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FOREWORD

Vol. 15 No. 1 (2026)

Dear Readers, Colleagues, and Partners,

We are pleased to present Volume 15, Number 1 (2026) of *Politics & Security*, the peer-reviewed open-access journal of the Higher School of Security and Economics in Plovdiv, Bulgaria. This issue arrives at a moment of acute historical urgency: the international security environment of 2026 is defined not by the gradual evolution of familiar threats but by their simultaneous acceleration across multiple domains — philosophical, technological, geopolitical, legal, and societal. The seven contributions assembled in this volume reflect that complexity with analytical rigour and interdisciplinary reach.

The opening article by Wojciech Pac and Hubert Cyran establishes the theoretical framework for the entire issue. Drawing on the philosophy of security from Hobbes through Ulrich Beck to Yuval Noah Harari, and grounding their argument in empirical data from Polish national institutions and international bodies covering 2023–2026, the authors document a pronounced bipolarity in contemporary security perception: high subjective stability at the local level coexists with an escalation of existential fears at the geopolitical, digital, and ecological registers. Their argument that security has ceased to be a stable condition and become instead a process of continuous reconfiguration resonates across every subsequent contribution in this volume.

The geopolitical and material dimensions of contemporary insecurity are examined by Katarzyna Tamara Rud, whose article on the weaponization of interdependence challenges the prevalent assumption that the green energy transition will reduce geopolitical antagonism. Applying Herfindahl-Hirschman Index analysis to supply-chain data for lithium, cobalt, and graphite, Rud demonstrates that midstream processing concentration in critical raw materials exceeds that of petroleum during the OPEC era, with a single jurisdiction controlling between 58 and 87 percent of battery-grade material refining. This finding, situated within the interdependence theory of Keohane and Nye, compels a fundamental reassessment of energy security doctrine in the era of the green transition.

The domain of cognitive security is addressed by Herasym Dei, whose article on AI-mediated disinformation and its effects on national cognitive security examines how algorithmic information environments transform not merely the delivery but the very architecture of political reality for citizens and states. The article offers a theoretically grounded account of the mechanism by which AI-curated information ecosystems penetrate and reshape collective perception, constituting what the author terms the algorithm of insurgency — a form of non-kinetic destabilisation with measurable implications for democratic resilience.

The relationship between regime type and security outcomes is examined in a Nigerian context by Koffi Romeo Lawyerkeme and Emmanuel Tamaramiebi Timidi. Through a systematic comparative analysis of military and democratic governance periods, the authors assess the conditions under which different institutional configurations generate or undermine national security. Their findings contribute to the broader literature on governance, fragile statehood, and security sector reform in sub-Saharan Africa, offering empirically grounded conclusions of relevance to both scholars and policymakers engaged with the continent's security architecture.

Questions of constitutional governance and legal resilience are taken up by Mariya Petrova, whose article evaluates executive overreach during national security crises in the post-pandemic era. Situating emergency governance within the tension between effective crisis management and rule-of-law

commitments, Petrova examines the conditions under which emergency powers become a vector of institutional erosion rather than a mechanism of legitimate state protection. The article draws comparative lessons from multiple jurisdictions and makes a timely contribution to the ongoing debate about the boundaries of executive authority in liberal democracies under stress.

A complementary perspective on constitutional principles in security governance is provided by Martín Beltrán Saucedo, Elena Anatolievna Zhizhko, and Stefanía Ávila Villaseñor, whose article analyses the practical application of constitutional principles in the Mexican accusatory criminal system. Focusing on the intersection of criminal procedure and security governance, the authors critically assess the gap between constitutional design and institutional practice, identifying structural tensions that bear on both the effectiveness of the system and the protection of individual rights.

The volume concludes with a contribution by Anton Vysotskyi on the efficacy of counter-terrorism policies in post-conflict societies. Drawing on comparative case studies of the Saudi theological rehabilitation model, the Danish Aarhus experiment, and fragmented implementation environments in Iraq, northeastern Nigeria, and the Western Balkans, Vysotskyi argues that deradicalization as conventionally practised constitutes not a restorative achievement but a managed failure — a politically negotiated equilibrium in which recidivism is contained rather than resolved and success metrics are pegged to donor priorities rather than to human security outcomes. This uncomfortable conclusion demands serious engagement from both the academic and policy communities.

Taken together, the contributions to this volume articulate a coherent thesis: security in 2026 can no longer be adequately theorised or governed through state-centric, territorially bounded frameworks. The paradigmatic shift demanded by hybrid threats, weaponized interdependence, algorithmic information environments, constitutional emergencies, and post-conflict fragility requires new conceptual tools, new institutional architectures, and new forms of scholarly and policy collaboration across disciplines and borders. *Politics & Security* remains committed to providing a rigorous and open-access forum for that indispensable intellectual work.

We extend our sincere gratitude to the authors for their scholarly contributions, to the members of the Editorial Board and the peer reviewers for their careful and expert assessment of manuscripts, and to our readers and partner institutions for their continued engagement with the journal. We warmly invite submissions for forthcoming issues and encourage correspondence with the editorial team at editor@politics-security.net

Sincerely,

The Editorial Board Politics & Security

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SECURITY AND CONTEMPORARY THREATS – RECONFIGURATION OF PARADIGMS IN THE CONTEXT OF THE PHILOSOPHY OF SECURITY

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Abstract. *The aim of this article is to analyse the evolution of security paradigms and their reconfiguration in the face of multidimensional threats of the third decade of the 21st century. The authors juxtapose Thomas Hobbes' classical theory of contractualism with modern concepts of the risk society proposed by Ulrich Beck and Yuval Noah Harari, and with empirical material from 2023–2026. The article addresses the problem of the insufficiency of a state-centric model of security in the face of contemporary transnational, ecosystemic and algorithmic risks. The method applied combines a critical review of the literature with secondary data analysis based on reports of key national institutions (CBOS, GUS, ZUS, NASK, WIB) and international organisations (Eurostat, WEF, EIB). The study reveals a pronounced “bipolarity” in the perception of security: high stability at the local level is accompanied by an escalation of existential fears. The key vectors of uncertainty are identified as: geopolitical (63% fear for sovereignty), technological (the phenomenon of “domesticated uncertainty”), ecosystemic (68% indicating climate threat) and an institutional trust crisis (57% lack of trust in the justice system). The article argues that in 2026 security becomes a process of continuous reconfiguration, and the traditional Leviathan model gives way to the “e-Sovereign” and algorithmic management of existence. The conclusions point to the need to move from Hobbesian territorial realism toward building systemic resilience and strengthening the autonomous agency of the individual in an asymmetric international environment.*

Keywords: National security, Philosophy of security, Human security, Cybersecurity, Climate change, Geopolitics, Security governance, Hybrid threats.

1. INTRODUCTION

In contemporary times, individuals confront diverse experiences. Some are positive and developmental, while others are destabilising and threatening. Faced with such experiences, people interpret them through their relation to themselves, framing them within the commonly understood category of security. The accelerating technological development of the 21st century has brought changes not only in the perception of the world, but also in the military, economic, relational, social and even climatic spheres. Ubiquitous prosperity and rising living standards have produced a noticeable shift in how security is understood. The COVID-19 pandemic revealed the impact of consumerism on human life as well as changes in psychology and the sense of security (Gorynia & Kuczewska, 2023; Ministerstwo Zdrowia, 2022; Ptak-Chmielewska, Baszniak & Kurpanik, 2022; Samuk & Sidorowicz, 2023; Sosnowska, 2020). The ongoing war in Ukraine, in Poland's immediate vicinity, has likewise left its mark on the perception of peace (Kancik-Kołtun, 2024; Maciejewska-Mieszkowska, 2023). Among the principal threats, experts of the World

Economic Forum also indicate short-term risks (armed conflicts between states resulting from intensified geopolitical tensions and the risk of escalation; disinformation and misinformation, often linked to AI; and extreme weather events in the form of more intense hurricanes, droughts, floods and fires) as well as long-term risks (the persistence of extreme weather threats due to climate change; irreversible environmental changes such as glacier melting and changes in ocean currents; the loss of biodiversity and environmental degradation threatening food production and water resources) (World Economic Forum, 2025). The above analysis shows that these threats go beyond the framework of individual states, acquiring an international—often unsustainable and asymmetric—character, which weakens the effectiveness of traditional, centralised defence mechanisms.

Given the dynamic development of contemporary dangers, the prevailing philosophical security paradigms (Krupa, 2020) require reconsideration and appropriate adaptation to today's world. Classical political philosophy in the realist approach proposed by Thomas Hobbes assumes that the security of the individual—understood as avoiding chaos and war—lies within the competence of the state. The state, established through rational calculation and the social contract, wields indivisible and absolute power to ensure order and security (Hobbes, 2009). Nevertheless, contemporary threats necessitate a shift in perspective: the focus should move from state security (state security), present in Hobbes, toward human security (human security) (United Nations Development Programme [UNDP], 1994). This is essential because, as Ulrich Beck demonstrates with the concept of the “risk society,” humanity itself generates threats it cannot address with standard and familiar methods (Beck, 2002). As this implies, the Hobbesian state remains necessary but insufficient; we must protect ourselves not only from other people but also from the consequences of our own actions—an emphasis strongly present in Yuval Noah Harari (Harari, 2014). Harari notes that we live in the most peaceful times, largely as a result of international cooperation, yet he also points to new threats—including those listed in GRR 2025: AI, genetic engineering and the “hacking” of the human body and mind, data manipulation and surveillance—indicating the need for global solutions and thus a departure from the purely sovereign state (Harari, 2018).

Accordingly, the purpose of this article is to present the evolution of the concept of security in relation to new, multidimensional challenges faced by humanity, while advancing the thesis that productive responses to threats require an interdisciplinary approach combining realism toward military threats, institutionalism assuming the necessity of global cooperation (North Atlantic Treaty Organization [NATO], 2022), and a constructivist approach allowing particular phenomena to be recognised as threats. This will be achieved through a review of major philosophical currents in thinking about security (realism, institutionalism, constructivism) and applying them to the assessment of selected threats: geopolitical instability, climate threats, and cybersecurity. Theoretical assumptions will be verified through a critical analysis of secondary data and institutional reports (including CBOS, GUS, NASK, WEF) published from 2023 to early 2026. This time frame makes it possible to capture the most recent dynamics in threat perceptions in an era of advanced algorithmisation and geopolitical instability.

The article will show that combining hard defence measures (realism), global and institutional cooperation (the cooperative paradigm, institutionalism), and attention to socially constructed priorities (constructivism) is the only route to ensuring holistic security in an age of uncertainty.

2. METHODOLOGY

This study employs a mixed methodology combining a critical literature review with secondary data analysis. The critical literature review reconstructs the evolution of security paradigms from classical political philosophy (Hobbes, Plato, Aristotle) through modern risk-society theory (Beck, Harari), establishing the theoretical framework against which empirical findings are assessed. The secondary data analysis draws on publicly available institutional reports from national and international research bodies published between January 2023 and March 2026. This time frame was selected to capture the most recent dynamics in threat perception during a period defined by the ongoing war in Ukraine, accelerating digitalisation, and escalating climate concerns — thereby enabling verification of whether classical and contemporary security paradigms correspond to measurable societal experience.

The empirical sources were selected according to three criteria: institutional authority (data produced by government agencies, established polling organisations, or international bodies); methodological transparency (reports with documented sampling procedures and margin-of-error data); and thematic relevance to the security vectors identified in the theoretical framework. Primary sources include: CBOS (Centre for Public Opinion Research, Poland) for longitudinal survey data on security perception and institutional trust; CERT Polska and the Warsaw Institute of Banking (WIB) for cybersecurity indicators; Eurostat for comparative European data; the World Economic Forum Global Risks Report for global risk mapping; and EIB climate surveys for ecological security dimensions. The data are used to operationalise the theoretical constructs: CBOS local-security data test the Hobbesian model of sovereign protection; cybersecurity incident data from CERT Polska verify Beck’s “domesticated uncertainty”; geopolitical fear indices test the adequacy of state-centric security governance; and biometric adoption rates provide empirical grounding for Harari’s algorithmic-sovereignty thesis. Renumbering of subsequent sections reflects the insertion of this new section: the original “2. Theoretical Foundations” becomes Section 4, and subsequent headings are renumbered accordingly.

3. THEORETICAL FOUNDATIONS: PHILOSOPHY OF SECURITY – EVOLUTION OF PARADIGMS FROM ANTIQUITY TO MODERNITY

The philosophy of security evolved from the classical division of sciences formulated by Aristotle, becoming a field that studies the essence of threats and methods of their elimination (Tatarkiewicz, 2003; Pokruszyński, 2013). As a universal value, its understanding changed together with civilisation—from the ancient harmony of the Greek polis and medieval thought, through Machiavelli’s pragmatism, to Hobbes’s modern social contract. Contemporary perspectives on this evolution are completed by Ulrich Beck’s concept of the risk society and Yuval Noah Harari’s civilisational diagnoses.

3.1 Antiquity: Security Within The Paradigm Of The Polis And Eudaimonia

Ancient reflection on security was inseparably linked with ethics, a virtuous way of life, and the proper functioning of the city-state (*polis*). Greek philosophers regarded it as a primary condition of individual well-being and happiness (*eudaimonia*). In one of his most important works, *The Republic*, Plato defined security through the vision of an ideal state based on social harmony corresponding to the structure of the human soul. Society is divided into three classes: rulers (philosophers), guardians (warriors), and producers (craftsmen and farmers). Plato also believed that justice (*dikajosyne*) is the foundation of state stability and protection against threats, whether internal (injustice, chaos) or external (Plato, 2003). Aristotle, in *Politics* (Aristotle, 2004) and *Nicomachean Ethics* (Aristotle, 1982), links individual security with the aspiration to be happy within a law-governed state ultimately guaranteeing peace (*eirene*) and citizens’ freedom, emphasising the role of a political system that prevents internal conflicts.

3.2 The Middle Ages: Pax Terrena As The Foundation Of The Eschatological Order

The Middle Ages were dominated by a theological perspective (Tatarkiewicz, 2003). Security was understood within the framework of divine order and the pursuit of salvation in the temporal realm. In *The City of God*, St Augustine regarded earthly peace as imperfect yet indispensable on the path to eternity, imposing on the state the duty to protect order and safeguard pilgrims against the chaos stemming from human sinfulness (St. Augustine, 2002).

According to St Thomas Aquinas, the state and law (arising from divine and natural order) exist to serve the common good. Their fundamental function is to ensure security and stability, protecting citizens from internal and external threats. In this view, security constitutes an element of the objective moral order, and authority is justified insofar as it realises the common good and protects peace. (St. Thomas Aquinas, 1967, II-II, q. 40, a. 1; 1984; 1986, I-II, q. 90, a. 1–4, q. 91, a. 1–4, q. 95, a. 1).

3.3 MODERNITY: THE EMANCIPATION OF POLITICS AND THE PARADIGM OF RAISON D'ÉTAT

In the modern era, security was secularised, separating politics from theological ethics in favour of a mechanistic concept of the state. Niccolò Machiavelli recognised *raison d'état* (state security) as a supreme value, superior to morality, because the survival of the state depends solely on the ruler's strength—captured in the principle that the end justifies the means (Machiavelli, 2021).

3.4 Modernity: The Emancipation Of Politics And The Paradigm Of Raison D'état

The 17th century brought a revolutionary shift in the philosophy of security through Thomas Hobbes (1588–1677). This key modern thinker redefined the role of the state, making security its paramount goal and sole *raison d'être*. In his opus magnum *Leviathan* (1651), Hobbes articulated the concept of the state of nature as a sphere of anarchy devoid of authority and law. Within this theoretical construct, a permanent “war of all against all” prevails and human existence is depicted as “solitary, poor, nasty, brutish, and short.” Fear of violent death becomes the key impulse for constructing political frameworks that guarantee survival.

3.4.1. *Pessimistic Anthropology: The Vision Of The State Of Nature*

Hobbes grounded his theory in an extremely pessimistic vision of human nature. He portrayed the human being as a creature ruled by the instinct of self-preservation, passions, and the desire for power. He considered people naturally equal, especially in their capacity to inflict harm, which manifests in the possibility that a weaker person can kill a stronger one. When this fundamental equality combines with egoism, it turns another person into a potential threat—what Hobbes calls the “war of all against all” (Hobbes, 2009).

3.4.2. *The State Of Nature As A Paradigm Of Permanent Uncertainty*

For Hobbes, the state of nature is not a historical fact but a logical assumption concerning life without a supreme authority. It is grounded in lawlessness, injustice, and the absence of property. Effectiveness in defending one's life becomes the only measure of action. This generates absolute freedom which ultimately becomes destructive, leading to existential dread. In this condition, the highest law is the law of nature—an injunction of reason directing human beings to seek peace; if peace is not possible, they must use all available means to defend their own life (Hobbes, 2009).

3.4.3. *Contractualism: The Transition To State Order Through The Alienation Of Freedom*

The only strategy for escaping permanent uncertainty is to abandon natural, absolute freedom. Driven by fear, people enter into a social contract combining the pact of union with the pact of subjection. The mechanism consists in transferring the natural right to use force to a superior instance. The aim is to guarantee the security of life and protect the community against both internal and external violence (Hobbes, 2009).

3.4.4. *The Leviathan As The Sovereign Guarantor Of Security*

The consequence of the contract is the emergence of the State—the mythical Leviathan. This biblical figure symbolises the absolute character of power necessary to overcome human aggression. The sovereign, as the sole beneficiary of the contract, is not a party to it; therefore, the sovereign enjoys full discretion in defining the means of security. Authority rests on indivisible absolutism, the monopoly on the legitimate use of coercion, and the primacy of positive law, which neutralises the uncertainty of the state of nature by making systemic stability the highest value (Hobbes, 2009).

In Hobbes's axiology, security is a *conditio sine qua non* for the existence of culture, science, and commerce. A strong state appears as the only remedy against self-destruction, even at the cost of freedom. Ulrich Beck's contemporary approach illustrates the deterritorialisation of threats, confronting the Hobbesian state-centric model with new, global challenges (Beck, 2002; Hobbes, 2009).

3.5. The Risk-Society Paradigm: Security In Ulrich Beck's Perspective

The German sociologist Ulrich Beck presented a concept of security that constitutes a radical break with classical, state-centric paradigms such as Hobbesian realism. Beck argued that the contemporary world

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has entered a “second modernity,” whose inseparable feature is the risk society. In this perspective, the vectors of threats undergo a fundamental qualitative transformation.

2.5.1. The Transition To A Risk Society: The Mechanism Of The “Boomerang Effect”

In the classical industrial society, the security paradigm was inseparably linked to the logic of distributing wealth (material goods and economic growth). State protection focused on neutralising traditional threats (wars, crime, natural disasters). According to Beck, late modernity produces a “boomerang effect,” meaning unintended side-effects of modernisation processes—rapid industrialisation and technological progress—that begin to dominate the accumulated capital. As a result, the primary task of society ceases to be the allocation of goods and becomes the management of the distribution of global threats and the mitigation of civilisational risk (Beck, 2002).

2.5.2. Taxonomy And Characteristics Of Risks In Ulrich Beck’s Account

The risks that constitute contemporaneity differ qualitatively from the dangers of the industrial era. Their first feature is transnationality. Phenomena such as climate degradation, financial crises or pandemics ignore state borders, affecting communities regardless of socio-economic status. This leads to a “democratisation of threats” and forces responses of a global nature. Another aspect is the subjectivisation and abstract character of these risks. Many of them (e.g., chemical contamination, cyber threats) remain imperceptible to the senses, which makes their reception entirely dependent on expert scientific discourse. This dependence on mediated knowledge often undermines social trust. The final pillar of this characteristics is irreversibility and the temporal accumulation of effects—contemporary catastrophes generate burdens for future generations, creating long-term existential threats (Beck, 2002).

2.5.3. The Paradigm Of “Organised Irresponsibility” As An Institutional Crisis

A key element of Beck’s critique is his demonstration of the anachronism of traditional institutions when confronted with a new ontology of threats. Nation-states operating within rigid territorial jurisdictions show structural inefficiency in the face of cross-border risks. The consequence is the phenomenon of “organised irresponsibility” (Beck, 2002). It manifests through the dispersion of agency and the weakening of cause-and-effect mechanisms in legal systems. In the face of global cataclysms, attempts to adjudicate responsibility solely within national frameworks become archaic.

2.5.4. Methodological Cosmopolitanism As A New Security Paradigm

In response to these challenges, Beck proposed the idea of methodological cosmopolitanism (Beck, 2016). The new philosophy of security requires action beyond state divisions and is based on: reflexivity (correcting the trajectory of technological development), global cooperation (supranational governance systems), and individualisation (autonomous decisions about lifestyle) (Beck, 2002).

In Beck’s paradigm, security becomes systemic control over abstract risks, which forces strategies that go beyond national sovereignty. While Beck emphasises global governance, Harari specifies that the contemporary instrument of such control is advanced algorithms and surveillance technology.

3.6. Yuval Noah Harari’s Technological Paradigm: Security In An Age Of Posthumanism And Algorithmisation

Contemporary reflection on security is completed by the thought of Yuval Noah Harari, an Israeli historian and philosopher. He revises existing security concepts by situating them in the context of radical technological acceleration and shifting the centre of gravity from traditional political disputes to technological and biotechnological challenges. His approach constitutes a new research perspective that goes beyond Hobbesian state-centrism and Beck’s sociology of risk. Harari focuses on existential threats resulting from the synergy of biotechnology and artificial intelligence, arguing that in the 21st century the lack of global cooperation in these domains is the greatest challenge to the species’ stability. Revising classical realism, he contends that contemporary times require redefining sovereignty in terms of the technological and algorithmic dimension of power. In his view, the security of the digital era is based not so much on states’ military strength as on the ability to manage data and mitigate risks stemming from the potential “hacking of the human organism” (Harari, 2018).

3.6.1. *The Decline Of Traditional Wars And The Transformation Of The Ontology Of Threats*

Harari points to a paradox: despite a widespread sense of danger, the global community functions under the historically lowest level of direct violence. Classical vectors of threat—such as armed conflicts or famine—have been significantly marginalised due to technological development and international cooperation. He analyses the reorientation of existential threats, arguing that civilisational risks (e.g., obesity and lifestyle diseases) dominate mortality statistics. This apparent overcoming of classical paradigms has produced a behavioural demobilisation of political elites, who underestimate slow-burn, systemic risks (Harari, 2018).

3.6.2. *A Taxonomy Of Existential Risks In The 21st Century: Harari's Perspective*

Harari's philosophy of security centres on three global vectors of threat. The first is the permanent risk of nuclear conflict which, despite a decline in conventional wars, remains the greatest immediate threat to the biological continuity of the species. The second pillar is irreversible climate change (Harari, 2018). Ecosystem destabilisation, in the long-term perspective, shows a level of lethality analogous to nuclear threat. Harari emphasises that the particularism of nation-states and their inertia in transferring competences to the supranational level are key barriers to building an effective security architecture. The third pillar involves breakthroughs in AI and bioengineering. The development of artificial intelligence generates the risk of the emergence of a "useless class" of people who lose existential purpose after being pushed out of the labour market. Symmetrically, progress in genetic engineering implies a risk of dichotomising humanity into groups of enhanced Homo sapiens and post-human cognitive elites, invalidating the existing category of shared humanity (Harari, 2018).

3.6.3. *The Crisis Of The Nation-State In The Face Of The Deteritorialisation Of Threats*

Harari criticises the anachronism of the nation-state as the principal guarantor of security. Concepts based on territorial sovereignty prove inadequate when confronted with transnational challenges (pandemics, climate processes, uncontrolled AI development). In an era of deterritorialised threats, classical decision-making mechanisms are insufficient. The Israeli thinker calls for the formation of a global identity, arguing that nationalism becomes a barrier preventing genuine species-level security (Harari, 2018).

3.6.4. *The Personal-Security Paradigm: Algorithmisation and Biometric Surveillance*

At the individual level, Harari warns against a new form of striving for security at the cost of voluntarily relinquishing freedom and privacy. States and corporations, through the aggregation of biometric and behavioural data, move toward a condition of full transparency of the individual. This process generates the risk of losing subjectivity. The classical concept of the Leviathan evolves toward a digital sovereign that acquires the capacity for algorithmic penetration and control ("hacking") of neurobiological processes that determine individual choices (Harari, 2018).

Harari's philosophy thus calls for rejecting the 19th-century logic of geopolitics and reorienting attention toward supranational cooperation in the face of threats that may end human history or fundamentally transform it in a posthumanist direction. Security is defined here through global governance and ethical control over technology (Harari, 2018).

4. RESULTS: THE EMPIRICAL DIMENSION OF SECURITY – A CRITICAL REFLECTION ON STATISTICAL INDICATORS (2023–2026)

The theoretical reconstruction of security paradigms (from Hobbes through Beck and Harari) combined with the analysis of secondary data serves to verify the correlation between theory and the 21st-century reality on the basis of measurements conducted by national and international research institutions.

