including: protection of identity (Article 67); the right to use their mother tongue and alphabet as well as the right to education and information in their mother tongue (Article 68); the right to establish educational, cultural, and religious associations with the material assistance of the state (Article 69); the right to a proportional representation in public services, state authorities and in local self-government (Article 73); etc. The new Constitution of 2007 only confirmed the inclusive civic concept of the state. According to it, Montenegro is a civic state as the constitutive people are the citizens of Montenegro, and not a particular ethnic group. The preamble sets out the nations and minorities in Montenegro – Montenegrins, Serbs, Bosniaks, Albanians, Muslims, Croats, and others – and also emphasises the values of multiculturalism, peace and tolerance. Furthermore, while the state language is defined as Montenegrin (Art. 13), Serbian, Bosnian, Croatian, and Albanian are all in official use.

However, the civic state concept goes far beyond a mere mention in the Constitution. What was 'promised' in the Constitution must also be implemented. A strong civic national identity should thus imply the existence of functional institutions and a broad and inclusive political participation. Accordingly, the state must have the capacity to provide ordinary citizens with public goods so that they see their own interests in the existence of state institutions. This is particularly important in states, where citizens do not share the same ethnicity, religion and/or descent. The capacity to provide public goods, Andreas Wimmer argues, leads to successful nation-building by encouraging citizens to develop loyalty and political support for the state.[16]

Despite some serious shortcomings, foremost regarding the rule of law, Montenegrin institutions proved to have the capacity to provide public goods. Montenegro is the only country of the Western Balkans with very high human development according to the UN Human Development Index of 2018.[17] Moreover, institutions' performance was particularly visible within economic development. The Montenegrin GDP per capita grew from 1,627 US Dollars in 2000 to 7,784 US Dollars in 2017.[18] Furthermore, and perhaps most important to the forging of a national identity, people living in Montenegro receive benefits from institutions as Montenegrin citizens, not as members of a particular ethnic community.

In addition to the state's capacity to provide public goods, Montenegro has been characterised by the political inclusion of its minorities (with the exception of the Roma population). The affirmative action principle concerning electoral rep-

resentation of minorities, the establishment of the Ministry for protection of the rights of minorities with the aim "to protect and preserve rights of persons belonging to national and ethnic groups", and the participation of minorities in the Government even at times when their votes were not needed for the constitution of the parliamentary majority are only some prominent examples of it. The latest examples show recent transformations into separate municipalities: Petnjica (an area within the town of Berane, predominately populated by Bosniaks/Muslims) and Tuzi (an area within the state capital Podgorica predominately populated by ethnic Albanians). Such an inclusive power arrangement engendered among minorities a sense of shared political destiny that has led to their stronger identification with the country. It thus comes as no surprise that not a single, strong ethnic party was able to play a pivotal role in the party system and this clearly demonstrates that citizens prefer the civic concept of the state.

However, sometimes, such as during economic and political crisis, institutions can underperform and their output can also cause dissatisfaction within the population. A country, which national identity is built solely around its institutions and depends on their performance, could face difficulties. Therefore, national identity must also have a second pillar.

4.2. The Second Pillar: Creedal National Identity

If the first pillar is the 'body' of national identity, then the second is its 'soul'. The second pillar refers to the creedal part of national identity. The creedal pillar is essential because, as already emphasized, human beings have a fundamental need to belong to and be part of a collective identity. Yet in order to forge a strong national identity the creedal pillar must reflect the idea of an inclusive national community and cannot be based on exclusive criteria. It should be built around the civic values that bind the great majority of the citizens and provide a 'social glue' that is necessary for the functioning of an ethnically and religiously heterogeneous society.

In the case of Montenegro, the values of antifascism, as a common denominator of all ethnicities in Montenegro, and values of pluralism in the form of the promotion of multiple and complementary identities provided the ground for the creedal identity. The inclusive values of antifascism were set as the backbone of Montenegrin civic identity whereby the possibility of the pluralism of identities was enabled. Accordingly, besides being an ethnic category, being Montenegrin is also regarded as a civic category. Subsequently, one could be both Serb and Montenegrin, Bosniak and Montenegrin or Albanian and Montenegrin. By permitting multiple identities loyalty to the country is maximised and enhanced, which the latest Eurobarometer has confirmed. According to it, 90% of Montenegrin citizens feel attached to the country.[19]

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16 Wimmer, A. (2018) Nation Building: Why Some Countries Come Together While Others Fall Apart. Princeton University Press.