4.1. *A Sense Of Safety In One's Place Of Residence And The Evaluation Of Police Work In The Light Of Data (2023–2025)*

The analysed material indicates a stabilisation of Poles' subjective sense of security. According to CBOS (CBOS, 2025a; 2025b), the vast majority of respondents consider their neighbourhood safe, which correlates with high evaluations of the Police and the Hobbesian function of pacifying violence. In 2024,

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fear of crime fell to 35% (down by 1 p.p.), and 64% of respondents did not identify threats in their own lives (CBOS, 2024a). These data are validated by Eurostat (Eurostat, 2025a): with a result of 2.8%, Poland recorded the third-lowest share in the EU of reports of violence or vandalism in one's area. This confirms a high level of local and institutional security in relation to state-centric theory.

4.2. New Vectors Of Uncertainty: Managing Global Risk In Social Awareness

The perception of security in Poland displays a bipolar structure: high local stability coupled with an intensification of global fears, primarily geopolitical ones (CBOS, 2024b; 2025c). This dissonance revises the functions of the sovereign under external vectors of destabilisation. It necessitates the analysis of systemic risks: cybersecurity, climate, and economic, health and social anxieties. In 2024–2025 these sectors constitute a new map of threats (World Economic Forum, 2025), shifting the centre of perception from the private sphere to the global one.

4.2.1. *Cyberspace As A New Ontology Of Risk: Perception And Awareness Of Digital Threats*

The contemporary paradigm of digital security is far more complex than traditional physical protection systems. Conclusions from NASK reports and those of the Warsaw Institute of Banking (WIB) from 2024–2025 make it possible to define the current state of users' awareness as the phenomenon of "domesticated uncertainty." Despite a year-on-year rise in the subjective sense of security (62% indications, up 7 p.p. r/r), the analysis shows its conditional character (WIB, 2024; 2025). This optimism does not result from a real decline in threats, but from the belief that users have better "equipment" to fight them. Operational data of CERT Polska for 2024 verify this thesis, indicating a record number of over 600,000 reported incidents (CERT Polska, 2025). In this context, "domesticated uncertainty" means that although internet users feel more confident thanks to safeguards, as many as 95% are aware that completely avoiding a cyberattack in the long run is impossible (Vecto, 2024). The sense of security thus increased through risk compensation. The foundation of this attitude is growing competence in cyber hygiene. According to the study "Postawy Polaków wobec cyberbezpieczeństwa 2025," when securing smartphones Poles most often use a PIN code (56%) and biometrics (56%), which represents a twofold increase in the popularity of the latter compared with 2023. However, 2025 data show that only 19% of respondents use password managers and only 10% use secure generators. The majority (32%) still create passwords themselves based on personal associations, which remains a high-risk practice. Although 30% of Poles now declare very good knowledge of security principles (up 4 p.p. compared with 2024), nearly half (49%) admit only an orientation-level knowledge. This competence gap makes education crucial—31% of respondents advocate introducing compulsory digital-education classes in schools (WIB, 2025).

Poles' main concerns focus on phishing (88%) and identity theft (38%) and the related financial losses. A counterweight to these fears is the growing trust in mobile banking. By the end of 2025, the number of users of banking applications reached nearly 27 million (up 15% r/r), including 19.5 million mobile-only customers. Users consider applications safe, among other reasons, thanks to biometrics, which 80% indicate as their preferred authorisation method (Marciniak, 2024). This confirms the role of modern tools in a country that is a European leader in cashless payments, where in 2025 more than 98% of card transactions were contactless (National Bank of Poland [NBP], 2025). Despite high recognition of phishing (over 85%), cybercriminals' effectiveness remains high: 21% of respondents have fallen victim to phishing, and 17% have experienced telephone spoofing. At the same time, only 31% of respondents independently verify the identity of a calling bank employee. A growing problem is disinformation. Although 51% of citizens declare an ability to recognise deepfake-type materials, actual verification is selective: only 16% check the provenance of images, and 17% report or block suspicious content. In view of these data, systemic digital education becomes a key challenge for social security in 2026 (WIB, 2025).

4.2.2. *Ecosystem Destabilisation As An Existential Vector Of Uncertainty*

In 2024–2025, the ecological sphere became a key area for the reconfiguration of social fears, legitimising the concept of the risk society (Beck, 2002). According to the Polish Chamber of Insurance, natural disasters have become a permanent element of the catalogue of Poles' dominant concerns (PIU, 2025). Climate issues ceased to be distant warnings and became a real foundation for defining security and stability.

The rising dynamics of these fears are corroborated by statistical data: 68% of citizens regard climate change as a direct threat (CBOS, 2025d). As many as 93% believe that the state's priority should be to increase the country's resilience, including by modernising critical infrastructure (European Investment Bank [EIB], 2024). The greatest challenge remains water management—69% of Poles report periods of drought, and in the Podlaskie voivodeship the problem affects as many as 90% of residents (CBOS, 2024c). Although 81% link weather extremes with climate change, local activity remains insufficient; only 4% of respondents perceive real measures aimed at counteracting drought effects.

A substantive confirmation of these concerns is provided by the report of the Koalicja Klimatyczna, warning that warming by 2°C will drastically worsen cultivation conditions and threaten the stability of food supplies (Koalicja Klimatyczna, 2020). Climate change has thus become a tangible threat to the physical and economic security of individuals and a key vector of contemporary uncertainty.

4.2.3. *Geopolitical Reorientation: War At The Border As The Primary Determinant Of Social Fear*

In the process of reconfiguring social fears, geopolitics dominates, having taken precedence over climate and digital risks. The proximity of warfare in Ukraine and the progressing destabilisation of the global order are currently the main factors shaping an existential sense of threat (CBOS, 2024b; 2025c).

Studies (CBOS, IBRiS, Ipsos) document an unprecedented increase in military fears—the fear of Poland's active involvement in hostilities concerns more than 50% of respondents (CBOS, 2024d). IBRiS data from May 2025 show that as many as 63% of respondents perceive the international situation as a real threat to state sovereignty (Polska Agencja Prasowa [PAP], 2025).

Growing external pressure affects the redefinition of individual strategies: according to an IBRiS survey, 32.6% of Poles would decide to flee their place of residence in the event of war (Kozubal, 2025). A significant vector of uncertainty is also the decline of trust in Polish-Ukrainian relations—65.5% of respondents believe they have worsened, an opinion common regardless of political sympathies (Gurgul, 2025).

Poland's collective awareness on the threshold of 2026 is shaped by the paradigm of global threat. A response to these challenges is the new National Security Strategy of the Republic of Poland, adopted on 25 July 2025 (Council of Ministers [RM], 2025). As Dr hab. Tomasz Pawłuszko notes, its implementation involves challenges in the area of technological sovereignty and building state resilience to contemporary risks (Pawłuszko, 2025). The new architecture of threats forces an evolution of individual attitudes and a strategic reorientation of national actions.

4.2.4. *Economic Vectors Of Uncertainty: A Crisis Of Material Security And Systemic Trust*

Current analyses confirm that the undermining of financial foundations is a primary driver of the erosion of Polish citizens' material security. A temporary slowdown of inflation to 3.6% r/r (Statistics Poland [GUS], 2026) did not bring the expected relief due to the accumulated burden of earlier price increases. Although CBOS analyses from December 2025 indicate record satisfaction with material conditions (67%), the foundations of this calm are systematically eroded by living costs—37% of Poles declare the need to reduce expenditure, and nearly 80% implement saving strategies. The situation is aggravated by the destabilisation of local labour markets: the share of those who consider finding employment in their area difficult rose to 28% (CBOS, 2025e; 2025f; 2025g).

At the same time, Poles express fear about their financial future, identifying the pension system as one of the most unstable pillars of security. An ING Bank Śląski study from October 2025 indicates that although the share of those extremely concerned fell from 42% to 33%, still every second citizen points to insufficient funds as a key threat after ending professional activity (ING Poland, 2025). These concerns are confirmed by official ZUS projections indicating the inevitable erosion of benefits and a low replacement rate (Social Insurance Institution [ZUS], 2025), which motivates people to seek alternative private saving schemes (Business Insider Poland, 2025).

The analysis of financial threats is completed by the specificity of the contemporary labour market. Record-low unemployment at 2.9% does not eliminate fears about employment stability in the era of digital transformation (Eurostat, 2025b). Studies by the Polish Economic Institute show that 33.4% of respondents assess the impact of technology negatively (PIE, 2024). Pessimism is confirmed by Digital Poland Foundation research (2024): 42% of respondents believe AI will eliminate more jobs than it creates

Pac, W., & Cyran, H. (2026). Security and contemporary threats – reconfiguration of paradigms in the context of the philosophy of security. *Politics & Security*, 15(1), 6–21. <https://doi.org/10.54658/ps.28153324.2026.15.1.pp.6-21> (Korgul, Witczak, & Świącicki, 2024). Processes of automation thus become, in 2026, a key factor redefining the architecture of the entire Polish economy.

4.2.5. *Health Threats: Accessibility Crisis And Biological Security*

Systemic weaknesses of the medical sector, revealed during the COVID-19 pandemic, continue to generate a strong sense of threat. The main determinant of anxiety remains the deficit in access to healthcare services: as many as 70% of Poles assess the functioning of healthcare negatively. 82% rate access to specialists poorly, and 65% point to staff shortages in hospitals. As many as 73% believe that treatment in Poland is not free of charge, which—combined with appointment waiting times (63% negative evaluations)—escalates social fears regarding health security (CBOS, 2025h). Publications from January 2026 confirm the increasing chronicity of queues for health services, measurably contributing to the escalation of social anxieties (Fundacja Watch Health Care, 2026).

At the same time, illness of loved ones is perceived as the most critical threat (37.5%), compared with a 33.6% level of fear concerning one's own somatic condition (UCE RESEARCH i ePsychologodzy.pl, 2025). According to Enel-med, 45% of Poles consider physical well-being their greatest concern (Centrum Medyczne Enel-med, 2025). In 2025 health dethroned financial issues in the hierarchy of social risks. A sense of personal threat, stemming from fear of systemic inefficiency, translates into widespread existential anxiety.

4.2.6. *Destabilisation Of The Socio-Legal Order: Polarisation And An Institutional Trust Crisis*

The contemporary panorama of anxieties is completed by the socio-legal sphere, dominated by the decline of citizens' trust in state bodies. The inefficiency of the judiciary undermines a sense of stability: 57% of Poles declare a lack of trust in the justice system, and low ratings concern the Constitutional Tribunal (30.3%) and the prosecution service (37.4%) (Szymaniak, 2025). According to CBOS, only 25% express a positive opinion about courts, while 48% are negative. The lengthiness of procedures destabilises legal security, which is emphasised by more than half of society (CBOS, 2025i).

At the same time, a source of concern remains deep political division and aggression in public communication. Despite improved personal moods, 36% of Poles feel disregarded by those in power, and 42% feel irritation. As many as 66% perceive negative emotions in their surroundings, mainly fear about the future (42%) (CBOS, 2025j). This perspective is complemented by The Global Risks Report 2025, which ranks social polarisation sixth among the most serious global threats (World Economic Forum, 2025). The crisis of institutional authority directly intensifies citizens' uncertainty and forces a redefinition of micro-social relations at the threshold of 2026.

5. DISCUSSION: RECONFIGURATION OF SECURITY IN THE LIGHT OF THEORY AND EMPIRICAL EVIDENCE

Confronting the evolution of philosophical thought with empirical data from 2023–2026 demonstrates that in the face of global crises security loses its status as an immutable value and becomes a process of continuous reconfiguration. It can be understood as a tension between the former hegemony of the state and the contemporary, dispersed ontology of global risk. The transition from the classical paradigms of Machiavelli and Hobbes toward the perspective of global risk in Beck and Harari illustrates a fundamental shift: an evolution from territorial defence toward the ontological safeguarding of the species and the system.

5.1. *The Decline Of The Leviathan: From Sovereignty To Interdependence*

The Hobbesian paradigm assumed that the sovereign derives legitimacy from the social contract in which individuals relinquish freedom to the state in exchange for existential security. Yet today's cross-border threats—such as global pandemics, the climate crisis, or cyberattacks—escape the competencies of individual governments, forcing a redefinition of the traditional understanding of state sovereignty.

Statistics from 2025 (3.2.3) confirm the exhaustion of the previous paradigm—36.7% of respondents choose migration instead of fighting for the homeland. This suggests an evolution toward human security: as the individual loses faith in the state as a guarantor, they implement individual survival strategies. The inefficiency of public services (ZUS, courts, healthcare) generates a “modern state of nature,” compelling reliance on one’s own resources, which is regularly recorded by CBOS.

5.2. From A Visible Antagonist To Invisible Risk: The Paradox Of Cyberspace

Traditional armed conflicts were characterised by the predictability of the scale of attack and the transparency of the opponent’s identity. Contemporary threats—which Beck considers an inherent element of the risk society—are elusive and lead to the phenomenon of “organised irresponsibility,” causing decision-making paralysis and the dilution of responsibility within systemic structures, thereby producing a state of impunity.

Cybersecurity research results (3.2.1) allow the definition of the category of “domesticated uncertainty.” An increase in objective risk—visible in the peak number of incidents recorded by CERT Polska—is accompanied by an asymmetric increase in the subjective sense of security (62%). In constructivist terms, threat has become a permanent aspect of reality. Although many users can recognise various forms of phishing, selectivity in the verification of other content means Harari’s diagnosis of the “hacked human” remains relevant. Traditional state sovereignty yields where algorithmic filters begin to manage mass emotions, as confirmed by cybersecurity research conducted by NASK.

5.3. From Biological Survival To Quality Of Existence: Adaptation And Resilience In The Face Of Challenges

According to Harari, after mastering historical threats, humanity must now confront the risk of losing agency to algorithms and genetic manipulation. The concept of security thus changes: the traditional focus on biological survival gives way to concern for the integrity of identity and standards of life.

Drawing on Ulrich Beck’s concept, it can be observed that although climate threats (3.2.2) and systemic threats (3.2.4) have a global scope, their real impact affects the lives of individuals in an individualised manner. For 85% of society, climate change is already part of everyday life. This signals that security no longer means only the absence of threats, but above all the capacity to adapt and survive in a new reality. In 2026 the role of the state evolves: from a function focused on border defence it shifts toward managing systemic resilience so as to withstand shocks. At the same time, the phenomenon of “crisis fatigue” noted in analyses indicates the exhaustion of society’s adaptive potential. This may result in widespread apathy and increased susceptibility to destabilising factors.

5.4. Synthesis: Toward A New Paradigm

The evolution of security toward a transdisciplinary category requires a holistic approach in 2026. An effective strategy demands the synthesis of components: geopolitical (hard territorial security), systemic (international cooperation), and socio-cognitive (the social reception of threats). This transformation implies the necessity of evolving state structures and revising the status of the individual in an asymmetric international environment.

6. CONCLUSION: RECONFIGURATION OF THE SECURITY PARADIGM IN AN AGE OF GLOBAL RISK

A study of the evolution of the idea of security (from ancient eudaimonia, through Hobbes’s modern realism, to the concepts of Beck and Harari), verified on the basis of the analysis of existing data, leads to the following conclusions:

The secularisation of the sphere of security has led to its contemporary definition through the prism of the efficient operation of state mechanisms. Empirical indicators provided by GUS and law-enforcement

agencies show that at the micro-spatial level the sovereign—whom Hobbes described as a “mortal god”—remains effective in protecting basic goods, generating a sense of security exceeding 90%. However, in line with Ulrich Beck’s concept, traditional state structures become outdated in the face of contemporary global threats. This is due to “organised irresponsibility,” which deprives the state of a monopoly on crisis management and leads to the dispersion of responsibility for mitigating climatic, pandemic or financial risks, as confirmed by CBOS reports from 2024–2025.

A reevaluation of the definition of security has occurred: the classical force-based approach rooted in realist paradigms gives way to analysing the hidden costs of modernisation. Non-military threats arising from global interdependencies and technological progress have become crucial. Today’s existential challenges go beyond traditional state security by directly threatening the continuity of the human species. The main sources of these fears are ecosystem destabilisation and risks related to autonomous AI systems. This situation requires a shift from the paradigm of territorial sovereignty toward “methodological cosmopolitanism.” In practice, this means the need for cross-border risk-mitigation mechanisms, advocated by NASK experts in the field of cybersecurity.

According to Yuval Noah Harari’s forecasts, in 2026 systemic security is often exchanged for compliance with AI mechanisms, which limits our decision-making freedom. Findings concerning biometrics and information control show that, fearing the loss of data integrity and being “hacked,” contemporary individuals increasingly accept biometric surveillance and data-collection systems. In short: oppression shifts from the physical level—where the sovereign protected us from external danger—to the digital level, where power enters “under the skin,” steering health and identity beyond any meaningful control. Thus, traditional citizen protection gives way to algorithmic management of existence, which in practice undermines individual agency.

The contemporary security paradigm departs from the unrealistic vision of completely eliminating threats, evolving toward a pragmatic strategy of risk management. In today’s philosophy of security, the pursuit of an ideal state of protection is replaced by the capacity to adapt and operate effectively under uncertainty. This thesis implies a redefinition of contractualism. The classical model of sovereignty, based on exchanging obedience for protection, gives way to the requirement of autonomous agency. Contemporary civic condition is defined by an imperative of reflexivity and psychological resilience. The contemporary security paradigm is based on the continuity of actions: it shifts the burden of responsibility toward the individual, obliging autonomous decisions regarding digital hygiene, care for physical condition and health, and prudent everyday choices.

Although the empirical material in this study is drawn from Poland, the structural patterns identified are not unique to the Polish context. The “bipolar” security perception documented here — high subjective safety at the local level coexisting with escalating existential fears at the geopolitical, digital, and ecological levels — constitutes a recognisable feature of the post-2022 security environment across Central and Eastern Europe (CEE). Countries sharing a direct neighbourhood with the Russo-Ukrainian conflict, including the Baltic states, Slovakia, Hungary, and the Czech Republic, confront analogous tensions between functioning domestic-security institutions and the perceived inadequacy of state-centric models in the face of hybrid, cyber, and climate-related threats. The institutional-trust deficit documented by CBOS — 57% of Polish respondents distrusting the judiciary, widespread scepticism toward the pension system, and weakened confidence in state capacity to manage long-term systemic risks — mirrors patterns recorded by Eurobarometer and regional survey data in neighbouring countries. This convergence suggests that the “functional crisis of the nation-state” identified in the Polish data is not a domestic anomaly but a structural feature of security governance in post-communist democracies under geopolitical pressure.

The theoretical implications are correspondingly regional in scope. Beck’s “organised irresponsibility” — the dispersion of accountability for transnational risks across fragmented national institutions — is acutely visible in the CEE context, where NATO membership and EU integration have shifted significant security competencies to supranational bodies while national governments retain primary responsibility for public communication and domestic resilience-building. Harari’s “e-sovereign” dynamic is likewise observable across the region: rapid digitalisation of public services combined with high cybercrime incidence (CERT data across V4 countries show converging trends) is producing a

generational shift toward biometric-trust models that simultaneously increases systemic vulnerability. The Polish data, therefore, serve as a high-resolution case study of dynamics that security governance researchers and policymakers across the CEE region will recognise as structurally analogous to their own institutional environments. Comparative research extending this framework to other NATO frontline states would constitute a productive direction for future scholarship.

In 2026, security is no longer a stable condition resulting from the inviolability of borders; rather, it is continuous responsiveness to multidimensional global crises requiring the cooperation of many fields of science and technology. A key research problem becomes the redefinition of individual sovereignty in the face of the technicisation of existence. Today, fear of the digital disintegration of identity displaces the classical physical paradigm of threat to life known from Hobbes's philosophy.

REFERENCES

- Akwinata, T., Św. [Aquinas, T., St.]. (1967). Suma teologiczna (t. 16: Miłość) [Summa theologica (Vol. 16: Love)] (A. Głazewski, Trans.). Katolicki Ośrodek Wydawniczy „Veritas”. https://zwola-old.karmelicibosi.pl/p/z/formacja/summa/summa_16.pdf
- Akwinata, T., Św. [Aquinas, T., St.]. (1984). Dzieła wybrane [Selected works] (J. Salij, Trans.). Wydawnictwo „W drodze”.
- Akwinata, T., Św. [Aquinas, T., St.]. (1986). Suma teologiczna (t. 13: O prawie) [Summa theologica (Vol. 13: On law)] (P. Bełch, Trans.). Katolicki Ośrodek Wydawniczy „Veritas”. https://zwola-old.karmelicibosi.pl/p/z/formacja/summa/summa_13.pdf
- Arystoteles [Aristotle]. (1982). Etyka nikomachejska [Nicomachean ethics] (D. Gromska, Trans.). Wydawnictwo Naukowe PWN. <https://www.scribd.com/document/675091104/Arystoteles-Etyka-Nikomachejska>
- Arystoteles [Aristotle]. (2004). Polityka [Politics] (L. Piotrowicz, Trans.). <https://www.scribd.com/document/46391482/Arystoteles-Polityka>
- Augustyn, Św. [Augustine, St.]. (2002). Państwo Boże [The city of God] (W. Kubicki, Trans.). Wydawnictwo Antyk. <https://www.scribd.com/document/547791992/Augustyn-Pa%C5%84stwo-Bo%C5%BCe>
- Beck, U. (2002). Społeczeństwo ryzyka: W drodze do innej nowoczesności [Risk society: Towards a new modernity] (S. Cieśla, Trans.). Wydawnictwo Naukowe Scholar. <https://www.scribd.com/document/526409088/Beck-Spo%C5%82ecze%C5%84stwo-Ryzyka>
- Beck, U. (2016). Methodological cosmopolitanism. In R. Blaug & J. Schwarzmantel (Eds.), *Democracy: A reader* (pp. 463–467). Columbia University Press. <https://doi.org/10.7312/blau17412-099>
- Business Insider Polska. (2025). Portret Finansowy Polaków [Financial portrait of Poles]. <https://businessinsider.ocdn.eu/static/portretFinansowyPolakow2025.pdf>
- Centrum Badania Opinii Społecznej. (2024a). Poczucie bezpieczeństwa i zagrożenia przestępczością [Sense of security and threat of crime] (Research Report No. 49/2024). https://www.cbos.pl/SPISKOM.POL/2024/K_049_24.PDF
- Centrum Badania Opinii Społecznej. (2024b). Wojna w Ukrainie a NATO [War in Ukraine and NATO] (Research Report No. 38/2024). https://www.cbos.pl/SPISKOM.POL/2024/K_038_24.PDF
- Centrum Badania Opinii Społecznej. (2024c). Polskie problemy z wodą A.D. 2024 [Polish water problems A.D. 2024] (Research Report No. 114/2024). https://www.cbos.pl/SPISKOM.POL/2024/K_114_24.PDF
- Centrum Badania Opinii Społecznej. (2024d). O wojnie w Ukrainie i ewentualnym rozszerzeniu konfliktu [On the war in Ukraine and the possible escalation of the conflict] (Research Report No. 48/2024). https://www.cbos.pl/SPISKOM.POL/2024/K_048_24.PDF

- Pac, W., & Cyran, H. (2026). Security and contemporary threats – reconfiguration of paradigms in the context of the philosophy of security. *Politics & Security*, 15(1), 6–21. <https://doi.org/10.54658/ps.28153324.2026.15.1.pp.6-21>
- Centrum Badania Opinii Społecznej. (2025a). Oceny działalności instytucji publicznych [Evaluations of the activities of public institutions] (Research Report No. 28/2025). https://www.cbos.pl/SPISKOM.POL/2025/K_028_25.PDF
- Centrum Badania Opinii Społecznej. (2025b). Poczucie bezpieczeństwa i zagrożenia przestępczością [Sense of security and threat of crime] (Research Report No. 41/2025). https://www.cbos.pl/SPISKOM.POL/2025/K_041_25.PDF
- Centrum Badania Opinii Społecznej. (2025c). Bezpieczeństwo Polski i pewność reakcji NATO na ewentualne zagrożenie jej terytorium [Poland's security and the certainty of NATO's response to a possible threat to its territory] (Research Report No. 89/2025). https://www.cbos.pl/SPISKOM.POL/2025/K_089_25.PDF
- Centrum Badania Opinii Społecznej. (2025d). Opinie o zmianach klimatu i transformacji energetycznej [Opinions on climate change and energy transformation] (Research Report No. 128/2025). https://www.cbos.pl/SPISKOM.POL/2025/K_128_25.PDF
- Centrum Badania Opinii Społecznej. (2025e). Nastroje na rynku pracy w grudniu [Labor market moods in December] (Research Report No. 123/2025). https://www.cbos.pl/SPISKOM.POL/2025/K_123_25.PDF
- Centrum Badania Opinii Społecznej. (2025f). Nastroje konsumenckie w grudniu [Consumer moods in December] (CBOS Flash No. 53/2025). https://www.cbos.pl/PL/publikacje/flashe/pliki/2025/fl_053_2025.pdf
- Centrum Badania Opinii Społecznej. (2025g). Nastroje społeczne w grudniu [Social moods in December] (Research Report No. 127/2025). https://www.cbos.pl/SPISKOM.POL/2025/K_127_25.PDF
- Centrum Badania Opinii Społecznej. (2025h). Opinie na temat funkcjonowania systemu opieki zdrowotnej [Opinions on the functioning of the healthcare system] (Research Report No. 86/2025). https://www.cbos.pl/SPISKOM.POL/2025/K_086_25.PDF
- Centrum Badania Opinii Społecznej. (2025i). Oceny instytucji publicznych we wrześniu [Evaluations of public institutions in September] (Research Report No. 93/2025). https://www.cbos.pl/SPISKOM.POL/2025/K_093_25.PDF
- Centrum Badania Opinii Społecznej. (2025j). Samopoczucie Polaków w roku 2024 [Well-being of Poles in 2024] (Research Report No. 5/2025). https://www.cbos.pl/SPISKOM.POL/2025/K_005_25.PDF
- Centrum Medyczne Enel-med. (2025). Łączy nas zdrowie 2025: Raport rynkowy [Health connects us 2025: Market report]. https://a.storyblok.com/f/334902/x/e691ca31b0/laczy-nas-zdrowie-2025_raport_24-10-2025.pdf
- CERT Polska. (2025). Raport roczny 2024 z działalności CERT Polska: Krajobraz bezpieczeństwa polskiego internetu [Annual report 2024 on the activities of CERT Polska: Security landscape of the Polish internet]. Państwowy Instytut Badawczy NASK. https://cert.pl/uploads/docs/Raport_CP_2024.pdf
- European Investment Bank. (2024). Clear support in favour of action to adapt to climate change in Poland, EIB survey shows. <https://www.eib.org/en/press/all/2024-440-clear-support-in-favour-of-action-to-adapt-to-climate-change-in-poland-eib-survey-shows>
- Eurostat. (2025a). Crime, violence or vandalism in the area by level of digital skills [ilc_mddw03]. https://ec.europa.eu/eurostat/databrowser/view/ILC_MDDW03/default/table?lang=en
- Eurostat. (2025b). Unemployment statistics. https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Unemployment_statistics
- Fundacja Watch Health Care. (2026). Barometr WHC: Raport dotyczący zmian w dostępie do gwarantowanych świadczeń zdrowotnych w Polsce [WHC Barometer: Report on changes in access

- to guaranteed health services in Poland] (No. 01/01/2026). <https://www.korektorzdrowia.pl/wp-content/uploads/barometr-whc-2025.pdf>
- Główny Urząd Statystyczny [Statistics Poland]. (2026, January 15). Komunikat w sprawie średniorocznego wskaźnika cen towarów i usług konsumpcyjnych ogółem w 2025 r. [Announcement on the average annual consumer price index of goods and services in 2025]. <https://stat.gov.pl/sygnalne/komunikaty-i-obwieszczenia/lista-komunikatow-i-obwieszczen/komunikat-w-sprawie-sredniorocznego-wskaznika-cen-towarow-i-uslug-konsumpcyjnych-ogolem-w-2025-r-,50,13.html>
- Gorynia, M., & Kuczevska, J. (Eds.). (2023). Zmiany wywołane pandemią COVID-19 w sektorze MŚP i ich wpływ na realizację procesów biznesowych [Changes caused by the COVID-19 pandemic in the SME sector and their impact on the implementation of business processes]. Wydawnictwo Uniwersytetu Ekonomicznego w Poznaniu. https://www.pwe.com.pl/files/1088408288/file/Gorynia_Kuczevska_Zmiany_wywolane_pandemi_a.pdf
- Gurgul, K. (Ed.). (2025, November 2). Sondaż United Surveys dla WP: 65 proc. Polaków widzi pogorszenie naszych relacji z Ukrainą [United Surveys poll for WP: 65% of Poles see a deterioration in our relations with Ukraine]. Wirtualna Polska. <https://wiadomosci.wp.pl/polacy-coraz-gorzej-oceniaja-stan-naszyc-relacji-z-ukraina-nowy-sondaz-7217426764016224a>
- Harari, Y. N. (2014). Od zwierząt do bogów: Krótka historia ludzkości [Sapiens: A brief history of humankind] [Sapiens: A brief history of humankind] (J. Hunia, Trans.). Dom Wydawniczy PWN.
- Harari, Y. N. (2018). 21 lekcji na XXI wiek [21 lessons for the 21st century] [21 lessons for the 21st century] (M. Romanek, Trans.). Wydawnictwo Literackie.
- Hobbes, T. (2009). Lewiatan, czyli materia, forma i władza państwa kościelnego i świeckiego [Leviathan or the matter, forme and power of a commonwealth ecclesiasticall and civil] (C. Znamierowski, Trans.). Fundacja Aletheia.
- ING Polska. (2025, October 20). Mniej obawiamy się emerytury, więcej z nas na nią odkłada [We are less afraid of retirement, more of us are saving for it] [Press release]. <https://media.ing.pl/informacje-prasowe/926/pr/859373/ing-mniej-obawiamy-sie-emerytury-wiecej-z-nas-na-nia-odklada>
- Kancik-Kołtun, E. (2024). War in Ukraine and the sense of security of Polish citizens. *Historia i Polityka*, 48(55), 29–43. <https://doi.org/10.12775/HiP.2024.011>
- Koalicja Klimatyczna. (2020). Wpływ zmiany klimatu na bezpieczeństwo żywnościowe Polski [The impact of climate change on Poland's food security]. <https://koalicjaklimatyczna.org/publikacja/wplyw-zmiany-klimatu-na-bezpieczenstwo-zywnosciowe-polski/>
- Korgul, K., Witczak, J., & Świącicki, I. (2024). AI na polskim rynku pracy [AI in the Polish labor market]. Polski Instytut Ekonomiczny. <https://pie.net.pl/wp-content/uploads/2024/10/AI-na-polskim-ryнку-pracy.pdf>
- Kozubal, M. (2025, April 28). Sondaż „Rzeczpospolitej”: Kto ucieknie z kraju, gdy wybuchnie wojna [“Rzeczpospolita” poll: Who will flee the country when war breaks out]. *Rzeczpospolita*. <https://www.rp.pl/spoleczenstwo/art42180441-sondaz-rzeczpospolitej-kto-ucieknie-z-kraju-gdy-wybuchnie-wojna>
- Krupa, G. (2020). Paradygmat dialogiczny we współczesnej filozofii [The dialogic paradigm in contemporary philosophy]. In K. Maciąg & E. Chodźko (Eds.), *Poglądy i myśli filozoficzne* [Philosophical views and thoughts] (pp. 58–81). Wydawnictwo Naukowe TYGEL. https://www.academia.edu/44418609/Paradygmat_dialogiczny_we_współczesnej_filozofii
- Machiavelli, N. (2021). Książę [The prince] (Z. Płoski, Trans.). Wydawnictwo Helion.

- Pac, W., & Cyran, H. (2026). Security and contemporary threats – reconfiguration of paradigms in the context of the philosophy of security. *Politics & Security*, 15(1), 6–21. <https://doi.org/10.54658/ps.28153324.2026.15.1.pp.6-21>
- Maciejewska-Mieszkowska, K. (2023). Eskalacja wojny w Ukrainie jako czynnik determinujący poczucie zagrożenia bezpieczeństwa Polski w ocenie społecznej [Escalation of the war in Ukraine as a factor determining the sense of threat to Poland's security in social assessment]. *Środkowoeuropejskie Studia Polityczne*, (2), 217–236. <https://doi.org/10.14746/ssp.2023.2.12>
- Marciniak, A. (2024, June 5). Kupuj oczami, płac spojrzaniem [Shop with your eyes, pay with your glance]. Mastercard. <https://www.mastercard.com/news/europe/pl-pl/centrum-prasowe/aktualnosci/pl-pl/2024/czerwiec/kupuj-oczami-plac-spojrzaniem/>
- Ministerstwo Zdrowia [Ministry of Health]. (2022). Wpływ pandemii COVID-19 na potrzeby zdrowotne w Polsce w zakresie zaburzeń psychicznych [The impact of the COVID-19 pandemic on health needs in Poland regarding mental disorders]. https://basiw.mz.gov.pl/wp-content/uploads/2022/08/500_02_22_mz_raport_zaburzenia_psychiczne_v54-OSTATECZNA-WERSJA.pdf
- Narodowy Bank Polski [National Bank of Poland]. (2025). Informacja o kartach płatniczych – II kwartał 2025 r. [Information on payment cards – Q2 2025]. <https://nbp.pl/wp-content/uploads/2025/11/2025-Q2-informacja-o-kartach-platniczych.pdf>
- NATO. (2022). Koncepcja strategiczna przyjęta przez szefów państw i rządów na Szczycie NATO w Madrycie 29 czerwca 2022 r. [Strategic concept adopted by the heads of state and government at the NATO Summit in Madrid on June 29, 2022]. <https://www.act.nato.int/wp-content/uploads/2023/05/290622-strategic-concept.pdf>
- Pawłuszko, T. (2025). Nowa strategia bezpieczeństwa narodowego RP. Założenia i wyzwania [The new national security strategy of the Republic of Poland: Assumptions and challenges]. Łukasiewicz – ITECH Instytut Innowacji i Technologii. <https://doi.org/10.36735/AXLA7062>
- Platon [Plato]. (2003). Państwo [The republic] (W. Witwicki, Trans.). Wydawnictwo Antyk.
- Pokruszyński, W. (2013). Filozofia bezpieczeństwa [Philosophy of security]. Wydawnictwo Wyższej Szkoły Gospodarki Euroregionalnej im. Alcide De Gasperi. <https://www.wydawnictwo.wsge.edu.pl/pdf-137494-64621?filename=64621.pdf>
- Polska Agencja Prasowa [Polish Press Agency]. (2025, May 12). Czy Polacy odczuwają zagrożenia dla istnienia państwa? Sondaż IBRiS [Do Poles feel threats to the existence of the state? IBRiS poll]. <https://www.pap.pl/aktualnosci/sondaz-ibris-dla-pap-ponad-63-proc-badanych-obawia-sie-zagrozenia-dla-istnienia-panstwa>
- Polska Izba Ubezpieczeń [Polish Chamber of Insurance]. (2025). Mapa ryzyka polskich przedsiębiorców [Risk map of Polish entrepreneurs]. https://piu.org.pl/wp-content/uploads/2025/01/SWR_PIU_MapaRyzyka_Przedsiębiorcow_Raport_21_01_2025.pdf
- Ptak-Chmielewska, A., Baszniak, K., & Kurpanik, J. (2022). Wpływ pandemii COVID-19 na stan zdrowia psychicznego społeczeństwa [The impact of the COVID-19 pandemic on the mental health of society]. *Wiadomości Statystyczne. The Polish Statistician*, 67(9), 24–52. <https://doi.org/10.5604/01.3001.0015.9862>
- Rada Ministrów [Council of Ministers]. (2025, July 25). Strategia Bezpieczeństwa Narodowego Rzeczypospolitej Polskiej [National Security Strategy of the Republic of Poland]. <https://www.gov.pl/web/premier/strategia-bezpieczenstwa-narodowego-rzeczypospolitej-polskiej>
- Samuk, G., & Sidorowicz, I. (2023). Wpływ pandemii COVID-19 na zachowania konsumentów [The impact of the COVID-19 pandemic on consumer behavior]. *Akademia Zarządzania*, 7(2), 229–243. <https://wiz.pb.edu.pl/akademia-zarzadzania/wp-content/uploads/sites/3/2023/09/2.3.-G.-Samuk-I.-Sidorowicz-Wplyw-pandemii-COVID-19-na-zachowania-konsumentow.pdf>

- Sosnowska, M. (2020). Przegląd badań nad wpływem epidemii na zdrowie psychiczne pracowników medycznych i osób poddanych kwarantannie oraz izolacji [A review of studies on the impact of the epidemic on the mental health of medical workers and persons undergoing quarantine and isolation]. *Psychiatria Polska*, 54(4), 229–236. <https://doi.org/10.5603/PSYCH.2020.0038>
- Światowe Forum Ekonomiczne [World Economic Forum]. (2025). The Global Risks Report 2025. https://reports.weforum.org/docs/WEF_Global_Risks_Report_2025.pdf
- Szymaniak, P. (2025, September 19). Czerwona kartka dla sądów. Nie ufa im ponad 57 proc. Polaków [A red card for the courts: Over 57% of Poles do not trust them]. *Rzeczpospolita*. <https://www.rp.pl/sady-i-trybunaly/art43033791-czerwona-kartka-dla-sadow-nie-ufa-im-ponad-57-proc-polakow>
- Tatarkiewicz, W. (2003). *Historia filozofii (t. 1)* [History of philosophy (Vol. 1)]. Wydawnictwo Naukowe PWN.
- UCE RESEARCH & ePsycholodzy.pl. (2025). Bieżące lęki i obawy Polaków [Current fears and concerns of Poles]. <https://uce-pl.com/news/inflacja-traci-pozycje-lidera-najwiekszych-obaw-wsrod-polakow>
- United Nations Development Programme. (1994). *Human Development Report 1994: New dimensions of human security*. Oxford University Press. <https://hdr.undp.org/system/files/documents/hdr1994encompletenostats.pdf>
- Vecto. (2025, January 14). Cyberbezpieczeństwo w polskich firmach 2024: Raport z badania [Cybersecurity in Polish companies 2024: Research report]. <https://vecto.pl/raport-2024>
- Warszawski Instytut Bankowości [Warsaw Institute of Banking]. (2024). Cyberbezpieczny portfel 2024: Bezpieczeństwo w dobie cyfrowej transformacji [Cybersafe wallet 2024: Security in the era of digital transformation]. https://www.wib.org.pl/wp-content/uploads/2024/10/raport_Cyberbezpieczny-portfel-2024.pdf
- Warszawski Instytut Bankowości [Warsaw Institute of Banking]. (2025). Postawy Polaków wobec cyberbezpieczeństwa 2025 [Attitudes of Poles towards cybersecurity 2025]. <https://cyber.wib.edu.pl/wp-content/uploads/2025/10/Raport-z-badania-Postawy-Polakow-wobec-cyberbezpieczenstwa-2025-1.pdf>
- Zakład Ubezpieczeń Społecznych [Social Insurance Institution]. (2023). Prognoza wpływów i wydatków Funduszu Emerytalnego do 2080 roku [Forecast of income and expenditure of the Pension Fund until 2080]. https://www.zus.pl/documents/10182/167761/Publikacja_Fundusz_Emerytalny_2023-2080.pdf/3c2c41c9-6a50-0574-4634-ee9cfa43f286?t=1674049287158

THE WEAPONIZATION OF INTERDEPENDENCE: ENERGY SECURITY AND THE GEOPOLITICS OF THE GREEN TRANSITION

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Abstract. *The dominant narrative considers the green energy transition as a direction to energy autonomy and less geopolitical antagonism. This article questions that assumption. Based on US Geological Survey data on mineral production, trade flow statistics of the UN Comtrade database, and with the help of the International Energy Agency projections, this paper uses Herfindahl-Hirschman Index (HHI) analysis to measure the concentration of three key raw materials lithium, cobalt, and graphite. The comparative case study of EU and US legislative reactions, in particular, the Critical Raw Materials Act and the Inflation Reduction Act, charts the policy architecture of de-risking. Results indicate that the midstream processing segment of CRM supply chains is more concentrated than petroleum during the OPEC period with one jurisdiction dominating between 58 and 87 percent of all battery-grade material refining worldwide. The discussion puts these findings into the context of the interdependence theory of Keohane and Nye, that the transition is not a liquidation of energy-based power asymmetries but a reorganization into more inflexible, less replaceable choke points. The article concludes that strategic pluralism in response to supply chain weaponization in the emerging mineral-security order is the only possible option; that is, diversifying not only suppliers but also the underlying technologies.*

Keywords: critical raw materials, energy security, weaponization of the supply chain, strategic autonomy, green transition, interdependence theory, mercantilist realism.

1. INTRODUCTION

The Democratic Republic of the Congo contributed about 73 percent of mined cobalt in the world in 2023, but refined less than 1 percent of this production into battery-usable cobalt sulphate (USGS, 2024). The sum-total of the refining margin--and with it the leverage--moved to the plants in the provinces of Jiangsu and Zhejiang. This one fact is more accurate in defining the main contradiction of the green energy transition than any policy white paper: the resource-based power does not disappear when it is shifted to non-fossil fuels; rather, it is diverted.

The concept of energy security over the past hundred years was synonymous with petroleum security. The geography of hydrocarbons, namely, who extracted, who refined, who transported and who consumed crude oil and natural gas, played the key role in the architecture of post-1945 international order (Yergin, 2011). The OPEC embargo of 1973, the Iranian Revolution of 1979 and the more recent weaponization of Russian gas supplies to Europe in 2022 all served to demonstrate the effectiveness of carbon-based coercion. International political economists have devised strong analytical approaches to understand this dynamic, whether through the hegemonic stability theory to resource curse models, and the policy apparatus of the liberal international order, such as the International Energy Agency, strategic

petroleum reserves, maritime security doctrines, was made to address this very kind of vulnerability (Colgan, 2013).

The modern discussion of the green transition, however, has its own set of assumptions, which are entirely different. The transition to renewable energy and electric mobility has been positioned by policymakers in Brussels, Washington, and to a smaller extent Tokyo and Canberra, as a way to solve two related issues: climate change and reliance on authoritarian petrostate regimes (European Commission, 2023). It is simple logic that is alluring. When one of the countries produces energy using wind and sun, there would be no need to import Saudi crude or Qatari LNG. Should its fleet of vehicles be powered by lithium-ion batteries instead of internal combustion engines, it would be cushioned against the price spikes and supply shocks that have periodically rocked the economies of the world.

This argument, at the most, is partial. At worst it is fatally naive. Green transition does not cancel the resource dependency, it changes it. The concerned inputs are no longer hydrocarbons, which are geologically spread, and supplied by a well-developed, diversified, global trading system, but a subset of critical raw materials (CRMs), the extraction of which becomes centralized, and whose midstream processing is concentrated in much fewer jurisdictions. In the petroleum era, a multipolar supply environment (the Gulf states, Russia, the North Sea, West Africa, the Americas), the mineral-security era can be characterised by what could be called an oligopolistic processing regime, which is dominated by the People's Republic of China (IEA, 2023).

The literature on the green transition has been prolific in reporting the climate benefits of the green transition, its technological paths, and its macroeconomic outcomes (Sovacool et al., 2020; Bazilian et al., 2014). A less extensive yet expanding literature has explored the geopolitical aspects of CRM supply chains (Overland, 2019; Pitron, 2020). But there is still a glaring void. The supply chain risk is primarily analyzed as a logistical issue, an issue of investment, permitting and trade facilitation, and rarely as a structural feature of the new international order that brings its own security issues, escalation processes, and coercive possibilities. The difference is not semantic. Technological solutions to a logistic issue are admissible. A security dilemma can take only management and, in some cases, not even that.

The research question of this article is as follows: How does the tendency of centralizing raw material processing to certain jurisdiction, especially China, rethink the meaning of strategic autonomy to Western liberal democracies? The thesis presented here is that the green transition is not a shift toward energy autonomy but a restructuring of interdependence that establishes new, more inflexible choking points of supply chain nodes, at which a hegemon is able to enforce costs on dependent parties at the least cost to itself. The argument here is framed in the context of what Farrell and Newman (2019) have described as a process of weaponization of interdependence, but here between the world of financial networks and information infrastructure and the material substrate of the energy transition.

The article is organized in the following way. Section 2 presents the framework of methods, explaining the comparative case study method and the quantitative measures used. Section 3 provides the results of the market concentration of three representative CRMs, lithium, cobalt, and graphite and maps policy responses of the European Union and the United States. Section 4 interprets these findings in terms of the interdependence theory, explores the processes of weaponization of the supply chain and questions the paradox of a so-called clean energy transition that might require so-called dirty geopolitical methods. Section 5 ends with policy suggestions that are focused on what the author calls strategic pluralism.

2. METHODS

This analytical design is based on two mutually compatible methods: a quantitative evaluation of market concentration in the critical raw materials industry and comparative case study of the legislative response in the European Union and the United States. This combined method was chosen because it is able to capture both the structural aspects of supply chain vulnerability that are numerically measurable and the political-institutional aspects of policy reaction in which interpretative analysis of legal texts, parliamentary documents, and executive correspondence is necessary.

2.1. Quantitative Framework: Measuring Concentration

The main quantitative tool is the Herfindahl-Hirschman Index (HHI), a conventional measure of market domination that is extensively utilized in antitrust economics and, more and more often, in the resource security literature (Humphreys, 2019). The HHI is computed as the total market share squared of all the producers or processors in a certain market and the value is between 0 (perfect competition) and 10,000 (monopoly). Markets whose HHI exceeds 2,500 are considered highly concentrated by the US Department of Justice; the article uses the same but adds a second measure, the share of a single largest processor (SLP), to reflect the qualitative distinction between a three-actor oligopoly and a near-monopoly run by one.

The HHI was calculated based on three steps of the value chain, extraction (mining), midstream processing (refining to battery-grade material) and downstream manufacturing (cell and cathode production) of three representative CRMs, lithium, cobalt and graphite. These three minerals have been chosen based on two criteria. First, they are both essential to the existing lithium-ion battery chemistries, which comprise more than 95 percent of the global EV battery market (BloombergNEF, 2024). Second, each of them has a unique geographical distribution, which allows the comparison of them in various extraction-processing-consumption triad configurations.

2.2. Data Sources

The source of extraction data was the United States Geological Survey (USGS) Mineral Commodity Summaries of 2018-2023 with the support of the British Geological Survey dataset of World Mineral Production to confirm the data. Less systematically reported data have been processed and refined, which includes data on International Energy Agency (IEA) reports, specifically the Global EV Outlook series (2021, 2022, 2023) and the special report on The Role of Critical Minerals in Clean Energy Transitions (2021), as well as Benchmark Mineral Intelligence, a proprietary but widely-cited industry data provider. The UN Comtrade database was used to access trade flow data that would be used to triangulate the estimates of processing concentration, using HS codes 2825.20 (lithium oxide and hydroxide), 2822.00 (cobalt oxides and hydroxides), and 2504.10 (natural graphite).

It deserves a note on the quality of data. The statistics of CRM processing are not as transparent as petroleum production data. China, specifically, does not release disaggregated refining statistics as are released by OPEC member countries on crude production. As a result, there is an inter-source variation of Chinese processing shares by a range of 5-10 percentage points. In the event of discrepancy, this study took as a middle-range the IEA and Benchmark Mineral Intelligence estimates, which is conservative in nature and, in any case, will be underestimating the level of concentration (a summary of the data sources and coverage is presented in Table 1).

Table 1. Summary of Data Sources and Coverage

Data Domain	Source	Coverage	Notes
Mining / Extraction	USGS Mineral Commodity Summaries	2018-2023	Cross-validated with BGS World Mineral Production
Processing / Refining	IEA Global EV Outlook; Benchmark Mineral Intelligence	2020-2023	Midpoint adopted where estimates diverge ($\pm 5-10$ pp)
Trade Flows	UN Comtrade (HS 2825.20, 2822.00, 2504.10)	2018-2023	Used to triangulate processing concentration
Policy Documents	EU CRMA; US IRA; CRS reports; 14 policy briefs	2022-2024	Coded against mercantilist realism typology

2.3. Case Study Comparison: Eu And Us Policy Response.

A comparative case study between two key legislative responses to CRM dependency, the European Union Critical Raw Materials Act (CRMA), proposed in March 2023 and provisionally agreed upon in November 2023, and the Inflation Reduction Act (IRA) of the United States, which was signed into law in

August 2022, especially focusing on its Section 45X Advanced Manufacturing Production Credit and the battery component sourcing requirements of Section 30D.

The main approach of this component was document analysis that was applied to the legislative texts themselves and the impact assessments that accompany them, staff working documents of the European Commission, reports of the US Congressional Research Service, a purposive selection of 14 policy briefs and position papers of industry associations (European Battery Alliance, Li-Bridge), think tanks (Bruegel, Center for Strategic and International Studies, International Institute for Strategic Studies), and The analysis was done in a deductive manner by coding each policy instrument to a typology based on mercantilism realism: tariff instruments and local content policies, strategic stockpile policies, diplomatic diversification policies, and direct industrial subsidies. This was not intended to measure the effectiveness of individual instruments but to trace the general policy architecture of de-risking and to determine whether it is proportionate to the magnitude and nature of the vulnerability found in the quantitative analysis.

2.4. Limitations

There are a number of constraints that should be mentioned. Although informative, the HHI is a fixed point that fails to reflect the trend of the concentration; a market can be extremely concentrated and quickly becoming more diverse or the other way round. The comparative case study is also confined to two jurisdictions and leaves out key actors in terms of CRM strategies including Japan, South Korea, India and Australia whose CRM strategies are similar in relevant aspects. Lastly, proprietary information provided by Benchmark Mineral Intelligence, although generally considered the most of the granular information, cannot be reviewed by academic researchers on its own, which brings an aspect of trusting the industry to self-report, which is not completely satisfactory. These limitations are mentioned but, according to the judgment of the author, do not weaken the main results, which are strong in a variety of data.

3. RESULTS

3.1. Market Concentration: Extraction Versus Processing

The quantitative analysis reveals a consistent and striking pattern across all three CRMs: while the extraction stage exhibits moderate to high concentration, the midstream processing stage is dramatically more concentrated, and the disparity between the two stages constitutes the central empirical finding of this study. Table 2 presents the HHI values and single largest processor (SLP) shares for each CRM at each value chain stage.