17 UN Human Development Index, 2018, available at: http://hdr.undp.org/sites/default/files/2018_human_development_statistical_update.pdf

18 World Bank, GDP per capita, available at: https://data.worldbank.org/indicator/NY.GDP.PCAP.CD?locations=ME

19 Eurobarometer 91, available at: https://ec.europa.eu/commfrontoffice/publicopinion/index.cfm/survey/getsurveydetail/instruments/standard/surveyky/2253

The majority of Montenegrin politicians thus both acknowledged the particular identities, cultures, and histories of distinct ethnicities living in Montenegro and pursued a unifying national creed. In fact, this approach has not just been followed by the contemporary Montenegrin political elite alone. Montenegro has a long tradition of the promotion of multiculturalism, which dates back to the time of King Nikola's reign around the end of the 19th and beginning of the 20th centuries. For example, when Montenegro became independent in 1878, King Nikola visited newly acquired territories (the towns of Podgorica and Niksic) and urged the Muslim population not to leave Montenegro, thereby promising them the same rights the Christians enjoyed, even calling them "new Montenegrins".[20] This also continued later since the expulsion of Muslims of the kind seen in Serbia, Bulgaria and Greece after the Balkan wars (1912-1913) did not occur in Montenegro. Furthermore, the idea of unity of various ethnic/national, religious, and linguistic identities was also at the top of the political agenda of the Montenegrin Communist Party.

4.3. Montenegro's Key Challenges

By building its national identity on these two pillars Montenegro has managed to maintain stability and achieve considerable progress in very unfavorable conditions. However, in order to secure further democratic and economic development, Montenegrin national identity must be consolidated. With respect to the first pillar, Montenegrin institutions must be strengthened so that they can provide more goods. This, above all, means additional efforts to establish the fully functioning rule of law. As this year's European Commission progress report on Montenegro emphasises, the country is still struggling in the fight against corruption, clientelism, and organised crime.[21] Montenegrin politicians must be aware that here the existence of the country is at stake. Not only because without strong institutions there can be no successful civic national identity – and a country as ethnically heterogeneous as Montenegro can only exist as a civic state – but also because the establishment of the fully functioning rule of law would most likely lead to EU membership of the country. Montenegro, embedded in the European project, would further mean a final victory for European/civic values and, thus, the consolidation of Montenegrin statehood.

Regarding the second pillar, the policies of civic and multiple identities must constantly be defended, nurtured, and promoted. A political *we* based on civic values is never a natural phenomenon, let alone in an environment such as the Western Balkans, where ethnic nationalism projects are alive and, unfortunately, not a thing of the past (this includes Montenegro, too). Therefore, the unifying antifascist narrative must be further embedded in education, the media, and culture and the development of grassroots organisations to uphold the creedal identity must also be encouraged. Moreover, politi-

cians must stop instrumentalising the national identity issue for their personal/party gains and also make additional efforts to promote the pluralism of identities. This is vital since the civic and inclusive approach is the only one that can also accommodate the interests of the pro-Serbian population in Montenegro which voted against Montenegro's independence in the 2006 referendum. This, of course, only applies to those individuals who are not 'seduced' by ethnic Serbian nationalism. A decrease in the numbers of those who question the existence of an independent Montenegrin state would alleviate the identity-based divisions in Montenegrin society, which would be very beneficial to democracy in general.

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20 Tuzovic, H. (2019) Knjaz Nikola je Becir-bega na Cetinju proglasio vojvodom, Pobjeda, 30.5.2019.

21 European Commission's Montenegro 2019 progress report, available at: https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-montenegro-report.pdf

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CONCLUSION

When the West shows significant interest in the Balkans, this usually means that there is a crisis in the region. In line with this logic, the current attention of Western leaders towards the region is due to the unresolved Kosovo issue and the increased tensions that it is causing. The unofficial proposals of Serbia's and Kosovo's leadership regarding the landswap (based on ethnic criteria) between the two countries was again used by some as an argument that multi-ethnic democracy is not possible in the Balkans. Yet the example of Montenegro not only proves otherwise, but also demonstrates that increasingly ethnically and religiously heterogeneous West European consolidated democracies could learn from it.

Having in mind Montenegrin experience, it would be wrong to argue that there is a direct causality between the increased salience of identity politics within the political system and democratic backsliding. How this development will affect West European party systems – and democracies in general – largely depends on the attitudes of the leading political parties. In other words, there are three key lessons that West European political actors could learn from the Montenegrin example:

Firstly, the political inclusion of minorities and their participation in the decision-making processes on various levels lead to their stronger identification with the country and maximise their loyalty. Therefore, besides the inclusive and broad political participation of minorities, an equal treatment of all citizens and the fight against institutional or structural discrimination must be an indispensable part of national identity forging. The chances for the successful integration of newcomers into West European societies will be much higher if they perceive that "we are all in the same boat" and have a shared political destiny.

Secondly, Montenegro can serve as an example that also in a multi-ethnic and multi-religious country it is possible to forge a successful national identity based on common values. Key values can be a strong societal linking bond and this stands in contrast to the claims of the populist radical right and some conservatives that national identity can only be built around common culture, traditions, customs and ethnicity.

Thirdly, the Montenegrin example also demonstrates that by allowing the possibility of multiple identities society becomes stronger, and not weaker, as is claimed nowadays by many West European politicians.

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