Table 2. HHI and Single Largest Processor (SLP) Share by CRM and Value Chain Stage, 2023

CRM	Value Chain Stage	HHI	SLP (Country)	SLP Share (%)
Lithium	Extraction	2,840	Australia	47
	Processing	5,120	China	65
Cobalt	Extraction	5,480	DRC	73
	Processing	6,920	China	78
Graphite	Extraction	4,500	China	65
	Processing	7,700	China	87

For lithium, the extraction HHI stands at approximately 2,840, reflecting a market divided principally between Australia (47%), Chile (24%), and China (15%), with Argentina and emerging producers accounting for the remainder (USGS, 2024). This level of concentration, while above the DOJ threshold for

“highly concentrated,” is structurally comparable to the crude oil market in the 1990s—dominated by a few large producers but not monopolistic. The processing HHI, by contrast, reaches 5,120, with China accounting for an estimated 65% of global lithium hydroxide and lithium carbonate refining capacity (IEA, 2023; Benchmark Mineral Intelligence, 2024). Chile’s SQM and Albemarle’s operations in the Atacama, and Australia’s nascent hydroxide plants in Kwinana and Kemerton, represent the only significant non-Chinese processing nodes, and their combined output constitutes less than 20% of global supply.

The cobalt results are more extreme. Extraction is centred on the Democratic Republic of the Congo (73%), with Russia, Australia, the Philippines, and Cuba providing small supplementary volumes (USGS, 2024). The extraction HHI is approximately 5,480. But the processing HHI leaps to 6,920, as China refines an estimated 78% of global cobalt output into battery-grade cobalt sulphate, with Finland’s Umicore-operated Kokkola facility and Belgium’s processing plants constituting the principal Western alternatives (Benchmark Mineral Intelligence, 2024). The SLP share of 78% is, to place it in comparative context, higher than Saudi Arabia’s peak share of global crude oil production at any point in the post-war era.

Graphite presents the most concentrated profile of the three. Natural graphite mining is distributed across China (65%), Mozambique (13%), Brazil (8%), and Madagascar (6%), yielding an extraction HHI of approximately 4,500 (USGS, 2024). The processing stage, which involves purification to 99.95% battery-grade spherical graphite, is almost entirely Chinese: an estimated 87% of global anode-grade graphite processing occurs within China, producing an HHI of approximately 7,700 and an SLP share that, in all likelihood, understates the true figure due to incomplete reporting of small-scale Chinese processors (IEA, 2023). Figure 1 illustrates the divergence between extraction and processing HHI across all three minerals.

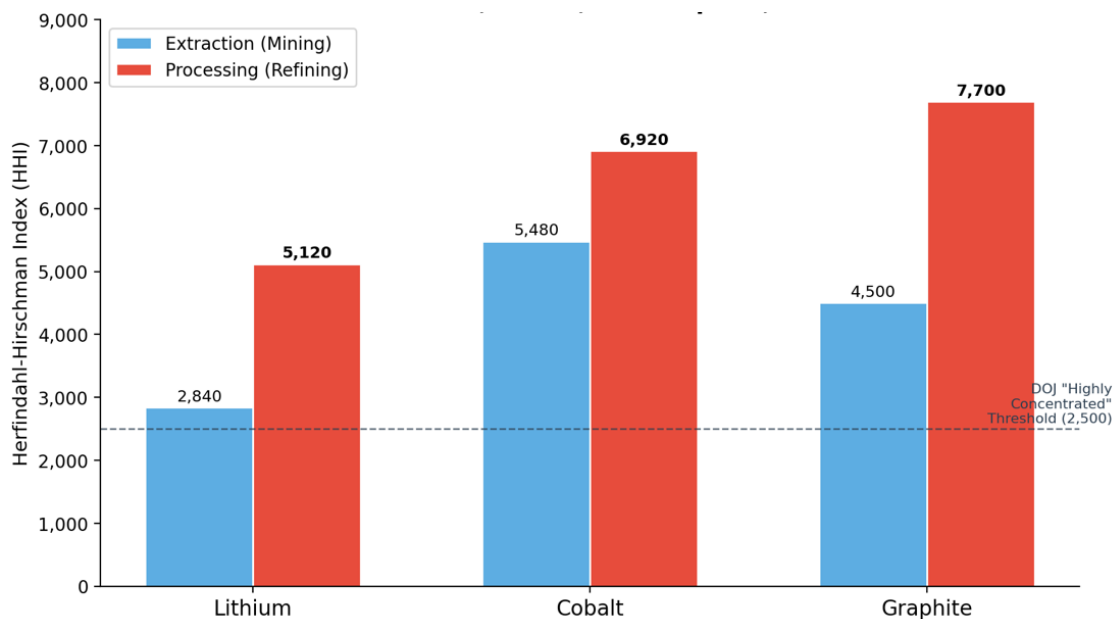


Figure 1. Extraction vs. Processing HHI for Lithium, Cobalt and Graphite, 2023

3.2. The Extraction–Processing Gap: A Structural Feature

This difference between extraction and processing concentration is not accidental; it is the result of twenty years of purposeful industrial policy. Starting in the early 2000s with Chinese state-owned and state-affiliated companies acquiring an interest in Congolese cobalt mines, and more recent (around 2015) long-term offtake agreements with Australian lithium miners, and heavy investment in local refining capacity through mechanisms such as subsidised electricity, preferential land allocation, and lax environmental standards (Pitron, 2020). It led to a bottleneck in the middle of the stream of a sort of which there is no exact parallel in the petroleum era: refining was decentralized throughout the Gulf, Europe, East Asia, and the Americas, with OPEC controlling the wellhead. The CRM industry is characterized by the dominance of one state over a large extraction volume and a preponderant refining share.

A corollary of this structural feature is critical: It is much harder to replace at the processing stage than at the extraction stage. It takes 7-12 years between the discovery of a new lithium mine in, say, Nevada or northern Portugal, and the production of the mineral (S&P Global, 2023). However, to build a lithium hydroxide refinery to produce battery-grade material to the specifications required by cathode manufacturers requires not only capital and time (usually 4-7 years) but also years of experience in process engineering, developed relationships with suppliers of chemical reagents, and environmental compliance, which in many jurisdictions of the West adds 2-4 years to the timeframe of permitting (European Commission, 2022). The skills gap is not insignificant: China refiners have 30 years of accumulated tacit knowledge in hydrometallurgical processing that cannot be replaced by capital investment.

3.3. Policy Response Mapping: EU and the US

The comparative study of EU and US legislative reactions shows two broadly parallel, yet instrumentally different, responses to what each jurisdiction terminates as, rhetorically, de-risking, not decoupling, a rhetorical difference with analytical consequences.

The Critical Raw Materials Act of the EU sets standards on domestic capacity: the EU must extract, process, and recycle at least 10 per cent of its yearly intake of strategic raw materials inside the EU by 2030 (European Commission, 2023). It also provides that the EU consumption of any strategic raw material should not exceed 65% of the total consumption by a particular third country- a clause that is obviously aimed at generating less dependency on China. The Act establishes a system of strategic projects that can receive expedited permitting and coordinates a European-scale stockpiling system. Importantly, though, the Act is a regulation, rather than a spending device; it does not apportion funds. The industrial subsidies needed to make domestic extraction and processing economic competition with Chinese operations are left to individual member states, with current state aid regulations.

The US Inflation Reduction Act uses a different rationale. It does not aim at establishing capacity goals but instead applies the tax code to reform supply chains by the use of incentive structures. The clean vehicle credit Section 30D provides eligibility criteria to consumers regarding the mineral content of their battery: starting in 2024, no less than 50 percent of the value of the critical minerals in the battery must be extracted or processed in the US or a free trade country, or recycled in North America (US Congress, 2022). Section 45X credit offers direct subsidies on production of battery components in the country. The net effect is to establish a pull mechanism which encourages the shifting of processing capacity to the US, allied countries, or FTA partners- a kind of what Aggarwal and Reddie (2021) have described as geoeconomic competition via industrial policy.

Table 3: Typological Classification of EU (CRMA) and US (IRA) CRM Policy Instruments

Instrument Type	EU (CRMA)	US (IRA)
Local Content Requirements	Benchmark: 10% domestic extraction, 40% domestic processing, 25% recycling by 2030	Sec. 30D: 50%→80% CRM value from US/FTA countries (2024→2027)
Supplier Concentration Cap	Max 65% of any CRM from a single third country	FEOC exclusion: no battery components from Chinese-controlled entities
Industrial Subsidies	Framework only; funding delegated to member states under state aid rules	Sec. 45X: direct production tax credits for domestic battery component mfg.
Strategic Stockpiling	European-level coordination mechanism (details TBD)	No formal CRM stockpiling provision in IRA; DoD programs separate
Permitting Reform	"Strategic projects" eligible for streamlined permitting	Not directly addressed in IRA; separate executive orders

3.4. Assessment: De-risking versus Physical Reality

The most important fact of the policy analysis is a time gap. The CRMA and the IRA have timelines of 5-10 years, and benchmark targets of 2027 and 2030, respectively. Physical infrastructure to achieve those targets, mines, refineries, recycling, works on a 7–15 year development timeline. With the most favourable assumptions about allowing reform and capital mobilisation, the Western lithium, cobalt, and graphite

processing capacity will hardly shrink to less than 50% of the Chinese market share by 2035 at the earliest (IEA, 2023; S&P Global, 2023). During the interim, or the timeframe that includes the fastest growth stage of projected EV adoption, the dependency is reinforced. Demand of lithium by the world is projected to grow by a factor of 13 between 2022 and 2040; of graphite by a factor of 8; of cobalt, by a factor of 3.4 (IEA, 2023). Should the rate of diversification in supply chain be below the rate of demand growth, the values of HHI reported above will not be decreasing, but rather increasing, in the medium term. This finding is represented graphically in Figure 2.

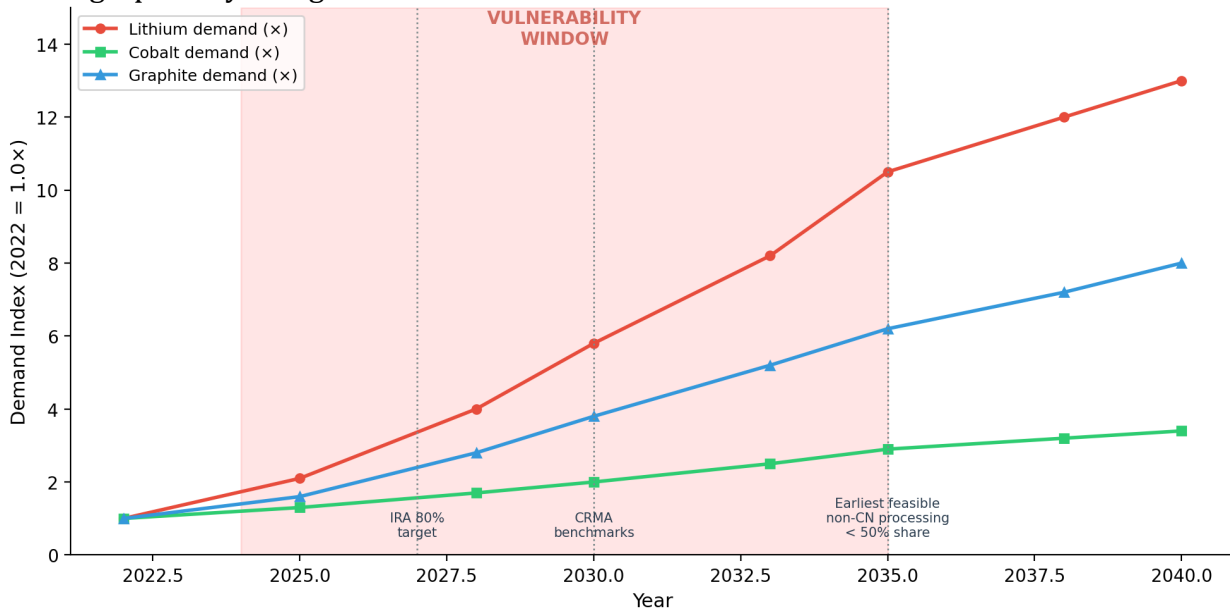


Figure 2: Projected Demand Growth vs. Diversification Timeline for Three CRMs, 2023–2040

4. DISCUSSION

4.1 Interdependence Revisited: Sensitivity to Vulnerability

The findings in Section 3 can only be given their proper weight when placed in the theoretical context of intricate interdependence as initially described by the Keohane and Nye (1977) and later perfected by Farrell and Newman (2019). Keohane and Nye made an initial distinction between interdependence of sensitivity and vulnerability. Sensitivity is used to describe how much costs are incurred by one country to alter the policies of another in advance of any alteration in policy being implemented; vulnerability is the costs left after the affected party has done as much adjustments as possible. The dimension of vulnerability is what is analytically determinative of the CRM question, since all the thrust of the Western de-risking policy, the CRMA, the IRA, bilateral mineral security alliances, is the type of adjustment feasible that the theory imagines. The rationale is whether these changes are adequate to bring the vulnerability to manageable levels in the time frame considered.

The facts herein indicate that they are not. All three CRMs have processing HHI values that are above the margin at which market power can be coercively exercised, and the estimated term of significant diversification is far in the future of the maximum demand growth. This generates what could be described as a vulnerability window - a window in which the dependent party has become aware of its exposure, has taken corrective action, but has not yet become diversified enough to de-leverage the power of the dominant actor. The theory is structurally parallel to the window of vulnerability in the theory of nuclear deterrence where a state believes that it is temporarily vulnerable to first strike during a period of transition in its modernisation of its forces (Wohlstetter, 1959). The comparison is flawed, the processes are economic and not kinetic, and the reasoning is strategic: not stasis but transition is the most dangerous.

The interdependence theory can be extended in this case by Farrell and Newman (2019). What they understand is that the globalised networks, be it financial, informational or, as this article posits, material,

harbor such effects as the panopticon and choke point, which can be leveraged by states that are at structurally privileged positions within such globalised networks. The panopticon effect gives the powerful state access to the flows -volumes of trade, counterparties, prices, etc. and thus gain informational benefits. The choke point effect enables it to constrain or condition such flows, subjecting parties that rely on it to costs. By the measures given above, the midstream processing component of the CRM supply chain is among the most concentrated choke points in the modern global economy, even more so than the SWIFT financial messaging system and the global semiconductor fabrication network (which, though dominated by TSMC, is spread across Taiwan, South Korea, and to a smaller extent the United States and Japan) in its level of single-actor concentration.

4.2. Mechanisms of Supply Chain Weaponization

In what ways, in what ways, can a dominant processor weaponize its position? The mechanisms are multi-faceted, ranging in intensity between low-level signalling, on one end, and coercive force, on the other, and it is convenient to place them on a scale of escalation.

On the bottom level, a powerful processor is able to control the pricing by building up and releasing stockpiles strategically. This ability has been evidenced by China in the rare earth elements (REE) market on numerous occasions, most notably in 2010 when it blocked rare earth exports to Japan in a maritime territorial conflict in the East China Sea (Mancheri et al., 2019). Although the rare earths studied here are not the same as the CRMs, the operational principles can be applied. A state that is a monopolist in 65-87 percent of the refining capacity of a major input has the natural market-making power to lower the prices to weaken the nascent competitors (a predatory pricing power at the state level) or raise the prices to take economic rents, depending on the strategic goals it pursues at any particular time.

In an escalatory situation, a powerful processor may place export quotas, licensing, or quality certification barricades that discriminatively limit supply to certain jurisdictions. China declared export restrictions on two minor metals, gallium and germanium, which have major uses in semiconductors, in July 2023, and exporters have to receive a licence from the Ministry of Commerce (Reuters, 2023). In December 2023, it also imposed the same on graphite, but in this case, high-purity, high-hardness, and high-strength artificial graphite anode materials in batteries were targeted (Benchmark Mineral Intelligence, 2024). These actions were largely seen as vindictive actions against US and Dutch restrictions on semiconductor exports of the latest lithography tools, and were a classic example of tit-for-tat escalation into the dynamic that defines geoeconomic competition. The graphite export regulations take a special concern in the given analysis: it shows that the above-described weaponization mechanism is not some hypothetical one but is already in effect in terms of the given mineral category this paper is going to analyze.

On the next level of escalation, which has not yet been achieved but is not impossible in the situation of, say, a crisis in the Taiwan Strait, a dominant processor may declare a total embargo on all CRM exports to enemy countries. The economic effects of such a measure would be asymmetric and harsh. China would lose the revenue of exports, but domestically produced EV and battery manufacturing would remain on the basis of home-cooked materials. The EU and the United States, in contrast, would experience instant and critical shortages of battery-grade lithium, cobalt, and graphite, and electric vehicle manufacturing, grid-scale energy storage implementation, and the defence-industrial base (which is increasingly relying on lithium-ion batteries to power submarines, soldier-portable power systems, and more) would all be affected in cascading impacts.

The possibility of the most extreme scenarios should not, however, be overstated. A total CRM embargo would be expensive to China too- both in terms of reputational harm, hastened Western diversification of its economy and possible countermeasures in areas where China relies on imports (especially agricultural goods, high-end semiconductors and civil aviation technology). It is more likely to follow this route, which Harrell et al. (2018) have proposed to call economic statecraft in its scaled-down version: discrete, deniable, and ambiguous enough to make a coordinated response difficult. Delays in licensing, quality checks, delays in customs, etc. - those are the weapons of asymmetric vulnerability

exploitation, and they are much more difficult to resist than an outright embargo because they are placed in the grey zone between the normal friction of bureaucracy and active coercion.

4.3. Security Dilemma of Mineral Geopolitics

Western reaction to dependency of CRM has created its own dynamic reaction which is subject to review using the security dilemma which is an international security concept imported (Jervis, 1978). The security dilemma is the event when the actions of one state to ensure that its security is increased are viewed by another state as a threat and counter-measures are taken that leave the two states less secure than they were initially. The dilemma works in the following way in the mineral-geopolitical context.

The EU and the US see their reliance on Chinese CRM processing as a strategic weakness and make moves to minimize it: the CRMA, the IRA, bilateral mineral relationships with Australia, Canada and several African nations, investment in recycling infrastructure, and the development of alternative battery chemistries (sodium-ion, solid-state) that require less cobalt and graphite. These are defensive responses (not decoupling) and are aimed at mitigating an asymmetric vulnerability in a Western viewpoint.

Beijing, though, interprets these same measures in another interpretive framework. In the Chinese view, Western de-risking policies are a tool of strategic decoupling, which is aimed at breaking down the competitive advantage that Chinese companies have developed over decades of investment, process innovation, and, of course, state subsidies. The provisions of the IRA that includes the term foreign entity of concern (FEOC), which does not apply to battery components produced by the entities that are owned, controlled, or headquartered in China (including Chinese companies that may operate in the third countries), are not seen as defensive diversification, but rather as offensive containment, an effort to keep Chinese industry out of the most profitable parts of the global clean energy market. Rhetorical difference between de-risking and decoupling, in this perspective, is a distinction without a difference.

This leads to escalation. China reacts to FEOC terms and to sourcing of graphite by imposing its export restrictions on graphite and broadening its restrictions on other CRMs. The US and EU react to Chinese export restrictions by hastening local processing investments and pursuing a friend-shore-sourcing strategy-strengthening the sense of Beijing of strategic encirclement. Every turn narrows the spiral. The dynamic of structure can be identified with the Cold War arms race but with industrial policy tools instead of nuclear warheads, and the lack of any sort of an arms control regime to geoeconomic rivalry, i.e. there is no SALT, START, or Chemical Weapons Convention on the sale of critical minerals, implies that there is no institutional way of checking the growth.

4.4. The Clean Energy Dirty Geopolitics Paradox

The green transition has an underlying, and in many ways unintrospected, paradox and it is time it was laid out. The normative argument of decarbonisation is based on a vision of international cooperation: climate change is a multilateral action problem, and its solution needs to be an international action, especially between the two biggest emitters, China and the United States. The Paris Agreement, the Glasgow Climate Pact, and the COP process in general are based on the premise that great powers have a sufficiently common community of interest in preventing disastrous warming to maintain cooperative structures even in the context of more general geopolitical rivalry.

The transition needs a material, however, which push in the very opposite direction. They bring about rivalry dynamics, around resources, around processing capacity, around technological standards, around market share, which erode the collaborative bases on which climate action relies. The local content requirements of the IRA are not optimal, climate-wise: they increase the price of EVs, pull down rates of adoption, and influence investment decisions away towards the most efficient places of production. Yet, in terms of national security, they are understandable, even natural, with the vulnerability rates being reported in this paper. The competition between the imperatives of climate optimality and security is not a problem that can be properly addressed in the current institutional framework.

This paradox has a historical background that has not been given due consideration in the debate. Cooperative interdependence was not the answer to petroleum dependence in the 1970s and 1980s; instead, mercantilist realism was the answer: strategic petroleum reserves (unilateral stockpiling), the

establishment of the IEA as a consumer cartel to counter the OPEC, huge investments in domestic production (the North Sea, the Alaskan North Slope), and, at the extreme, military interventions to secure supply routes (the Carter Doctrine, the Tanker War). The energy independence rhetoric was never quite as real as it was proclaimed to be as late as 2019, when America hit net petroleum independence, but the policy reaction was clearly unilateral and competitive rather than multilateral and cooperative.

Every sign is that mineral-security era is going to take up the same path. The CRMA and the IRA are, in their form and rationale, mercantilist tools: they aim to internalise value chains within national or block frontiers, they favour domestic industry over foreign rivals, and they use state resources (subsidies, tax credits, regulatory favour) to do what the market, left to its own devices, would not. The de-risking rhetoric must not mislead: they are protectionist actions in support of strategic autonomy, and they are expected to grow increasingly common as the CRM-supply competition accelerates.

The difference between the mineral-security era and the petroleum era, and what makes it possibly even more volatile, is the fact that it is more closely coupled with extraction, processing, and end-use. A disruption at the well head (an OPEC embargo, a civil war in Libya) would be partially offset by strategic reserves, demand reduction and the mobilization of spare production capacity in areas not affected. The system was redundant, according to engineers, that is, it had more than one way of taking the input to the output. The CRM system is much less redundant as it is currently set up. Cobalt does not have a strategic reserve. No additional lithium hydroxide processing capacity, which can be activated on short notice, is available outside of China. No OPEC-equivalent exists that can be pressured, coerced, and negotiated with since the bottleneck is not a cartel of sovereign producers but a complex of the industrial of a single state. In brief, the system is weaker, more centralized, and less responsive to the crisis-management processes that the petroleum-era international order had painstakingly established during the last half of the twentieth century.

4.5. Lithium-Ion Diplomacy and the Global South

One aspect of the CRM geopolitics that should be discussed further is the role of the resource-producing countries of the Global South, which are mostly the DRC, Chile, Argentina, Indonesia, and Mozambique, in the emerging mineral-security architecture. Such states are structurally comparable to the Gulf petrostate producers of the mid-twentieth century: they own the raw material, but they grab an unproportionately small portion of the value added along the supply chain. As an example, the DRC sells raw cobalt at a fraction of the price that Chinese refiners receive on battery-grade cobalt sulphate; the refining margin, and with it the economic and strategic power, goes to the refiner, not the miners.

This game of structure has produced what may be termed as lithium-ion diplomacy: attempts by resource-endowed states to alter the conditions of trade by limiting the export of raw materials, insisting on their internal processing conditions, or by carteling producers. The most notable example to date is the nickel ore export ban in Indonesia that aimed at forcing foreign investors to construct smelters in the country (Warburton, 2023). The 2023 Chilean announcement of a national lithium plan which would make the state a majority shareholder in all new lithium projects is another similar, but distinct strategy (Financial Times, 2023). The lithium-producing provinces in Argentina have discussed, but not yet introduced, an export tax or joint venture conditions.

These producer-state approaches put in place a third variable in the bipolar framing of US-China rivalry that prevails in the majority of policy analysis. Should resource-endowed states manage to seize a greater portion of the value chain, be it via Indonesia-type export embargo, Chile-type nationalisation, or in some hypothetical lithium-based OPEC, resource concentration of processing capacity can change, however it may not always change towards Western democracies. It can tilt towards a group of mid-income, politically heterogeneous states whose orientation to one side or the other of the Sino-American rivalry is contingent and transactional. This makes the strategic calculus rather more problematic and highlights the inefficiency of a de-risking approach that is solely about decreasing reliance on China and not about the larger structural dynamics of the global mineral economy.

An argument against the above analysis could be: the concentration risk as described above is only unique to the current lithium-ion battery chemistries and that technological innovation will make it a thing of the past by allowing alternative chemistries to be used based on more plentiful and widely distributed materials. An example is sodium-ion batteries, which utilize sodium, which is practically inexhaustible, in place of lithium, and does not need cobalt or nickel. Solid-state batteries are expected to have greater energy density, and can allow the use of alternative cathode and anode materials. Iron-air, flow, and other grid-scale storage technologies are an alternative to lithium-ion in stationary applications.

This is a valid objection but untimely. Sodium-ion technology is rapidly developing, but still in its initial commercial phase, and the energy densities of the cells are still about 30–40% lower than comparable lithium-ion cells (CATL, 2023). The manufacturing scalability issues facing solid-state batteries have forced commercial deployment schedules out into the distant future several times. In the most positive projections, lithium-ion chemistries are expected to control the EV battery market at least until 2035 and probably 2040 (BloombergNEF, 2024). The weakness that is defined in this paper therefore matches exactly to the time frame where other technologies are still in a commercial youthful stage. The technological diversification argument is appropriate as a long-term solution; it is inadequate as a short-to medium-term reaction to an imminent structural weakness.

Additionally, it is notable that other chemistries have their supply chain dependencies. Sodium-ion batteries need Prussian white or hard carbon anodes, to which China is also establishing predominant processing capacity. The germanium, lithium metal, or garnet-type electrolyte materials used in solid-state batteries have supply chains that are not any less concentrated than the typical lithium-ion inputs. The assumption that the concentration problem will be solved by technological innovation assumes that there can be a certain degree of material substitutability that is not supported by the chemistry. Battery technologies have their bill of materials and bill of materials have their geography of dependence.

5. CONCLUSION

This article has made a simple yet little recognized point: the green energy transition, as outlined, does not set Western liberal democracies free of resource-based geopolitical vulnerability but restructures this vulnerability in ways that are, by a number of measures, more pronounced and less manageable than the petroleum dependency that it aims to mitigate. The carbon-based hegemony has not been replaced by a mineral-based security, but it is not a liberation narrative but a substitution narrative, and that substitution, as current evidence indicates, is not a favourable one.

The empirical results are dramatic. The processing-stage HHI values of lithium, cobalt and graphite are between 5,120 and 7,700 -concentrations that are comparatively higher than any similar measure in the petroleum industry in the last five decades. Between 65 and 87 percent of the world refining capacity of these three materials is controlled by one state: China, which is structurally unprecedented in the modern history of energy commodities. The policies of both the EU and the US, though directionally correct, are out of phase with the physical schedules of supply chain diversification, and therefore present a vulnerability window that will remain throughout the timeframe of the greatest demand acceleration.

These findings have been placed in the theoretical context of interdependence theory and weaponization of interdependence and the middle processing part is argued to be a choke point of the first order which can be, and indeed is being to some degree, exploited geoeconomically. Competing de-risking strategies, the paradox of clean energy being sought through mercantilist methods, and the yet to be resolved situation of Global South resource producers make the situation even more complicated as a security dilemma.

The policy implication is that the only strategy which is commensurate with the magnitude of the challenge is strategic pluralism, a term which the author suggests applies to a diversification strategy that occurs at the supplier and processing node level and underpinning technologies level, simultaneously. The diversification of suppliers and being tied to one battery chemistry is not enough. Investing in other

chemistries without engaging the resource producing states diplomatically is not complete. It is not wise to construct domestic capacity of processing without paying attention to the security dilemma dynamics generated by the Western policies in Beijing. Successful strategy needs all three dimensions, which are sought simultaneously and in a conscious of their interactions.

One more point deserves a comment. Policymaking in some quarters tends to regard the green transition as a sector in itself, to consider CRM security as a technical challenge that can be isolated, independent of the overall dynamics of great power politics, the politics of alliances, and the future of the liberal international order. It is not. Whether based on carbon or on minerals, energy security is a zero-sum game on the margin. The data vary; the logic remains. The more quickly policymakers come to internalise this continuity, the more they are set to face a period of mineral-based geopolitics that will be at least as convulsed as the petroleum century it alleges to have replaced.

REFERENCES

- Aggarwal, V. K., & Reddie, A. W. (2021). Economic statecraft in the 21st century: Implications for the future of the global trade regime. *World Trade Review*, 20(S1), S1–S22. <https://doi.org/10.1017/S147474562100024X>
- Bazilian, M., Bradshaw, M., Goldthau, A., & Westphal, K. (2014). Model and manage the changing geopolitics of energy. *Nature*, 509(7502), 540–542. <https://doi.org/10.1038/509540a>
- Benchmark Mineral Intelligence. (2024). Lithium-ion battery supply chain database (Q4 2023 ed.). London: Benchmark Mineral Intelligence.
- BloombergNEF. (2024). Electric vehicle outlook 2024. Bloomberg Finance L.P.
- CATL. (2023). First generation sodium-ion battery: Technical specifications and roadmap. Contemporary Amperex Technology Co., Limited.
- Colgan, J. D. (2013). *Petro-aggression: When oil causes war*. Cambridge University Press.
- European Commission. (2023). Proposal for a regulation establishing a framework for ensuring a secure and sustainable supply of critical raw materials. COM(2023) 160 final.
- Farrell, H., & Newman, A. L. (2019). Weaponized interdependence: How global economic networks shape state coercion. *International Security*, 44(1), 42–79. https://doi.org/10.1162/isec_a_00351
- Financial Times. (2023, April 21). Chile to take majority stake in lithium industry. *Financial Times*.
- Harrell, P., Rosenberg, E., & Saravalle, E. (2018). China's use of coercive economic measures. Center for a New American Security.
- Humphreys, D. (2019). The mining industry and the supply of critical minerals. In G.935 Gunn (Ed.), *Critical minerals handbook* (pp. 20–40). American Geophysical Union.
- International Energy Agency. (2021). The role of critical minerals in clean energy transitions. IEA, Paris. <https://www.iea.org/reports/the-role-of-critical-minerals-in-clean-energy-transitions>
- International Energy Agency. (2023). Global EV outlook 2023. IEA, Paris. <https://www.iea.org/reports/global-ev-outlook-2023>

- Rud, K. T. (2026). The weaponization of interdependence: Energy security and the geopolitics of the green transition. *Politics & Security*, 15(1), 22-34. <https://doi.org/10.54658/ps.28153324.2026.15.1.pp.22-34>
- Jervis, R. (1978). Cooperation under the security dilemma. *World Politics*, 30(2), 167–214.
- Keohane, R. O., & Nye, J. S. (1977). *Power and interdependence: World politics in transition*. Little, Brown.
- Mancheri, N. A., Sprecher, B., Bailey, G., Ge, J., & Tukker, A. (2019). Effect of Chinese policies on rare earth supply chain resilience. *Resources, Conservation and Recycling*, 142, 101–112. <https://doi.org/10.1016/j.resconrec.2018.11.017>
- Overland, I. (2019). The geopolitics of renewable energy: Debunking four emerging myths. *Energy Research & Social Science*, 49, 36–40. <https://doi.org/10.1016/j.erss.2018.10.018>
- Pitron, G. (2020). *The rare metals war: The dark side of clean energy and digital technologies* (B. Jacobsohn, Trans.). Scribe Publications.
- Reuters. (2023, July 3). China to restrict exports of chipmaking metals in tech war salvo. Reuters.
- S&P Global. (2023). The future of copper: Will the looming supply gap short-circuit the energy transition? S&P Global Market Intelligence.
- Sovacool, B. K., Hook, A., Martiskainen, M., Brock, A., & Turnheim, B. (2020). The decarbonisation divide: Contextualizing landscapes of low-carbon exploitation and toxicity in Africa. *Global Environmental Change*, 60, 102028. <https://doi.org/10.1016/j.gloenvcha.2019.102028>
- US Congress. (2022). Inflation Reduction Act of 2022, Pub. L. No. 117–169, 136 Stat. 1818.
- USGS. (2024). Mineral commodity summaries 2024. US Geological Survey. <https://doi.org/10.3133/mcs2024>
- Warburton, E. (2023). Resource nationalism in Indonesia: Political economy of nickel. *The Pacific Review*, 36(5), 1087–1116.
- Wohlstetter, A. (1959). The delicate balance of terror. *Foreign Affairs*, 37(2), 211–234.
- Yergin, D. (2011). *The quest: Energy, security, and the remaking of the modern world*. Penguin Books.

THE ALGORITHM OF INSURGENCY. THE UNDERSTANDING OF THE EFFECT OF AI-MEDIATED DISINFORMATION ON COGNITIVE SECURITY OF NATIONS.

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Abstract. *The spread of sophisticated artificial intelligence (AI) programs, in particular Large Language Models (LLMs) and generative adversarial networks that can create synthetic media (deepfakes), has opened a new and dangerous era in the history of information conflict. The main issue that this technological inflection point is raising, discussed in this article, is the development of AI as a force multiplier of disinformation campaigns that are high-frequency, hyper-personalized, and are increasingly indistinguishable to real human communication, bypassing the traditional safeguards of epistemology, and posing a national stability threat. This article presents two main points by using a multidisciplinary approach that combines the theories of security studies, behavioral psychology, and computational linguistics. To begin with, AI-based disinformation implies a qualitative shift in the paradigm of information warfare towards a more insidious one, whereby the strategic object of interest is not physical or cybernetic infrastructure but the perception of reality and epistemological underpinnings of the democratic society, by the individual citizen. Second, existing national security principles, which are based on the notions of territorial sovereignty and the deterrence of kinetic threats, are essentially unprepared to combat this automated, scalable, and to a large extent attributionless insurgency against the popular mind. The article concludes with the suggestion of an elaborate framework of Cognitive Defense, and states that national resilience in the twenty-first century would be achieved through systemic integration of technological countermeasures, the rise of media and information literacy to the rank of core security imperative, and the creation of binding international norms governing the use of AI in the information space.*

Keywords Cognitive Security, Artificial Intelligence, Disinformation, Hybrid Warfare, National Security Strategy, Computational Propaganda and Information integrity.

1. INTRODUCTION

Take, as an example, a possible near-future situation. A few days before a national election in one of the largest European democracies, a very realistic audio recording is posted in the social networks. It seems that the tape was made during a personal phone call of the presidential candidate with one of the foreign oligarchs, who were negotiating about the funds transfer in return of the favorable energy policy. Over two million shares of the clip have been made within ninety minutes. Already shaky on account of geopolitical tensions, financial markets note a sharp decline. Demonstrations take place in two large cities. The campaign of the candidate makes a desperate denial, which in its turn is another piece of information in a swirling maverick of assertion and refutation. Two days later, a forensic examination of the audio carried out by a university research lab verifies that the audio is a high-quality deepfake that was most likely created by an AI model. However, at that point, it is too late. It is the doubt that it has planted that has

Dei, H. (2026). The algorithm of insurgency: The understanding of the effect of AI-mediated disinformation on cognitive security of nations. *Politics & Security*, 15(1), 35–45. <https://doi.org/10.54658/ps.28153324.2026.15.1.pp.35-45> irreparably tainted the integrity of the election, not the falsity of the recording. This is not a speculative fiction, but a logical extension based on the capabilities, which are already being realized today (Chesney and Citron, 2019).

The phenomenon of manipulating the information to enhance the strategic position is naturally as ancient as the conflict itself. The weaponization of narrative has been a steady quality of statecraft and insurgency since the forged Protocols of the Elders of Zion, up to the detailed dezinformatsiya of the Soviet KGB (Rid, 2020). These methods were perfected into a black art in the twentieth century, and state actors created elaborate bureaucracies focused on the creation and distribution of propaganda and disinformation. What has evolved though, is not the purpose but the tool. The shift in the digital era of social media platforms and shortwave radio over the analog era of pamphlets and shortwave radio was a major quantitative jump, and it dramatically boosted the pace, range, and the amount of the information operations. This change was extensively documented by scholars such as P.W. Singer and Emerson T. Brooking (2018), who demonstrated how social connection platforms were turned into battlefields in the case of likewar. The algorithms that dominated these sites, which are engineered to promote engagement over truth, provided a conducive atmosphere of viral dissemination of false and inflammatory data.

However, the introduction of sophisticated generative AI is qualitatively different to the social media revolution. It is not just another amplifier; it is a whole new form of production of informational weaponry. Where earlier campaigns used teams of human operatives to write content, create fake personas, and operate networks of bot accounts, AI is now able to automate these tasks at scale, velocity and personalization that is too great to be possible by humans (Goldstein et al., 2023). Thousands of pieces of text that are unique, contextually appropriate and linguistically fluent can be produced by an LLM in a single hour. A generative adversarial network is able to generate photorealistic images and video of events that did not happen. The intersection of these technologies forms an industrial capacity of falsehood, which radically changes the information environment.

This paper presents and defends the idea of Cognitive Security as a different and important field of national security. Here, Cognitive Security is understood to refer to the safeguarding of the overall cognitive functions of a nation, i.e. the ability of its citizens to engage in rational deliberation, the faith that they have in collective institutions and their obedience to a common and evidence-based perception of reality, against intentional, technologically-assisted manipulation. It is different but connected to cybersecurity (protection of digital infrastructure) and information security (protection of data integrity). Cognitive Security deals with the integrity itself of the human mind as a strategic resource. The key point is that AI magnifies the disinformation threat to the extent of the current human and institutional defenses. Traditional fact-checking organizations, however dedicated, cannot match the output of an LLM. Electoral commissions are not able to check the authenticity of all the media during a campaign cycle. The intelligence agencies find it hard to assign campaigns that are created and propagated via anonymous and decentralized networks.

This article claims that AI-driven disinformation is an inherent change in the security environment, and the transition to a reactive fact-checking model needs to be changed to an active, structural restoration of the national cognitive resilience. This is analyzed in the following manner. Section 2 creates a taxonomy of AI-motivated threats, analyzing the particular capabilities of deepfakes, LLMs, and automated micro-targeting. Part 3 shifts to the psychological level, examining how these tools take advantage of established cognitive weaknesses and weaken social unity, which is presented as cognitive warfare. Section 4 covers the rough policy and legal issues, such as the issues of attribution and the conflict between regulation and innovation. Section 5 suggests a compromising approach to Cognitive Defense, which is based on technological, educational, and international normative solutions. Last but not least, Section 6 presents some final thoughts and suggests future research directions.

2. THE TAXONOMY OF AI-DRIVEN THREATS

2.1 Generative A.I. and the Death of Seeing is Believing.

Visual and auditory media had been effective epistemic anchors over centuries. A documentary evidence was captured as a photograph; a voice recording would lead to a conviction in a court of law. The evidentiary weight given to sensory media forms a part of the legal and social systems of the modern democracies. The advent of the so-called deepfake technology, which is a term that became widely popular due to the application of deep learning neural networks to the production of synthetic media, has opened a direct attack on this key trust (Chesney and Citron, 2019). The initial deepfakes, which were created with the help of autoencoders and generative adversarial networks (GANs), could be easily spotted thanks to the visual artifacts: unnatural blinking, uneven lighting, or blurred edges around the face. The technology has however been developing exponentially. The latest models are capable of creating synthetic video and audio that are virtually impossible to distinguish by the untrained eye and ear, and more and more so even with specialized forensic equipment (Toews, 2023).

Its national security implications are immense. Take the sphere of military intelligence. A deep fake video that purports a field commander giving an order to retreat or a head of state declaring a surrender would create chaos on a battlefield or even within a civilian population within a few minutes. A fake recording of a diplomatic negotiation may destroy shaky peace talks or cause an international incident in the geopolitical arena. In March 2022, a crude deepfake video of Ukrainian President Volodymyr Zelenskyy surfaced on the internet in which Zelenskyy allegedly addressed Ukrainian soldiers to surrender their weapons. Although the quality of that specific fake was quite poor, making it rather ineffective, it was also a strong demonstration of a concept, a precursor to what more advanced actors with more resources could do (Sasse, 2023). The technology is also gaining accessibility radically. Open-source tools and easily accessible applications have reduced the hurdle to entry, in that the ability to generate believable deepfakes is no longer the prerogative of state intelligence services or high-budget research institutes. The same person on a consumer-grade laptop and with access to the freely available tools can now create content that only a Hollywood studio would have been able to generate only a decade ago.

The destruction of trust in visual evidence has far-reaching ramifications that go way beyond a single fake clip. It contaminates the whole information well. In a situation where all videos are potentially a deepfake, all genuine videos can be falsely claimed. This relationship is referred to as the Liar Dividend and is elaborated in Section 3. In most ways it is a worse consequence than any single deception, in that it assaults the very notion of common evidentiary reality. The courts as well as newsrooms, which depend on media evidence, have their authority diminished not necessarily because they were misled, but because they are subjected to the risk of being misled any time.

2.2 Hyper-Personalized Persuasion and Large Language Models.

While “deepfakes” undermine the visual foundations of the public sphere, large language models (LLMs) pose an equally serious threat to its textual and discursive structures. OpenAI GPT-4, Claude by Anthropic, and LLaMA by Meta among other models have been shown to be able to produce human-like text that is not only fluent and coherent but also context-appropriate across an unprecedented variety of tones, including informal social media posts and academic writing (Bubeck et al., 2023). They are not only relevant to disinformation because they are capable of generating vast amounts of text, but because they can be instructed to do so with particular persuasive aims and be shaped to particular audiences. This is a paradigm shift of broadcast propaganda to precision-guided narrative manipulation.

The past information operations were based on a relatively crude method: a message was created and sent out to a large audience, with the knowledge that only a small percentage of the audience would be responsive. Combining LLMs with the specifics of psychographics, the type of data that digital advertising platforms and data brokers gather every day, will allow employing an entirely different approach. In theory, an AI system might study the history of social media of a target person, their political views, emotional triggers, and social network contacts and create a persuasive message that is uniquely

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adjusted to the individual psychological profile of this person (Bontridder & Poulet, 2021). This will not be a science fiction, but the logical continuation of the micro-targeting methods already used by political campaigns and commercial advertisers, but boosted by the generative power of LLMs. This potential was already seen in the early, pre-AI, Cambridge Analytica scandal, which revealed how psychographic profiling might be applied to scale political messaging (Zuboff, 2019). Such operations are made much more efficient and sophisticated by LLMs.

Moreover, it is possible to utilize LLMs to generate and operate entire networks of artificial personas, i.e., fake social media accounts with regular and realistic posting histories, subtle views, and lifelike personal information. The networks of sockpuppets can be used to promote certain stories, give the impression of grassroots support (astroturfing), bully and silence critics, or infiltrate social groups to divide them internally. The only weakness of such operations previously was the human resource needed to sustain the credibility of each persona over time. Hundreds of these personas can be handled by an LLM and a different voice with a consistent and evolving online identity at an insignificant marginal cost (Goldstein et al., 2023). This puts the process of social manipulation into an industrialized format and makes it exponentially more difficult to detect.

2.3 Automated Micro-Targeting: The Synergy of Surveillance and Generation.

These dangers of deepfakes and LLMs are magnified manifold by the sheer fact that they are compounded with the giant surveillance and data-governing systems of the contemporary digital economy. The idea proposed by Shoshana Zuboff (2019) is called surveillance capitalism: it is an economic logic where predicting and altering human behavior is the main product. The comprehensive behavioral descriptions that data brokers create, including buying patterns, location records, web history, search terms, and social circles, are an outstandingly rich resource to any party interested in targeting individuals with customized disinformation. The synergy is strong: targeting intelligence is gathered through surveillance data, and ammunition is generated with the help of generative AI.

This convergence allows an informational warfare that is precision directed at the individual citizen level. Instead of saturating the zone with just one narrative, an enemy can target particular demographic groups or even single targets with their own disinformation tailored to change the beliefs and behaviors of those particular individuals, such as journalists, community leaders, elected officials, military personnel, etc. In the case of a military audience, this may be in the form of faked intelligence reports. To a community activist it may be a bogus news report on a local problem aimed at causing outrage and political action in a wanted direction. To a financial analyst, it can be a false report of earnings that is aimed at selling a particular stock. This targeting ability granularity is a fundamental redefinition of the calculus of information warfare.

2.4 The Velocity of Infection: Asymmetric Velocity.

Another important aspect of the AI disinformation threat that is often underrated is its speed. The empirical evidence on the transmission of information in social media has proved to be incredibly asymmetrical: fake news spread faster, further, and wider than fact-based information (Vosoughi et al., 2018). False claims are emotionally salient and new, which makes this phenomenon dramatic; however, AI contributes to it tremendously. A generative AI system is able to create disinformation content within a fraction of a second. It can saturate online communities of interest within minutes by being spread out via automated bot networks. Response cycles The delay between the release of a bit of disinformation and the reporters, fact-checkers, or government agencies realizing it is false and generating a counter-narrative is measured in hours to days.

This asymmetry in velocity gives the attacker an edge in terms of structure. Although a bit of AI-generated fake news is ultimately debunked, the debunking will often reach a much smaller audience than the initial fake news, and it will come too late when the original misinformation has already taken root in people's minds and possibly triggered real-life response (Walter et al., 2020). This issue is further complicated by the psychological literature on the persistence of beliefs and the so-called continued

influence effect: despite the exposure of people to a correction, the misinformation they received initially still affects their reasoning and judgments (Lewandowsky et al., 2012). Essentially, AI enables the attacker to get ahead of the defender, and the very construction of the human brain will make the harm caused during the head start partially irreversible. Such asymmetry of speed is not only a tactical, but a strategic advantage since it implies that the sufficiently fast and voluminous disinformation campaign can produce the situation of the faits accomplis in the information space, forming the attitude of people and political results before even the truth can surface.

3. COGNITIVE WARFARE: THE PSYCHOLOGICAL BATTLEFIELD

3.1 Confirmation Bias and Algorithms Echo Chambers.

The effectiveness of AI-induced disinformation is not merely a factor that depends on the sophistication of the technology, but also a factor that depends on the established weaknesses of human thinking. Several decades of studies in the realms of cognitive and social psychology have pinpointed a set of systematic biases that define the ways in which people process information. Primarily, in disinformation terms, is confirmation bias: the long-known phenomenon where people tend to look for, interpret, like, and remember information that supports their already held beliefs and hypotheses, and pay disproportionately less attention to the other possibilities (Nickerson, 1998). The AI-based disinformation is the only one that can be engineered, at a large scale, to take advantage of this particular vulnerability.

The algorithmic structure of social media platforms mediates and magnifies this exploitation. The recommendation algorithms that organize the news feed of users are made in such a way as to maximize the engagement, which is highly correlated with emotional arousal and, by proxy, with the content that validates and reinforces existing beliefs (Bail, 2021). The outcome is what is increasingly being documented as the so-called echo chambers or filter bubbles, where users become increasingly exposed to a set of narrowing set of views that affirm their worldview and protect against dissonant information (Pariser, 2011). AI produced disinformation, carefully tuned to appeal to the existing moods in a particular echo chamber, faces few cognitive challenges. It does not seem to be a foreign propaganda but rather an organic, natural continuation of the discourse of the community that the user belongs to. A predisposition to internal cognitive (confirmation bias) and an external structural (algorithmic curation) amplifier combine to provide an almost flawless medium through which targeted fake information is delivered.

Additionally, AI has the capability of changing its message on the basis of real-time feedback. Digital marketing A/B test can be used in disinformation campaigns: several versions of a story can be published at the same time, and the one that results in the greatest engagement the most shares, the most emotional responses will be automatically scaled, and the less effective ones will be eliminated. It forms an evolutionary algorithm of propaganda, a process which continually improves its misleading output to have the greatest possible psychological effect. This pace, magnitude and adaptive accuracy could not be practiced by any human propagandist.

3.2 The Liar Dividend: Weaponizing Doubt Itself.

The most strategically important effect of the deepfake age is, perhaps, a phenomenon that legal theorist Robert Chesney and Danielle Citron (2019) have called the Liar's Dividend. As explained in this concept, it is a paradoxical effect of the spread of synthetic media: since everyone learns that one can be convinced of fakes, then any actor, a politician caught on tape, a company caught doing something bad, a government faced with evidence of atrocities, can use it as a scapegoat and deny the true, authentic evidence as a fake one. The very presence of deepfake technology offers an easy-to-use way to get an alibi to avoid responsibility.

The Liar is a scathing power of a dividend. It is not just creating falsehoods to the information environment; it is depriving the information environment of truth. It turns all the genuine facts into a refutable argument, thus compromising the epistemological basis of social responsibility, legal action, and

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democratic dialogue. The concept of evidence-based public discourse itself is threatened in the world where they no longer see but believe. This ambiguity can be used by political leaders. When faced with a harmful audio or video, a high-profile individual can merely claim that a recording is an AI-generated fake and a large percentage of his/her supporters, already conditioned to accept the influence of partisan media and confirmation bias, will take this at face value. The onus of proving is practically passed upon the accuser, who now has to prove that the evidence has not only what but is actually genuine.

This relationship has immense implications on military and intelligence scenes. The state that is committing war crimes can discount authentic satellite imagery of troop movements, intercepted communications, or video evidence of war crimes as AI fabrications. It was already a pre-AI era playbook, the Russian government was used to ignoring evidence of its role in the downing of Malaysian airplane MH17 and in the poisoning of Skripals, calling it western fabrication, but deepfake technology offers a much more believable shell to wrap such denials in. The Liar's Dividend is not only a domestic political problem, but also an instrument that can be used to weaken the international rules-based order and avoid state accountability on breaches of international law.

3.3 Social Cohesion As A Security Asset.

Classical approach of security has concentrated on physical property: land, infrastructure, weaponry, and economy. In this article, it is argued that social cohesion, the level of trust, mutual recognition, and shared normative agreement in a society, needs to be redefined as an essential national security asset. The overall strategic goal of the AI-led disinformation campaigns be it by a state or non-state agent is not to advance a particular falsehood but to undermine this social fabric beneath it. It is not about attempting to persuade a target audience of a certain falsehood, but about establishing a state of widespread epistemic insecurity and distrust towards each other and the social fabric, which makes a democratic government ineffective and makes a society susceptible to foreign influence or internal breakdown (Pomerantsev, 2019).

This realization alters the threat. The win of the opponent is not the victory of a particular deepfake when it becomes viral or a certain conspiracy theory receives its followers. It is facilitated when the number of citizens who are able to agree on the most fundamental of facts has become too small, when trust in all institutions, including the government, the media, science, the judiciary, has been eroded sufficiently, and when the sphere of political discourse has become mutually hostile and hermetically sealed information ecosystems. Under this condition democratic processes turn into performative rituals, which have no substantive deliberative content, and the polity is vulnerable to authoritarian capture or paralysis. The information operations by Russia, which have been widely discussed by researchers such as Thomas Rid (2020) and Peter Pomerantsev (2019), have long been interpreted as being directed at exactly this effect, not to triumph in an argument, but to eliminate the possibility of argument.

3.4 Case Studies: Information Operations Digital in Action.

A number of real-life examples explain the above discussed mechanisms and highlight the increasing intensity of the threat. To begin with, the 2016 presidential election in the United States can be discussed as a historical case study of the interference in the election by the Internet Research Agency (IRA). Although the activity of the IRA coincided with the present generation of generative AI, it served as an excellent example of the sort of campaign that can now be automated and scaled by AI. The IRA used hundreds of followers to set up and operate fake social media accounts on Facebook, Twitter, Instagram, and YouTube, where controversial content was shared on race, immigration, guns, and religion. They were not aimed at promoting one candidate but increased the existing social divisions of the American society (Mueller, 2019). More importantly, it was a human operation, which was labor intensive. A LLM was able to duplicate and out produce on a small percentage of the staff and budget.

Second, the COVID-19 crisis provided the information space, also known as an infodemic, where false information about the virus, its causes, and the safety and effectiveness of vaccines went viral on digital platforms (Wardle and Derakhshan, 2017; World Health Organization, 2020). State actors, such as Russia

and China, were reported to be spreading false and misleading health-related information to Western audiences, which is another tactic of weakening the trust of the population in health authorities, as well as contributing to social unrest. The pandemic revealed the potential, direct, quantifiable effects of disinformation on the health and safety of the population, portraying digital manipulation as physical damage. Although much of this disinformation in the pandemic was created by humans, it proved that the society of democracies could be easily targeted by coordinated information attacks in the time of crisis, which is now becoming infinitely easier to do using AI.

Third, the current conflict in Ukraine has been used as a live test area of the information war in the age of nascent AI capabilities. Both parties in the conflict have been using the most extensive information operations, yet the use of the said crude Zelenskyy deepfake in March 2022 was a landmark. It was soon recognized as a hoax, but the event showed that the desire to make use of synthetic media would be a weapon of psychological warfare in the present time and gave a glimpse of the future where such tricks will become much more advanced and, by extension, much more dangerous (Sasse, 2023). It also demonstrated how fast synthetic media can spread and how hard it is to respond quickly and authoritatively in a war time situation.

4. POLICY AND LEGAL PROBLEMS

4.1 The Attribution Problem

One of the principles of international security and deterrence is the capability to assign the hostile actions to a particular actor. Deterrence, be it nuclear or conventional, is based on the assumption that an action of aggression would be identified and sent back to the aggressor where he or she would respond accordingly. This reasoning is essentially disrupted by AI-based disinformation. Synthetic text and media generation tools are highly accessible and can be implemented anywhere on the planet using anonymizing technologies like virtual private networks (VPNs) and the Tor network. The material that is produced by a machine, is devoid of any stylistic imprint that can be ascribed to a particular state intelligence agency or non-state organization. What could have required a team of fifty intelligence agents to carry out now could be done by a small team or even by an individual advanced actor, and making the attribution calculus even more complicated (Rid and Buchanan, 2015).

This attribution gap has a number of harmful implications. It reduces the standard of state-sponsored information aggression, since the perceived likelihood of detection and being held to account is reduced. It also gives the non-state actors such as terrorist groups and criminal groups the power to launch information campaigns that are now as sophisticated as those that could only be launched by state intelligence services. And it poses a political problem: despite having an intelligence agency that can confidently attribute a campaign, as the U.S. intelligence community did in the case of Russian interference in 2016, the ambiguity inherent in it means that even the accused state (but also its domestic supporters) can be able to deny the attribution as politically motivated. The absence of a transparent, globally accepted system of assigning and reacting to information attacks is one of the biggest loopholes in global security system.

4.2 Regulation and Innovation: The Democratic Dilemma.

Democratic regimes are in a deep dilemma of trying to control AI-based disinformation. On the one hand, the danger to the national cognitive security is a fact and requires an answer. Conversely, excessive government control over speech and information technology presents risks of trampling the basic civil rights of the people, specifically, the freedom of speech and the freedom of the press, and a lack of innovation, which is the economic and strategic powerhouse of democratic countries. This dilemma is not experienced in authoritarian regimes that regulate their domestic information environment by censoring and monopolizing state media. Such asymmetry is a strategic drawback to democracies in itself (Diamond, 2019).

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One of the approaches adopted by the European Union, including the Digital Services Act (DSA) and the AI Act, is a reflection of a general regulatory framework, which places duties on technology platforms on the matters of content moderation, transparency of algorithms, and risk-assessment. Critics, though, claim that these regulations are slow to keep up with the rate of technological change, and may be excessively cumbersome to smaller firms, and may result in a patchwork global regulation system. The United States, in its turn, has mostly been relying on market-driven strategy, where the federal regulation of online speech has been limited, in part, by expansive protections of the First Amendment and Section 230 of the Communications Decency Act. This policy maintains the greatest freedom and creativity but, arguably, it exposes the information space to high levels of danger. The search of sustainable balance, the balancing that would be able to tackle the real security threat and still provide the openness and pluralism that characterize the democratic societies, is one of the classic policy challenges of the age (Fukuyama et al., 2021).

4.3 International Law and the Issue of Sovereignty.

An AI disinformation campaign across borders, that targets a sovereign state, poses some basic questions within the international law. Is such a campaign a breach of the principle of non-intervention in internal affairs as stated in article 2(7) of the United Nations Charter? Would a sufficiently harmful campaign, such as one that, say, causes a state of civil disturbance, or hobbles the capacity of a government to operate, be sufficient to meet the threshold of a use of force under Article 2(4), or even an armed attack warranting self-defense under Article 51? The current legal framework, which was formed in the period of kinetic struggle, has no definitive solutions (Schmitt, 2017).

The Tallinn Manual on the International Law Applicable to Cyber Operations offers some insight into the matter, proposing that cyber operations with the same effect as a kinetic attack can be defined as such under current use-of-force constructs. Nevertheless, disinformation campaigns do not necessarily disrupt and destroy systems directly, but persuade and manipulate. Their impacts, such as undermining trust, polarizing society, manipulating elections, are diffuse, cumulative, and hard to measure in similar terms as material harm. The global community has not yet come up with the legal agreement regarding the classification of such operations, the determination of the norms of the proportionate response, and the imposition of the norms of behavior in the information space. The formation of such a consensus is a matter of immediate concern, and it is undermined by the fact that there are profound disagreements between democratic and authoritarian states concerning the very sense of information freedom and state sovereignty over the digital realm.

5. RECONCILIATORY FRAMEWORK CONSTRUCTION: COGNITIVE DEFENSE

5.1 Technological Redlines: Watermarking and Counter-AI Detection.

The initial component of a Cognitive Defense architecture should be technological. Technology has brought the problem, but it has to be a key component of the solution. One of the proposed solutions is the mandatory watermarking of AI-generated content. Technical standards like the Coalition for Content Provenance and Authenticity (C2PA) are creating technical methods to insert cryptographic metadata into digital content during creation and offer a verifiable provenance history (C2PA, 2023). With the adoption of such standards, users and platforms could validate the authenticity, AI-generated content, and intervention of a piece of content. Nonetheless, there are still major challenges. Sophisticated adversaries can remove or spoof watermarking and it needs to be universal to all AI developers to work, which is complicated by the fact that many of the most popular AI models are open-source. In addition, watermarking is a very reactive control; it assists in detecting the synthetic content once it has been produced, but not in its production.

Along with watermarking, it is necessary to invest in AI-driven detection devices. The arms race in detection technology is similar to the arms race in computer viruses; as the technology of deepfakes and AI-generated text advances, new antivirus programs and similar software are being developed. Deep

learning models that learn to recognize the delicate statistical artifacts separating synthetic media and real media and other models are being developed to detect AI-generated text by analyzing linguistic patterns, perplexity scores, and other computational features (Mitchell et al., 2023). But this is essentially an arms race, a contest between better detection systems and better generation systems to counteract the detection systems. The use of Cognitive Defense strategy cannot be based on detection technology alone, but must form a portion of a layered defense.

5.2 Nordic Model of Societal Resilience.

Technological defense against cognitive threats is not as strong and can be sustained as societal. In particular, the Nordic economies, especially Finland, Sweden, and Estonia, have led the way in a wholeness-of-society or total defense strategy to information resilience, which presents a strong model to other democracies. Finland, as one example, has made critical thinking and media literacy part of the national school curriculum starting in primary school, and educates students on how to detect the manipulative tricks, how to assess the sources, and how propaganda works (Mackintosh, 2019). This is also supplemented by the high level of the public trust in the institutions, the high and autonomous public media, and the cultural principle of civil society and the openness of the institutions.

This strategy acknowledges that the real aim of cognitive warfare is the individual citizen and the best defense mechanism is to have an informed, critical thinking citizenry. In this context, media literacy is not an educational side effect; it is part of the national security infrastructure, like air defense or border security, which is indispensable. Naturally, the Nordic model is hard to translate into larger, more diverse, and more polarized societies, but the principle behind it is universal: the investment into the cognitive resilience of the population is the only effective defense against information manipulation, no matter how sophisticated the tools used are.

5.3 The Platforms Rule: Cognitive Gatekeepers and Democratic Accountability.

The operators of the social media exchange and the creators of the generative AI models technology companies hold a rather special and highly disputed position in Cognitive Defense arena. They are both the developers of the means by which disinformation is propagated by AI, the proprietors of the infrastructure by which they spread it, and the holders of the data and technical skills most likely to counteract it. Their de facto position of being cognitive gatekeepers gives them a duty that is not limited to their duty to their shareholders. This role includes open algorithmic design, which is not systematically biased to engagement instead of informational integrity, effective and proactive content moderation policies that extend to synthetic media generated by AI, substantive and authentic cooperation with governments, civil society, and academic researchers on threat intelligence, and sincere investment in safety research in accordance with their investment in capability development (Persily and Tucker, 2020).

The difficulty is to have in place systems of good governance among these actors, which are not authoritarian, and yet not so liberal as to be meaningless. It needs a system of democratic responsibility, such as independent auditing of algorithms, obligatory transparency reporting of threats related to AI, and consequences that are meaningful in case of failures of due diligence. The creation of industry-wide norms and standards, similar to those already in place within other areas with high implications to public safety (such as aviation or pharmaceuticals), should be actively sought. The principle is simple, the commercial growth and implementation of strong AI systems must have an implicit burden to reduce the expected harms that such systems can facilitate.

6. CONCLUSION

This article has contended that the emergence of the advanced generative artificial intelligence has marked a new and qualitatively different era in the history of the information conflict. The ability of Large Language Models to generate hyper-personalized persuasive text at scale and the ability of deepfake technology to generate believable visual and auditory evidence has generated an industrial capability of falsehood that

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radically transforms the strategic environment. It is not just a numerical improvement of the disinformation problem that arose with the social media revolution, but a qualitative shift that requires a qualitative change in our defensive stance.

The analysis has been carried out on various dimensions. Section 2 has shown the taxonomy of threats that reveal the exact capabilities and mechanisms of weaponization of AI tools to informational aggression. Section 3 examined the psychological battlefield, demonstrating how these instruments play on superbly documented cognitive weaknesses, such as confirmation bias, the Liar's Dividend, and how its ultimate strategic object is not the personal conviction but the very social glue and common epistemological premises on which democratic governance relies. Section 4 had to address the daunting policy and legal obstacles, such as the issue of attribution, which is almost intractable, the dilemma of democracy of regulation and freedom, and insufficiency of the current international law. Lastly, Section 5 suggested a multi-layered Cognitive Defense model which incorporates technological technology, resilience building of the society, and responsibility of the platform.

The main idea of the given article, according to which AI-driven disinformation represents a paradigm shift in the security paradigm, and the reaction to these challenges is to shift the mode of response to active, systemic support of national cognitive resilience, has an urgent connotation. Cognitive security should be promoted as a niche academic issue to the national security strategy alongside physical border security, cybersecurity, and economic security. Mental frontiers of the citizens are not a complete defense of the borders of a nation. The security of the digital infrastructure of a country is irrelevant when the contents passing through these systems are used to shatter the ability of the people to think rationally and agree on a common language.

Future research possibilities are manifold and dire. Additional empirical research is required on how AI-generated disinformation may affect the human psyche specifically, but more specifically, on its long-term consequences on interpersonal trust and democratic values. The possibility of AI itself presenting a means of truth-checking, via real-time provenance, automatic counter-narrative generation, and large-scale epistemic surveillance, is something that should be taken very seriously but such technology should be created with a keen awareness of the dangers of algorithmic censorship. The convergence between the AI disinformation and the emergent issues of quantum computing (potentially rupturing the existing cryptographic standards of watermarking) and the metaverse (potentially a whole new dimension of immersion to be exploited) necessitates proactive speculation. Lastly, the post-truth politics of politics requires further investigation regarding the circumstances in which democratic societies can continue to enjoy rational governance within an information environment that is becoming more hostile to a shared truth. The insurgency algorithm is operational. Whether democratic societies can acquire the cognitive immunity to resist it remains an issue.

REFERENCES

- Bail, C. A. (2021). *Breaking the social media prism: How to make our platforms less polarizing*. Princeton University Press.
- Bontridder, N., & Pouillet, Y. (2021). The role of artificial intelligence in disinformation. *Data & Policy*, 3, e32. <https://doi.org/10.1017/dap.2021.30>
- Bubeck, S., Chandrasekaran, V., Eldan, R., Gehrke, J., Horvitz, E., Kamar, E., Lee, P., Lee, Y. T., Li, Y., Lundberg, S., Nori, H., Palangi, H., Ribeiro, M. T., & Zhang, Y. (2023). Sparks of artificial general intelligence: Early experiments with GPT-4. arXiv preprint arXiv:2303.12712.
- C2PA. (2023). Coalition for Content Provenance and Authenticity: Technical specification. <https://c2pa.org/specifications/>
- Chesney, R., & Citron, D. K. (2019). Deep fakes: A looming challenge for privacy, democracy, and national security. *California Law Review*, 107(6), 1753–1819.
- Diamond, L. (2019). The road to digital unfreedom: The threat of postmodern totalitarianism. *Journal of Democracy*, 30(1), 20–24.

- Fukuyama, F., Richman, B., & Goel, A. (2021). How to save democracy from technology: Ending Big Tech's information monopoly. *Foreign Affairs*, 100(1), 98–110.
- Goldstein, J. A., Sastry, G., Musser, M., DiResta, R., Gentzel, M., & Sedova, K. (2023). Generative language models and automated influence operations: Emerging threats and potential mitigations. Georgetown University Center for Security and Emerging Technology.
- Lewandowsky, S., Ecker, U. K. H., Seifert, C. M., Schwarz, N., & Cook, J. (2012). Misinformation and its correction: Continued influence and successful debiasing. *Psychological Science in the Public Interest*, 13(3), 106–131.
- Mackintosh, E. (2019, May 21). Finland is winning the war on fake news. What it's learned may be crucial to Western democracy. CNN. <https://edition.cnn.com/interactive/2019/05/europe/finland-fake-news-intl/>
- Mitchell, E., Lee, Y., Khazatsky, A., Manning, C. D., & Finn, C. (2023). DetectGPT: Zero-shot machine-generated text detection using probability curvature. Proceedings of the 40th International Conference on Machine Learning (ICML).
- Mueller, R. S. (2019). Report on the investigation into Russian interference in the 2016 presidential election. U.S. Department of Justice.
- Nickerson, R. S. (1998). Confirmation bias: A ubiquitous phenomenon in many guises. *Review of General Psychology*, 2(2), 175–220.
- Pariser, E. (2011). *The filter bubble: What the Internet is hiding from you*. Penguin Press.
- Persily, N., & Tucker, J. A. (Eds.). (2020). *Social media and democracy: The state of the field, prospects for reform*. Cambridge University Press.
- Pomerantsev, P. (2019). *This is not propaganda: Adventures in the war against reality*. PublicAffairs.
- Rid, T. (2020). *Active measures: The secret history of disinformation and political warfare*. Farrar, Straus and Giroux.
- Rid, T., & Buchanan, B. (2015). Attributing cyber attacks. *Journal of Strategic Studies*, 38(1–2), 4–37.
- Sasse, B. (2023). *The era of deepfakes: Advancing technologies and growing threats*. Atlantic Council Digital Forensic Research Lab.
- Schmitt, M. N. (Ed.). (2017). *Tallinn Manual 2.0 on the international law applicable to cyber operations* (2nd ed.). Cambridge University Press.
- Singer, P. W., & Brooking, E. T. (2018). *LikeWar: The weaponization of social media*. Eamon Dolan/Houghton Mifflin Harcourt.
- Toews, R. (2023, May 22). The next frontier for deepfakes: Real-time face swaps. *Forbes*.
- Vosoughi, S., Roy, D., & Aral, S. (2018). The spread of true and false news online. *Science*, 359(6380), 1146–1151.
- Walter, N., Cohen, J., Holbert, R. L., & Morag, Y. (2020). Fact-checking: A meta-analysis of what works and for whom. *Political Communication*, 37(3), 350–375.
- Wardle, C., & Derakhshan, H. (2017). *Information disorder: Toward an interdisciplinary framework for research and policy making* (Report DGI(2017)09). Council of Europe.
- World Health Organization. (2020). *Managing the COVID-19 infodemic: Promoting healthy behaviours and mitigating the harm from misinformation and disinformation*. <https://www.who.int/news/item/23-09-2020-managing-the-covid-19-infodemic>
- Zuboff, S. (2019). *The age of surveillance capitalism: The fight for a human future at the new frontier of power*. PublicAffairs.

REGIME TYPE AND NATIONAL SECURITY OUTCOMES IN NIGERIA: A COMPARATIVE ANALYSIS OF MILITARY AND DEMOCRATIC GOVERNANCE

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Abstract. *This paper examines the correlation between the regime type and national security outcomes in Nigeria between 1966 and 2025 based on the Civil–Military Relations (CMR) Theory. It looks at the dynamics of security in military rule (1966–1999) and the democratic rule in the fourth republic (1999–2025), and compares and contrasts their effectiveness in responding to emerging threats. The qualitative research design is a comparative historical-based study, which relies on secondary and documentary sources, and the content and comparative techniques will be used to interpret the findings. The results reveal that military regimes were based on centralized government and coercive force, which allowed responding quickly to the crisis and creating a temporary stability, especially during the civil war. Yet, these achievements were diluted by weak institutions, oppression, politicization of security systems, and low levels of trust in the government. Democratic rule brought about institutional changes, civilian control and diversified security policies including non-kinetic and regional partnership. However, the continued presence of insurgency, banditry, and communal violence are indicative of structural weaknesses, inadequate coordination, and policy implementation weaknesses. The comparative analysis reveals that although military rule brought short-term stability, it was unsustainable, and the democratic regime offers a more sustainable system even with uneven performance. The research comes to the conclusion that effective national security relies not on regime type but on the institutional capacity, the quality of governance, and legitimacy. It advises the reinforcement of oversight mechanisms, intensifying security sector reform, giving primacy to human-centered strategies, and institutional effectiveness to deliver sustainable security outcomes.*

Keywords: National Security, Civil–Military Relations, Military Regimes, Democratic Governance, Nigeria.

1. INTRODUCTION

The political history of post-independent Nigeria is one of the most educative examples of the regime swing in Africa, which switches between years of military dictatorship and years of civilian democracy. Nigeria has suffered long periods of military rule (1966–1979; 1983–1999) mixed with civilian rule (1979–1983; 1999–present) since the fall of the First Republic in the January 1966 coup. These transitions in regimes

have not only restructured political power and institutional structures, but have also significantly influenced the national security structure in the nation (Dudley, 1982; Osaghae, 1998).

The first military intervention in 1966 was grounded on the need to put order in the face of electoral violence, internal conflicts between the elites and regional conflicts that had shaken the First Republic (Falola and Heaton, 2008). The ensuing anti-coup in July 1966 and the Nigerian Civil War (1967-1970) entrenched armed forces as a key player in state consolidation and security management (Madiebo, 1980). Subsequent military regimes: Military regimes under leaders like Yakubu Gowon, Murtala Muhammed, Olusegun Obasanjo (as head of state of the military), Muhammadu Buhari, Ibrahim Babangida, and Sani Abacha consolidated executive centralism, enlarged coercive institutions, and focused on survival of the regime in a highly securitized system of governance (Siollun, 2009). Although such regimes tended to focus on stability and territorial integrity, they were also linked to authoritarian suppression, civil institutions weakened, and lack of accountability.

Despite the civilian transition in 1979 with the Second Republic, this was only temporary and failed in 1983 due to economic crisis and political instability (Joseph, 1987). A more lasting democratic shift came in the year 1999 and the Fourth Republic was inaugurated upon the death of General Sani Abacha and a transitional programme led by General Abdulsalami Abubakar. Nigeria has enjoyed continuous civilian government since 1999 with several administrations, namely: Olusegun Obasanjo, Umaru Musa Yar'Adua, Goodluck Jonathan, Muhammadu Buhari, and Bola Ahmed Tinubu, which is an example of incremental democratic consolidation and electoral alternation of power (Lewis, 2007; Suberu, 2007)

The security situation in Nigeria has been volatile, even though the democratic form of governance has been institutionalized. After 1999, the Boko Haram insurgency in North-East, widespread banditry and kidnapping in North-West, farmer-herder conflicts in Middle Belt, separatist agitations in South-East, and maritime insecurity in the Gulf of Guinea have emerged (International Crisis Group, 2020; Mustapha and Ehrhardt, 2018). These threats are of different magnitude and nature than previous security predicaments during military rule which were mostly characterized by civil war, coup intrigues and repression of the central state. However, the two types of regimes have faced significant national security crises, which have cast intense analytical issues about the nexus between regime attributes and national security performance.

Although there is abundant literature on the political development in Nigeria, there is still a major gap in the literature that is aimed at a systematic examination of the effects of regime type on the performance of national security over time. Current literature tends to describe military and democratic stages or dwell on particular conflicts without settling on a comparative and longitudinal approach that gauges the effectiveness of security, institutional strength, and the capacity of the state among regimes (Lewis, 2007; Osaghae, 1998). In addition, the insecurity research in Nigeria often focuses on structural factors, such as poverty, ethno-religious divisions, lack of good governance, without adequately questioning how the differences in the regime structure, civil-military relationships, accountability, and centralization of decision-making affect security reaction and achievement (Mustapha & Ehrhardt, 2018).

The lack of a regime-sensitive analytical context inhibits our comprehension of whether military authoritarianism spawned greater coercive power at the cost of legitimacy and human security, or democratic government created greater institutional responsibility at the cost of quick and centralized security response. It is especially necessary to fill this gap in the case of Nigeria since it has a demographic imbalance, regional prominence in West Africa, and security instability is still persistent.

It is on this background that this paper has three objectives. First, it aims to analyze the results of national security during military governments in Nigeria (1966-1999), the character of threats, the reaction of the state, the structure of the institutions and stability in general. Second, it evaluates the outcomes of national security under democratic governance in the Fourth Republic (1999-2025), the management of insurgency, communal conflict, and transnational criminality within a constitutional context. Third, it provides a comparison of the relative performance of military and democratic regimes in coping with security issues, which is intended to discern continuity and divergence patterns in security performance, institutional resilience, and legitimacy.

Combining historical analysis with a comparative regime approach, the work leads to the discussion on nexus of regime type and national security outcomes in hybrid and transitional states in security studies and comparative politics. It also offers policy-relevant information on how governance arrangements determine security capacity in the complex, plural societies like Nigeria.

1.1 Conceptual Review

Regime type can be defined as the official and unofficial principles that form the basis of political power, how leaders are chosen, and the level of political participation and accountability in a state. In modern literature, the regime type is viewed as a spectrum between democratic and authoritarian regimes, focusing on the institutional processes, civil freedoms, and political contestation. Steven Levitsky and Lucan A. Way (2020) identify the extent to which elections are free and fair, the opposition parties are allowed to compete effectively, and civil liberties are upheld as the characteristics of a regime.

Likewise, Anna Luhrmann and other authors (2018) state that regime classification must be based on quantifiable variables like electoral integrity, judicial independence, and legislative limitations on executive power. These aspects of the institution allow a finer perspective of the regime dynamics that cannot be traced in binary categories.

The most recent international ratings, such as Freedom House (2023) and Varieties of Democracy Institute (2023) indicate the tendency toward democratic backsliding and the emergence of hybrid regimes, which underscores the instability of the regime types in the modern world. In this context, the conceptualization of regime type in this study is based on the structural form of political power-military or democratic- and on the institutional process by which governance and security policies are made and executed.

1.2 National Security

The traditional national security was aimed at the survival of the state and its territory. But modern scholarship extends the concept to include multidimensional threats such as economic instability, terrorism, cyber threats, pandemics and environmental degradation. Barry Buzan and Lene Hansen (2009, updated discussions in the new literature on security studies) assert that security spans beyond military issues to political, social, economic and environmental arenas.

Newer studies focus on the dynamic and interdependent character of threats. The United Nations Development Programme (2022) defines security in the human development context, revolving around resilience and livelihood protection and the absence of fear and want. Similarly, World Economic Forum (2023) defines global risks, including state fragility, climate change, and technological disruption, as one of the key elements of the modern national security.

Internal stability, effectiveness in counterinsurgency, and trust in the institutions are also the elements of national security in weak democracies and transitional states (OECD, 2020). Thus, the concept of national security in this research is the ability of the state to ensure the sovereignty, internal order, security of citizens, and appropriate reaction to threats of different dimensions.

1.3 Military Governance

Military rule is a government where the political power is directly exercised by the armed forces and usually it comes after a coup d'état or unconstitutional change of power. According to contemporary studies, there is a revival of military intervention in politics, especially in some sections of Africa and the Sahel region. According to Jonathan Powell and Clayton L. Thyne (2011; the dataset was updated in the following years), coups are still one of the recurrent aspects of political instability in the hybrid regimes.

According to more recent scholarship by Naunihal Singh (2014), military regimes typically use the pretext of restoring security and fighting corruption, but they also frequently use these justify a move to suspend constitutions and restrict civil rights. The modern examples of African cases studied by the

International IDEA (2022) demonstrate that military regimes are more likely to concentrate their powers, undermine the legislative control, and focus on the security of the regime instead of human security.

In this research therefore, military governance is conceptualized as a centralized and coercive form of rule where security management is state-centric and is often typified by decree-based policymaking, limited participation in politics and limited institutional accountability.

1.4 Democratic Governance

Democratic governance is typified by a constitutional rule, a competitive election, separation of powers, rule of law, and protection of fundamental rights. The contemporary theory of democracy focuses on not only competitiveness in elections but also accountability, transparency, and efficient service provision. Larry Diamond (2015) claims that the legitimacy and stability of democratic government are improved due to the institutionalization of peaceful conflict resolution strategies.

Empirical evidence indicates that consolidated democracies tend to be more stable over time and to be able to deal with internal violence using institutional means (Luhmann et al., 2018). Moreover, Freedom House (2023) emphasizes the significance of civil liberties, judicial independence, and media freedom to maintain democratic rules.

The latest models of governance promoted by the United Nations (2020) are based on inclusive institutions, participative policymaking, and sustainable development as the main principles of the democratic governance. Unlike military regimes, the democracies institutionalize the civilian dominance of the armed and the security agencies to the legislative and judicial checks.

In line with this, the study defines democratic governance as a civilian-based constitutional system that has an electoral legitimacy, rule of law, institutional accountability and inclusive security management.

1.5 Theoretical Framework

The paper is grounded in the CivilMilitary Relations (CMR) Theory, originally by Samuel P. Huntington and perfected by Morris Janowitz, that focuses on the effects that the allocation of power between civilian institutions and the military has on the results of governance and national security. The theory assumes that the character of civil-military relationship plays a crucial role in the development and execution of security policies.

Huntington (1957) differentiates between objective civilian control, that is dominated by military professionalism, autonomy, and political neutrality, and subjective control, which is the politicization of the military in the interest of the regime. This is the key distinction that can be used to analyze the difference between military and democratic regimes. The military rule (1966-1999) in Nigeria manifested itself in subjective control where the political and military power were merged and in which the survival of the regime was placed on centralized and coercive security policies at the cost of institutional building and popular confidence.

On the other hand, the democratic era (1999-present) brought in formal civilian domination, supposedly to increase accountability, rule of law, and institutional checks and balances. Nevertheless, such control, as Janowitz (1960) says, is only effective when there is military professionalism and the strength of political institutions- aspects that are not even in the developing context such as Nigeria.

This paper operationalizes the CMR theory based on three levels namely: military control, degree of professionalism, and accountability practices. These factors give a systematic foundation of comparison between the effects of regime types on security. Finally, the Nigerian case illustrates that the regime type is not a predictor of security effectiveness but the quality of civil-military relations, and thus, CMR theory can be applied to the contexts with institutional fragility.

2. MATERIALS AND METHODS

The paper is based on a qualitative research design that is based on comparative historical analysis (CHA) to study how the security governance and institutional practices within various political regimes in Nigeria have evolved. Qualitative studies will be suitable in exploring any complex socio-political phenomenon where contextual interpretation and detailed analysis of institutional processes are necessary (Creswell and Creswell, 2018). The comparative historical analysis allows the systematic study of past events, institutional evolution and policy adjustments with time, giving researchers an opportunity to determine continuity and change patterns of political systems (Mahoney and Rueschemeyer, 2003).

The use of comparative historical analysis is also quite apt in the current study since it can be used to analyze how the structures and policies that govern security in Nigeria have changed over the years of various political regimes. Comparing the military rule and democratic regimes, the research paper examines the institutional processes, policy orientations and regime processes that have influenced national security management in the state. A comparative historical analysis is a common method in political science and security studies to examine the relationship between institutions, political actors, and policy outcomes in diverse historical settings (George and Bennett, 2005). With this design, the study can determine the impact of historical legacies, regime transitions, and institutional reforms on the present-day security governance in Nigeria.

2.1 Data Sources

The research is based mainly on secondary data sources, complementing it with appropriate documentary materials, because documentary analysis is one of the key methods in qualitative studies because it allows accessing historical and institutional records that are vital to the research process of understanding the policy development and governance processes (Bowen, 2009); moreover, the analysis based on multiple data sources increases the reliability and validity of the study through the triangulation of data, and In particular, the research relies on archives and official reports related to the national security, intelligence administration, and governance reforms of the government, policy documents and security reports prepared by government agencies, regional organizations and international organizations studying the government of the security sector, and the coordination of intelligence and the national security strategies.

Moreover, it actively works with academic literature, such as peer-reviewed journal articles, scholarly books, dissertations, and conference papers, which challenge the governance of security, intelligence systems, and institutional reforms in Nigeria and other similar settings, as well as newspapers and media coverage, which offers both current and historical narratives of security developments, debate over governmental policy, and political reactions to emerging threats. Academic interviews of academics, policy analysts and security practitioners where necessary are included to offer specialized knowledge on the nature of the security institutions and governance structures in Nigeria; a combination of these various sources will help produce a holistic picture of the institutional and policy processes influencing the governance of national security in Nigeria.

The study period covers the years 1966 to date and thus includes both the military and the democratic period of Nigeria political history; 1966 is specifically important since it was the first military takeover, and as such, it changed the institutional and security framework of the country basically reorganizing the institutions of governance and security to form highly centralized institutions of governance and security under military command lines. The analysis also goes back to the post-1999 democratic era, when Nigeria shifted to civilian rule, and in the analysis, it is also possible to see recent developments and reforms, thus giving a complete historical picture of continuity and change in the security governance system in Nigeria.

2.2 Data Analysis

The research takes content and comparative analysis as the main methods of analysis. Content analysis involves the logical analysis and interpretation of textual data to determine common themes, patterns, and relationships, in relation to the research goals (Krippendorff, 2018). In line with this, policy papers, archival documents, academic sources and media reports are critically analyzed to draw out major themes associated with security governance, institutional reforms, coordination of intelligence and policy responses to security threats in Nigeria. In a complementary strategy, the comparative analysis is used to identify the differences and similarities between the military and democratic periods of the political history of Nigeria to evaluate the influence of different regimes on the design and performance of security institutions, as well as on their operating strategies. The combination of these methods gives a stringent qualitative evaluation of how national security governance has evolved to bring about institutional persistence and policy changes and provide a deeper understanding of the connection between political regimes, institutional change and the national security policy in Nigeria.

3. RESULTS. HISTORICAL SUMMARY OF THE REGIMES OF NIGERIA

3.1 Military Governance in Nigeria (1966–1979; 1983–1999)

The history of military rule in Nigeria can be traced back to the overthrow of the First Republic in January 1966 with the coup that led to the start of the era of the military intervention in the political life. Political instability, ethnic division, and crisis of governance were deeply rooted in Nigeria, which could be characterized by coups and counter-coups during the period between 1966 and 1999 (Osaghae, 1998; Akran, 2017). The military regimes which arose during this time created extremely centralized and authoritarian forms of government, whose decision making was highly centralized in elite military organs like the Supreme Military Council and the Armed Forces Ruling Council.

Military regimes were mainly state-centric in their security priorities and were oriented towards their survival, territorial integrity, and suppression of internal dissent. This angle became more pronounced throughout the Nigerian Civil War (1967-1970) that strengthened the role of the military in the management of national security and the governance system (Falola and Heaton, 2008). As a result, the security institutions such as armed forces, intelligence agencies and the paramilitary agencies were designed to secure the state and not human security. The application of decrees instead of constitutional provisions further institutionalized authoritarian control and undermined institutional accountability and the rule of law (Joseph, 1987).

Despite some of the administrative changes that were brought about by military regimes such as state formation and bureaucratization, policy inconsistency, inadequate institutionalization and low involvement of the civilian population were common in undermining these changes. Furthermore, the transition programmes launched by the military administration after the previous one were often postponed or corrupted, which casts doubt on the willingness of military elites to democratic governance (Akran, 2017). In sum, the military regime had a big influence on the security structure of Nigeria as it instilled a centralized and coercive governance strategy.

3.2 Democratic Governance (1979–1983; 1999–till Date)

The history of democracy in Nigeria can be segmented into two broad periods; the Second Republic (1979-1983), and the Fourth Republic (1999-present). The Second Republic was also a kind of the first effort to institutionalize democratic governance after the military rule, but it ended too soon because of the electoral irregularities, economic downturn, and political instability, and was overthrown by the 1983 military coup (Dudley, 1982).

The shift to the Fourth Republic in 1999 was a turning point in the history of political development in Nigeria, as it established a period of stable civilian rule in Nigeria. This shift was aided by internal factors like the pro-democracy movements and civil societies as well as external factors that promoted democracy in governance (Diamond, 1999). Separation of powers, rule of law and electoral governance framework

was put in place through the adoption of the 1999 Constitution, thus, forming the basis of democratic consolidation.

Compared to the military times, the democratic governance in Nigeria has focused more on the multi-layered security architecture that is more institutionalized. This involves the harmonisation of the military, police, intelligence bodies and special agencies in dealing with critical security issues. New security threats such as insurgency in the Northeast, militancy in the Niger Delta and rampant criminality have come into picture in the post-1999 period necessitating reforms in security governance and policy frameworks (Omede, 2011).

Other democratic reforms have been on the development of better civil-military relationships, strengthening accountability and professionalization of security institutions. However, the lack of effectiveness of the security architecture in Nigeria is still persistently hindered by such issues as corruption, absence of institutional capacity, and deficiencies in coordination (Abubakar, 2020). Nevertheless, the fact that since 1999 there has not been a single interruption in the democratic rule is a positive sign that the democratic norms are gradually being consolidated and the possibility of military intervention into the politics is also low.

3.3 National Security Outcomes under Military Regimes

The history of national security in military governments in Nigeria (1966-1999) is a good representation of the relationship between the state building, forceful rule, and institutional weakness. Although military governments tended to defend their intervention as a remedial process to political unrest, their security framework was more regime-oriented in that the focus was on survival rather than holistic human security. This resulted in both short-term and long-term stabilizing and destabilizing effects.

The need to coup-proof, to quash any political opposition and to maintain territorial integrity essentially influenced internal security in military rule. These coups and counter-coups that happened frequently during the initial years of military intervention showed internal rifts within the armed forces and that there was a lack of institutional cohesion (Siollun, 2009). Thus, the regimes that followed one another resorted to large scale coercion such as emergency decrees, arbitrary arrest, and media control to curb supposed threats in order to consolidate power (Osaghae, 1998).

The Nigerian Civil War (1967-1970) is the most characteristic internal security crisis of the time. The reaction of the federal military government towards the secession of Biafra showed not only strategic military potential but also the constraints of coercive statecraft. Though the war eventually brought Nigeria together in terms of territory, it had serious human consequences and humanitarian costs and this is what has exposed the socio-political divisions that underpinned the war (Falola & Heaton, 2008). In addition to the civil war, the militarization of domestic security governance made the application of force in the control of dissent a norm, which led to a cycle of repression and resistance thereby compromising long term stability (Adekanye, 1993).

3.4 External Security Posture

Military regimes tried to demonstrate their might and show the supremacy of Nigeria in the West Africa region in the context of external security. The growth of military forces and military resources helped the nation to protect its territorial borders and prevent foreign aggression. More importantly, Nigeria came out as a major force in peacekeeping in the region especially its role in multilateral intervention in the name of the regional bodies.

Nevertheless, this external image of power tended to hide internal weaknesses. The regime security versus strategic policy coherence led to the emergence of regime security at the expense of a holistic national security framework that could combine domestic stability and external objectives of defense (Ayoob, 1995). In this regard, the external relations of Nigeria though adding to its influence in the region did not always result in the consolidation of internal security.

The military rule had an immense influence on the organization and operations of national security institutions. The concentration of authority in the ranks of the military undermined democratic institutions and corroded the concept of accountability and the rule of law. Instead of acting as an impartial tool of coordinating national security, the work of intelligence agencies was often reconfigured to act as a means of political surveillance and protection of the regime (Hutchful & Bathily, 1998). Military rule was also marked by great limitations on the judiciary because decree tended to replace the role of the judiciary and legal procedures became subject to the executive. Such a diminishing of institutional independence was experienced especially under the rule of dictatorship, where the law was manipulated to justify the act of oppression (Diamond, 1999).

The human rights abuse was a crucial aspect of the institutional environment. Extrajudicial executions, torture, and extended detention without trial were not only against international standards but also undermined the trust of people in the state institutions. The overall impact was the lack of legitimacy that continued even after the shift to the civilian rule which complicated the reforms of the security sector after the military (Lewis, 2007).

3.5 Patterns, Trends and Security Outcomes

A comparative study of the security trends in the military rule depicts a paradoxical trend. On the one hand, the military managed to preserve the sovereignty of the state and to suppress mass insurgencies, thus avoiding the collapse of the state. Conversely, structural causes of insecurity such as ethnic conflicts, political persecution, and economic inequalities were worsened by the presence of coercion and exclusionary governance (Osaghae, 1998). Additionally, the fact that coups persisted, implies that the military itself was a source of instability, as tensions in the ruling elite were not resolved. The trust towards institutions also dwindled as citizens viewed security agencies as tools of repression instead of safeguarding citizens (Lewis, 2007). This undermining of trust has had long-term consequences on civil-military relations and performance of modern security governance in Nigeria.

Overall, the results of national security in military regimes in Nigeria were marked by a duality: the unity of the state power by coercive means and the at the same time the entrenchment of structural weaknesses. Although these regimes led to short-term stability and unity of the territories, their culture of institutional inefficiency, human rights violations, and lack of trust in the governments remain to influence the security situation in Nigeria.

The national security performance within democratic governance is defined by how the political institutions interact with reforms of the security sector and the rule of law. The democratic transition in the post-1999 Nigeria has created a hybrid security environment in which there is both a progressive institutionalizing and a threatening environment. Although democratic forms of governance have increased accountability, transparency and cooperation between states, it has not been able to curb the structural causes of insecurity especially when it comes to internal conflicts and weak state capacity.

3.6 Internal Security Dynamics

Nigeria has a very volatile internal security situation, which has been characterized by insurgency, banditry, kidnapping and ethnic militia proliferation under the democratic rule. The Boko Haram insurgency in the North-East is an example of the continued existence of violent non-state actors who take advantage of a lack of government, socio-economic inequalities, and the incompetence of the institutions (Onuoha, 2014). Parallel to this, banditry and kidnapping have increased in the North-West, as well as other areas, as the state loses its power and more illegal weapons become accessible (International Crisis Group, 2020). Internal security is further complicated by ethnic militias and communal conflict, especially in the Middle Belt and the Niger Delta, which strengthens tensions based on identity and weakening national unity (Osaghae, 2005). Though democratic governance offers avenues of political participation and conflict management, they have not translated adequately to effective security results as there are implementation gaps and capacity constraints.

Democracy has greatly enhanced the external security situation of Nigeria, especially via regional cooperation and peacekeeping efforts. Nigeria has led in A West African security architecture and has been a key player in peace keeping operations within the Economic Community of West African States (ECOWAS) and the United Nations especially in Liberia and Sierra Leone (Adebajo, 2011). Moreover, the democratic government has enabled cross-border security cooperation to counter transnational security threats like terrorism, trafficking and organized crime. A case in point is the formation of the Multinational Joint Task Force (MNJTF), which includes Nigeria and its neighbors, which highlights a transition to collective security methods of fighting Boko Haram and other elements (Williams, 2017). These changes are indicative of the greater compatibility between democratic governance and cooperative security arrangements and multilateralism.

One of the main characteristics of the democratic governance is reforming the security institutions, making them more accountable, professional and controlled by civilians. In Nigeria, there have been attempts to enhance legislative checks, judicial checks, and executive checks in the running of the armed forces and law enforcement agencies (Owen, 2013). Community policing and public accountability have also been a focus of police reforms as a way of enhancing service delivery and restoring public trust (Hills, 2012). Nevertheless, these reforms are still limited by the systemic issues such as corruption, poor funding, insufficient institutional coordination, and political interference. As such, the discrepancy between the aims of reform and reality still limits the efficacy of security governance.

3.7 Human Rights, Rule of Law and Security Legitimacy

Human rights protection and the rule of law are the key of the legitimacy and effectiveness of the democratic security governance. Democratically, the system improves security through the creation of trust between the people, accountability and inclusive governance (Dahl, 1989). However, in reality, Nigeria has had a very difficult time in balancing security operations and human rights standards. Extrajudicial killings, arbitrary arrests, and excessive force especially in counterinsurgency operations have weakened citizens in the security institutions (Amnesty International, 2015). These types of violations do not only undermine state legitimacy but can also be a source of cycles of violence by giving rise to grievances and radicalization. Empowering the law, imposing accountability and institutionalizing human rights norms are thus critical to sustainable security results.

On the whole, the results of national security in democratic governance in Nigeria indicate the existence of an intricate interconnection between institutional reforms and structural challenges that are hard to overcome. Although the rule of democracy has led to increased transparency, civilian checks and balances, and international cooperation, it has not completely dealt with the structural causes of insecurity, such as poverty, inequality, and weak governing institutions. The fact that internal threats are persistent and coupled with advancement in external security interaction implies that democratic government is not effective unless it is properly implemented and institutionalized.

A multidimensional strategy that combines the reform of the security sector with socio-economic development, enhances state capacity, and adherence to the rule of law is necessary to improve the results of national security. This would not only enhance operational effectiveness but also strengthen the legitimacy of the state, thus making the state long-term peace and stability.

3.8 Comparison of Military and Democratic Strategies of security in Nigeria

The security trend in Nigeria since 1966 demonstrates a complicated relationship between military dictatorship and democracy, which has influenced the efficiency, validness, the institutional capability, and the responsibility of the security system within the state. An empirically based and comparative evaluation of these regimes indicates that though both have attempted to deal with insecurity, their approach and results vary greatly both in extent and sustainability.

Security governance in Nigeria during the period of military rule (1966-1999) was extremely centralized and dictatorial. The hierarchical nature of the command structure of the military allowed quick

mobilization and decisive action, especially in times when the nation was facing a crisis of acute nature like the Nigerian Civil War. This stage showed the comparative success of military regimes as a stabilizing factor in the short term and territorial integrity. Nonetheless, on a bigger scale, these short-term advantages did not deal with the structural causes of insecurity, such as political marginalization and economic marginalization, as well as weak institutions of the state. As a result, the transformation of governance into militarization entrenched system vulnerabilities that continued after the military governance.

A paradigmatic shift towards institutionalized security governance occurred with the onset of the transition to a democratic rule in 1999, as the administration of Olusegun Obasanjo was instituted. Democratic governments established reforms through which they tried to enhance the rule of law, improve civil-military relations, and foster participatory methods of security management. In spite of these reforms, Nigeria has remained a country with high rates of insecurity which include insurgency, banditry, communal conflicts and secessionist agitations. The actions of the groups like the Boko Haram make us appreciate the continuity and transformation of security menace during the age of democracy.

The constraints of both regimes are supported by empirical evidence especially in the realization of sustainable security results. Recent statistics show that Nigeria has had about 6,800 deaths involving conflicts and more than 4,600 acts of violence in the first half of 2025, and thousands of abductions (ACLED, 2025). Moreover, the cumulative estimates indicate that almost 30,000 deaths have been caused by insurgency, banditry, and communal violence since 2023 (Armed Conflict Location and Event Data Project [ACLED], 2025). These patterns underscore the persistence of the military-based responses in the framework of democracy and the constrained effectiveness of such approaches to the multidimensional threats. Although democratic government has widened the range of security intervention tools, including non-kinetic tools like amnesty programmes, development projects, deradicalisation efforts, etc, the net effect has been limited by poor implementation and institutional failure.

Military and democratic regimes have a significant point of divergence in terms of legitimacy and public trust. The Nigerian military rule was typified by deep-rooted lack of legitimacy since it was the rule that was not based on popular approval but coercion. This weakened the trust of people in the state institutions and reduced the cooperation of citizens in security operations. Conversely, democratic regimes have strengthened formal legitimacy by way of electoral systems and constitutional system. Nevertheless, this legitimacy is weak because of the constant issues of corruption, inefficiency in governance and human rights. Legitimacy, as it is observed in the literature, is procedural and performance-based and its loss can greatly affect the efficacy of security interventions (Grimm & Merkel, 2008).

The other dimension of comparison is institutional development. Military regimes focused on survival of the regime and centralized control at the cost of institutional autonomy and professionalism. Consequently, security institutions at this time were feeble, individualistic and extremely unsustainable. The democratic period has seen attempts to enhance institutional capacity by reforming the military, the police and the intelligence services and by putting in place civilian checks and balances. However, these institutions are limited by poor funding, coordination as well as political interference. The fact that Nigeria has been over-relying on the military in its internal security operations is indicative of both its centrality and restrictions of the security architecture and shows some continuum with the military era, but not a total change (Croissant and Kuehn, 2017).

The two regimes also have a difference in terms of human rights and accountability. Violations were particularly common with military rule that involved arbitrary detention, suppression of dissent and extrajudicial acts which led to instability in the long term since they intensified grievances of the society. In theory, democratic rule offers means of accountability in the form of independent courts, legislative checks and balances and a comparatively free press. Nevertheless, the inability to eliminate human rights violations especially in counter insurgency activities points to a disconnect between normative commitments and realities. This void negatively affects the trust of the community and can contribute to increasing conflict dynamics since the excessive application of force can estrange local communities and prevent the collection of intelligence (Milstein, 2021).

All in all, the comparative analysis indicates that military regimes in Nigeria succeeded in short-term stabilization of the situation by coercion but it failed to put in place the institutional and normative frameworks to ensure sustainable peace. Democratic governance, although that is also limited in its procedures and still at risk, provides a more feasible framework of the long-term security through a combination of legitimacy, institutional development, and accountability. Nevertheless, its success will be determined by the empowerment of the state institutions, the quality of governance, and the regular respect of human rights.

The case of the Nigerian experience of 1966-2025 highlights a crucial policy implication: coercion is not enough to attain sustainable security. Instead, it needs the holistic approach of the combination of effective state capacity and legitimacy, inclusive governance, and social-economic development. Security interventions will probably only have short-term and reversible consequences, unless the structural causes of insecurity, such as poverty, unemployment, and political marginalization, are addressed.

4. DISCUSSION

This study examined national security outcomes under military and democratic governance in Nigeria (1966–present) through the lens of Civil–Military Relations (CMR) Theory. The findings demonstrate that regime type significantly shapes the architecture and effectiveness of national security governance, yet neither military nor democratic rule automatically guarantees sustainable security. The discussion that follows interprets these findings along the three analytical dimensions operationalized from CMR Theory—civilian–military control, degree of professionalism, and accountability mechanisms—while situating Nigeria’s experience within a broader comparative African context.

Applying the three CMR dimensions systematically reveals significant regime-level divergence. In terms of civilian–military control, military regimes (1966–1999) exhibited what Huntington (1957) termed subjective control: political and military authority were fused, with institutions such as the Supreme Military Council and the Armed Forces Ruling Council serving as both executive and security organs. Decision-making was rapid and centralized, which proved effective during acute crises such as the Civil War, but eliminated the institutional checks necessary for long-term stability (Siollun, 2009; Osaghae, 1998). By contrast, the Fourth Republic established formal civilian supremacy through constitutional provisions, legislative oversight, and the subordination of the military to elected authority (Diamond, 1999). Nevertheless, the persistence of military-led internal security operations—such as Operation Lafiya Dole and Joint Task Forces in multiple states—demonstrates that civilian control remains procedural rather than substantive, a condition Croissant and Kuehn (2017) associate with hybrid civil–military relations in transitional democracies.

Regarding the degree of professionalism, military regimes in Nigeria routinely subordinated professional military conduct to regime survival priorities. Intelligence agencies were repurposed for political surveillance, the judiciary was reduced to an instrument of executive decree, and human rights violations—including extrajudicial killings and prolonged detention without trial—became normalized (Hutchful and Bathily, 1998; Lewis, 2007). These practices eroded institutional credibility in ways that persisted well beyond the military era. Democratic governance has introduced reforms aimed at professionalization: police restructuring under the Police Act (2020 amendments), intelligence coordination through the National Security Strategy (NSS, 2014), and the establishment of the Multinational Joint Task Force for collective counterinsurgency (Williams, 2017). However, systemic underfunding, poor inter-agency coordination, and corruption continue to undermine these efforts, producing a gap between policy design and operational effectiveness (Abubakar, 2020; Hills, 2012).

The accountability dimension reveals what is perhaps the most consequential difference between regimes. Military governance operated with virtually no institutional accountability: decrees replaced legislation, courts were marginalized, and civil society was suppressed (Osaghae, 1998). This absence of accountability not only enabled abuses but also destroyed popular trust in state institutions, a deficit that has proven difficult to reverse. Democratic governance offers formal accountability through elections, legislative oversight, judicial independence, and press freedom. Yet performance accountability remains

weak. Counterinsurgency operations have continued to generate human rights complaints (Amnesty International, 2015), and corruption within the security sector persists, indicating a structural gap between normative commitments and practical outcomes. The dual character of legitimacy—procedural and performance-based—thus operates as a critical mediating variable between regime type and security effectiveness (Grimm and Merkel, 2008).

The Nigerian experience is illuminated by comparison with other African states. Ghana's post-1992 democratic consolidation offers a contrasting case in which sustained civilian control, progressive security sector reform, and relatively strong institutional accountability have produced more stable civil-military relations despite a comparable history of military coups (Hutchful, 1997; Agyeman-Duah, 2002). Ghana's success underscores that democratic transition alone is insufficient; institutional depth and consistent reform commitment are essential. Conversely, the recent resurgence of military coups in the Sahel—Mali (2020, 2021), Burkina Faso (2022), Niger (2023), and Guinea (2021)—demonstrates the fragility of democratic governance where institutional capacity is weak and performance legitimacy is absent (International IDEA, 2022; Powell and Thyne, 2011). These cases validate the core finding of this study: security outcomes are determined less by regime type per se than by the quality of civil-military relations, institutional depth, and governance legitimacy.

These findings extend CMR Theory in two ways. First, the Nigerian case illustrates a condition of hybrid civil-military relations in which formal democratic structures coexist with substantive military dominance of internal security—a pattern that cannot be adequately captured by the binary distinction between Huntington's objective and subjective control. Second, the study identifies legitimacy as the most important mediating variable between governance form and security performance. The persistent militarization of internal security under democratic rule, combined with corruption and human rights deficiencies, erodes performance legitimacy even as procedural legitimacy is maintained through elections. This dual legitimacy framework helps explain why democratic governance in Nigeria yields uneven security results despite its institutional advantages over military rule.

5. CONCLUSION & RECOMMENDATIONS

This paper has discussed the role of Civil-Military Relations (CMR) Theory in understanding the results of national security in Nigeria since 1966 to date. The results show that regime type has a strong influence on security governance, institutional capacity and the reactions of states to threats. Centralized power and coercion allowed military regimes to gain short-term stability, which was destroyed by fragile institutions, oppression, and poor legitimacy, and thus could not be sustained. Conversely, democratic governance introduced checks and balances, responsibility, and more extensive security strategies, but the results are limited by the structural limitations and gaps in implementation.

Military rule had relatively better short-term performance and worse long-term performance compared to democracy, which offers a better framework even when it has a mixed performance. This implies that good national security is not necessarily driven by regime type but institutional power, quality of governance and legitimacy. The paper also finds that democratic governance provides a more effective basis to sustainable security, as opposed to military rule which is deficient of the institutional depth of long-term stability.

There are some policy measures that are suggested to improve the results of national security. The role of civilian control over the military and intelligence agencies should be strengthened as a measure to hold them accountable and limit abuses. Reform in the security sector should focus on professionalization, modernization and efficient intelligence coordination. The strategies must also be human-based in nature which addresses the socio-economic causes of insecurity. Implementation requires strengthening institutional capacity by providing sufficient funding, technical training and inter-agency coordination. It is also essential to restore the trust of the people by being transparent, honoring human rights, and working with communities.

In general, the challenge of sustainable national security in Nigeria is not so much about the regime type, but the correlation of the institutional capacity, legitimacy, and the importance of good governance.

REFERENCES

- Abubakar, D. (2020). Boko Haram and Islamic extremists. In C. Varin (Ed.), *Security in Nigeria: Contemporary threats and responses* (pp. 159–180). I.B. Tauris. (3), 245–260.
- Armed Conflict Location and Event Data Project (ACLED). (2025). ACLED conflict data for Nigeria. <https://acleddata.com>
- Adebajo, A. (2011). UN peacekeeping in Africa: From the Suez crisis to the Sudan conflicts. Lynne Rienner.
- Agyeman-Duah, B. (2002). Civil-military relations in Ghana's Fourth Republic. *Critical Perspectives*, 8, 1–30.
- Adekanye, B. (1993). Military occupation and social stratification. *African Development*, 18(3), 7–31.
- Akran, V. S. (2017). Transition to civil rule programmes in Nigeria 1966-1999: How sincere and committed were the military rulers? *European Journal of Social Sciences Studies*, 2(7), 264–278.
- Amnesty International. (2015). *Nigeria: Counter-terrorism and human rights*. Amnesty International Publications
- Ayoob, M. (1995). *The Third World security predicament*. Lynne Rienner.
- Bowen, G. A. (2009). Document analysis as a qualitative research method. *Qualitative Research Journal*, 9(2), 27–40.
- Creswell, J. W., & Creswell, J. D. (2018). *Research design: Qualitative, quantitative, and mixed methods approach* (5th ed.). Sage Publications.
- Croissant, A., & Kuehn, D. (2017). Civilian control of the military and democracy. *Democratization*, 24(2), 253–272.
- Dahl, R. (1989). *Democracy and its critics*. Yale University Press.
- Diamond, L. (1999). *Developing democracy: Toward consolidation*. Johns Hopkins University Press.
- Diamond, L. (2015). Facing up to the democratic recession. *Journal of Democracy*, 26(1), 141–155.
- Dudley, B. J. (1982). *An introduction to Nigerian government and politics*. Macmillan.
- Falola, T., & Heaton, M. M. (2008). *A history of Nigeria*. Cambridge University Press. <https://doi.org/10.1017/CBO9780511808801>
- Freedom House. (2023). *Freedom in the world 2023: Marking 50 years in the struggle for democracy*. Freedom House.
- George, A. L., & Bennett, A. (2005). *Case studies and theory development in the social sciences*. MIT Press.
- Grimm, S., & Merkel, W. (2008). War and democratization: Legality, legitimacy and effectiveness. *Democratization*, 15(3), 457–471. <https://doi.org/10.1080/13510340801991072>
- Hills, A. (2012). Police reform in Nigeria. *Journal of Modern African Studies*, 50(4), 739–763.
- Huntington, S. P. (1957). *The soldier and the state: The theory and politics of civil-military relations*. Harvard University Press.
- Janowitz, M. (1960). *The professional soldier: A social and political portrait*. Free Press.

- Hutchful, E., & Bathily, A. (1998). *The military and militarism in Africa*. CODESRIA.
- Hutchful, E. (1997). Military and police reforms in Ghana. *Journal of Modern African Studies*, 35(2), 251–275.
- International Crisis Group. (2020). *Violence in Nigeria's North West: Rolling back the mayhem*. International Crisis Group.
- International IDEA. (2022). *Global state of democracy report 2022: Forging social contracts in a time of discontent*. International IDEA.
- Joseph, R. A. (1987). *Democracy and prebendal politics in Nigeria: The rise and fall of the Second Republic*. Cambridge University Press.
- Krippendorff, K. (2018). *Content analysis: An introduction to its methodology* (4th ed.). Sage Publications.
- Levitsky, S., & Way, L. A. (2020). The new competitive authoritarianism. *Journal of Democracy*, 31(1), 51–65.
- Lewis, P. (2007). *Growing apart: Oil, politics, and economic change in Indonesia and Nigeria*. University of Michigan Press.
- Lührmann, A., Tannenberg, M., & Lindberg, S. I. (2018). Regimes of the world (RoW): Opening new avenues for the comparative study of political regimes. *Politics and Governance*, 6(1), 60–77.
- Madiebo, A. A. (1980). *The Nigerian revolution and the Biafran war*. Fourth Dimension Publishers.
- Mahoney, J., & Rueschemeyer, D. (2003). *Comparative historical analysis in the social sciences*. Cambridge University Press.
- Milstein, B. (2021). Security and democratic equality. *Contemporary Political Theory*, 20(4), 836–857. <https://doi.org/10.1057/s41296-020-00446-w>
- Mustapha, A. R., & Ehrhardt, D. (2018). *Sects and social disorder: Muslim identities and conflict in Northern Nigeria*. James Currey.
- OECD. (2020). *States of fragility 2020*. OECD Publishing.
- Singh, N. (2014). *Seizing power: The strategic logic of military coups*. Johns Hopkins University Press.
- Omede, A. J. (2011). Nigeria: Analysing the security challenges of the Goodluck Jonathan administration. *Canadian Social Science*, 7(5), 90–102.
- Onuoha, F. (2014). Why Boko Haram is difficult to defeat. *African Security*, 7(3), 159–177.
- Osaghae, E. (1998). *Crippled giant: Nigeria since independence*. Indiana University Press.
- Osaghae, E. (2005). State failure and ethnic conflict in Nigeria. *Journal of Contemporary African Studies*, 23(1), 1–17.
- Powell, J. M., & Thyne, C. L. (2011). Global instances of coups from 1950 to 2010: A new dataset. *Journal of Peace Research*, 48(2), 249–259.
- Owen, O. (2013). *The Nigerian military and the state: Civil-military relations in Nigeria*. Routledge.
- Siollun, M. (2009). *Oil, politics and violence: Nigeria's military coup culture (1966–1976)*. Algora Publishing.

- Lawyerkeme, K. R., & Timidi, E. T. (2026). Regime type and national security outcomes in Nigeria: A comparative analysis of military and democratic governance. *Politics & Security*, 15(1), 46–60. <https://doi.org/10.54658/ps.28153324.2026.15.1.pp.46-60>
- Suberu, R. T. (2007). Nigeria's muddled elections. *Journal of Democracy*, 18(4), 95–110. <https://doi.org/10.1353/jod.2007.0063>
- United Nations Development Programme. (2022). Human development report 2021/2022: Uncertain times, unsettled lives. UNDP.
- United Nations. (2020). World public sector report 2020: Effective governance for sustainable development. United Nations.
- Varieties of Democracy Institute. (2023). Democracy report 2023: Defiance in the face of autocratization. V-Dem Institute.
- Williams, P. (2017). Fighting Boko Haram. *African Affairs*, 116(463), 1–23.
- World Economic Forum. (2023). Global risks report 2023. World Economic Forum.

EMERGENCY GOVERNANCE AND RULE OF LAW: EVALUATING EXECUTIVE OVERREACH DURING NATIONAL SECURITY CRISES IN THE POST-PANDEMIC ERA

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Abstract. *The article in question explores how much emergency governance structures that were implemented during and after the COVID-19 pandemic have become institutionalized aspects of executive power in three jurisdictions that can be seen to represent three different types of regimes, including Germany (consolidated democracy), Kenya (transitioning state), and Hungary (illiberal regime). Using the theorisation of the so-called state of exception by Giorgio Agamben and the dictum of Carl Schmitt that he who declares the exception is the sovereign, the study utilizes qualitative content analysis of 274 executive decrees and 83 high-court decisions released between March 2020 and December 2025. These results indicate that there is a quantifiable tendency towards executive aggrandizement in all three cases, but the processes and the size are quite different. In consolidated democracies, the loss of judicial control is gradual and usually concealed by procedural adherence, in illiberal regimes it is explicit and supported by the institution, and in transitional states it is periodic but structurally disruptive. The article then ends with a suggestion of a compulsory framework of Sunset Clause, a legislative structure that mandates time-limited authorisation, a regular review of parliament, and the automatic lapse of all the powers related to security as a remedy to the normalisation of exceptional governance.*

Keywords: state of exception, executive aggrandizement, democratic backsliding, proportionality principle, emergency governance, sunset clause, constitutional hardball, rule of law, post-pandemic governance.

1. INTRODUCTION

The association between the emergency powers and constitutionalism has been in its essence a paradox. Constitutional orders are structured to limit the exercise of state power by systematized, procedural means; but the continued existence of constitutional orders sometimes requires that these limits be lifted. This strain is not new or under-theoretical. It is notorious that Carl Schmitt (1922/2005) traced the very concept of sovereignty in the ability to proclaim the exception, whereas Giorgio Agamben (2005) applied the same argument to suggest that contemporary state has been progressively striving to act in a state of exception, which began with an emergency situation but has become integrated into the normal grammar of government. It is not the reasoning of the exception that is altered in the post-pandemic era but its pace and dispersion. The COVID-19 pandemic provided executives around the globe with a historic rationale to hoard discretionary power, and the national security crises that have befallen have since then, such as cyberwarfare escalation or climate-driven migration crises, have provided a conveyor belt to the continuation of those powers long since they have outlived their original purpose.

In this article, the author aims to answer a particular empirical question: To what degree have post-pandemic security measures undermined judicial control over executive activities? It is intentionally formulated as a question of judicial restraint, as opposed to legislative restriction, in that it is courts, as opposed to parliaments, which are, themselves, often complicit in delegating authority, that the most important battles over emergency governance is fought. By supporting a court decision that invalidates an

executive order limiting basic rights, it does not only decide on a specific case; but it also creates a jurisprudential framework that determines the limits of acceptable executive authority decades, even centuries, later. It is the building up of such precedents, this article argues, that amounts to a structural change of the constitutional order that is qualitatively distinct from any particular instance of overreach.

The notion of the normalisation of the emergency has to be unpacked. It does not merely mean the continuation of emergency legislation on the statute books, but that is definitely an aspect of the phenomenon. Instead, it explains a less conspicuous way in which the epistemic categories that allow the public administrators, judges and citizens to know the distinction between the ordinary and extraordinary governance are themselves changed. The idea of an emergency versus a normal regime is not so much eroded as it is actually disabled when health surveillance technologies used during a pandemic are used in counter-terrorism with little or no public discussion, or when border controls used during a health crisis are continued under the banner of national security. This is what Agamben (2005, p. 14) meant when he noted that the state of exception is increasingly likely to come out as the paradigm of governance in modern politics.

This study has empirical contribution in terms of comparative analysis of three jurisdictions chosen to reflect three different points in the democratic consolidation spectrum. Germany is the paradigmatic consolidated democracy, which has a strong constitutional court and an institutional memory of the perils of emergency rule. Kenya is a transitional country whose constitution in 2010 provided strong rights guarantees, but where the executive has at times challenged such guarantees by taking emergency security-related actions, especially during counter-terrorism action in the northeast counties. Hungary is a prime illustration of illiberal type of regime: a state that keeps the formal institutions of democratic governance intact, but that systematically undermines their content by playing constitutional hardball: using the rules of the procedure and institutional ambiguity to obtain results that run counter to the spirit, but not the letter, of the constitutional promises.

The article is divided into four parts. Section 2 describes the methodology, such as the rationale behind the selection of the cases, the source of data, and the coding scheme used to conduct the qualitative analysis of the executive decrees and court decisions. Section 3 discusses the empirical results, which are themed according to three axes: the rate and rhetorical framing of emergency invocations, the rate and patterns of judicial response in the three jurisdictions, and the direction of administrative discretion during the study period. Section 4 explains the implication of these findings to the theory of democratic backsliding, the proportionality principle as a judicially enforceable norm and the future of inclusive national dialogue as a remedy to executive aggrandizement. Section 5 will end with the suggestion of a Sunset Clause system to be a binding law condition of every security-related emergency authority.

2. LITERATURE REVIEW

This paper has a theoretical foundation based on three interconnected scholarly literatures: the constitutional theory of emergency powers, the comparative politics literature on democratic backsliding, and the literature on proportionality as a doctrine limiting executive discretion in the public law. None of these traditions provides adequate analytical instruments, and they should be combined to reflect the complete picture of the post-pandemic world of governance.

The modern origins of the constitutional theory of emergency powers can be traced back to the debates on emergency powers between Carl Schmitt and Hans Kelsen of the Weimar era. Schmitt (1922/2005) *Political Theology* went further to propose in the now canonical sense of sovereign as he who determines the exception, the nature of political power not in the everyday enactment of the law but in the act of deciding whether to suspend the law. Kelsen (1934/1967) by contrast demanded that the legal order be self-enclosed and that no decision, even one of extraordinary character, could be construed as either antecedent or external to the normative order. This controversy, not just an academic one, is still defining modern-day discussions of the legality of emergency actions. Whenever an executive claims emergency powers, the Schmittian question always lurks in the background: does this act acquire its power under and through the constitutional order or does it amount to a sovereign act which itself preconditions that order? Practical implications of this distinction are also significant, in that those things that are conceptualized as

constitutionally grounded can be subject to judicial review, whereas those conceptualized as sovereign acts in the Schmittian sense are at least, in theory, not subject to judicial review.

The contribution of Agamben (2005) was to show that the state of exception was no longer a rare and limited exception to the regular state of law, but a permanent aspect of contemporary governance. Agamben based his argument on Walter Benjamin eighth thesis on the philosophy of history, which states that the tradition of the oppressed teaches us that the state of emergency under which we live is not the exception but the rule (2005, p. 1), that is, the normal protection of constitutionalism has been suspended indefinitely. Although his analysis has been criticised as being overly abstract, and failing to focus enough on the institutional variation of democratic regimes (Lazar, 2009; Ginsburg and Versteeg, 2021), the essence of Agamben, that the exception is likely to be the rule, is strongly applicable to the post-pandemic situation.

A complementary analytic prism is the comparative politics literature on democratic backsliding. Bermeo (2016) impactfully defined the difference between traditional types of democratic breakdown (coups, autogolpes) and the more insidious process of executive aggrandizement, where elected leaders undermine checks on executive power, one at a time, to implement a set of institutional changes, which, when combined, undermine accountability (p. 10). This idea comes in especially handy when it comes to knowing the post-pandemic path, since the accumulation of executive power during the pandemic was not in most instances the outcome of a single dramatic overthrow; it was an incremental one, every moment of which might be justified as a sensible reaction to the unprecedented crisis. This analysis was further expanded by Levitsky and Ziblatt (2018) who recognized the undermining of mutual toleration and institutional forbearance, the unwritten norms to supplement official constitutional rules, as sources of democratic backsliding. Their idea of constitutional hardball, or technically legal measures to bypass democratic conventions, can be directly applied to executive manipulation of emergency regimes.

Proportionality principle as it evolved under European and international human rights law gives the conceptual basis by which the courts have predominantly judged of emergency measures. In its classical formulation, proportionality states that any restriction of basic rights must have a legitimate end, be appropriate to the end, necessary in the sense that no less restrictive alternative exists and be proportional in the strict sense that is, the benefits of the restriction should outweigh the costs to the interests that are safeguarded (Alexy, 2002; Barak, 2012). The German Federal Constitutional Court, the European Court of Human Rights, and the Kenyan Supreme Court, among others, have adopted the principle, with local variations. Its relevance to the present research is in that it is the major judicial instrument of the distinction between justifiable emergency governance and executive overreach. Recent research has shown that, in empirical uncertainty situations, proportionality analysis has specific doctrinal issues (Šišková, 2024; Vyhnánek et al., 2024). Where there is strict adherence to proportionality by courts, the discretion of the executive is limited; where courts leave the determination of necessity to the executive, discretion is broadened. The future of proportionality jurisprudence in the post-pandemic era is thus a major pointer towards the well being of the Rule of Law.

3. METHODS

3.1 The research design and case selection

The research uses a comparative qualitative content analysis of executive decrees and rulings of high courts in three countries: Germany, Kenya and Hungary. These cases have been selected according to most-different-systems design (Przeworski and Teune, 1970) in that the three states are very different in terms of the type of regimes, legal tradition, institutional capacity, and history of relations with emergency governance. Germany is a constitutional parliamentary republic with a constitutional court (the Bundesverfassungsgericht) that is long established and a legal culture that is heavily influenced by the heritage of National Socialism. Kenya is a presidential republic having a comparatively new constitution (2010) which defines a very broad bill of rights and an independent judiciary, but whose executive has often pushed the limits of those branches, especially in the realm of counter-terrorism. Hungary is a parliamentary republic where since 2010, the ruling Fidesz party has systematically reorganized the

institutional environment to consolidate the executive, such as by the piling up of the Constitutional Court and amendment of the Fundamental Law on several occasions.

The reason behind this choice is that to the extent that we can identify a trend of executive aggrandizement that can be seen to cut across such structurally diverse instances, the observation would be more apt to point to an institutional tendency of emergency governance per se than to an artefact of a certain institutional structure. On the other hand, the variation of the situations sheds light on the institutional circumstances, in which the normalisation of emergency powers is hastened, slackened, or even turned in reverse.

3.2 Data Sources and Collection

The two main data are the corpora. The former is a collection of 274 executive orders, proclamations, and laws under emergency or security-related authority passed in the three jurisdictions (Germany: 89; Kenya: 97; Hungary: 88) between March 2020 and December 2025. They were obtained in official government gazettes, parliamentary records and in Hungary, the *Magyar Közlöny* (Official Gazette). The second corpus consists of 83 rulings of the high courts, which ruled on the challenge to the executive measures related to the emergency in the same period (Germany: 34 cases, Kenya: 31 cases, Hungary: 18 cases). The significant difference in the quantity of Hungarian court decision-making is in itself a result, not only of the diminished autonomy of the Hungarian judiciary, but also of the minimized standing provisions which restrict entry to constitutional review.

All the documents were gathered in their native languages (German, English, and Hungarian) and analysed in the original, and the translation was used only to analyse the sources in the Hungarian language. The author has mastery of both German and English; in the case of the Hungarian material, initial translation was done by a research assistant who is native proficient and the author had to verify the translation by back-translation of some important passages. Although this process is imperfect, it is, nevertheless, in line with the general practice in the comparative legal research involving non-cognate languages (Graziadei, 2003).

3.3 Analytic Framework: Qualitative Content Analysis.

The method of analysis is based on the systematic qualitative content analysis model by Mayring (2014) and modified to the legal-empirical research. The documents were coded on three dimensions. The initial dimension, rhetorical framing, reflected the justificatory rhetoric of executive decrees: whether the action was framed as a reaction to a health crisis, a national security threat, a hybrid threat, or an administrative necessity. The second dimension, scope of discretion, measured the extent of authority which the executive asserted to, that is, whether the measure was limited by time, by subject-matter, by geographical, or by neither. The third dimension, judicial disposition, was applicable only to the court decisions and the decision was either to strike down the challenged measure in full, to strike down it in part, to uphold with qualification (e.g., it must be changed or there must be time constraints), or to uphold in full.

The intercoder reliability was developed in a two-step process. During the initial step, 40 documents were randomly chosen and coded by both the author and a second coder (about 11% of the overall corpus). The three dimensions of coding that Cohen coded had kappa of 0.81 (rhetorical framing), 0.78 (scope of discretion), and 0.84 (judicial disposition), which is above the traditional level of agreement ($\kappa = 0.75$). Different opinions were solved by discussion with possible refinement of the coding manual. During the second phase, the primary author coded the entire corpus with the second coder reviewing another random sample of 30 documents as a consistency check.

3.4 Limitations

A few limitations must be considered initially. First, the research examines formal sources of executive power in the form of decrees and judicial decisions, and fails to show the informal sources of executive control (e.g., back-room pressure on judges, informal deals with parliamentary leaders, or the

chilling effect of executive rhetoric on civil society). It is thus possible that the data is an understatement of the actual level of executive aggrandizement especially in Hungary and Kenya. Second, the timeframe of the study (2020-2025) is quite limited to detect any long-term trends in the institutional setting and certain trends that the study will reveal might be temporary. Third, although providing deeper analytical rigour, the three-case design restricts the generalisability of the findings. Despite these qualifiers, the empirical contribution of the study is that it is a systematic and cross-national account of a phenomenon, the post-pandemic normalisation of emergency governance, which has been much observed but little measured.

4. RESULTS

4.1 Frequency and Rhetorical Framing of Emergency Invocations

The most notable observation made in the three jurisdictions is the progressive rise in the rate of executive actions that were justified under the authority of emergency or security over the period of the study although the initial rationale of the executive action of aiding the common health plunged. In Germany, the number of executive orders based on emergency-related authority (primarily under the *Infektionsschutzgesetz*, or Infection Protection Act, and subsequently under provisions of national security in relation to cyber threats and critical infrastructure) rose to 11 in the first half of 2020 to a peak of 19 in the second half of 2022, and then to 14 in the first half of 2025. Notable is not only the naked figures but the rhetorical migration evident in the justifying language: whereas initial decrees explicitly referred to the pandemic, subsequent tools were gradually adopting more of a hybrid formulation, as in: When referring to the ongoing threat landscape shaped by the pandemic and its aftermath, including supply-chain vulnerabilities, cyber-enabled disruption, and irregular migration pressures (Bundesministerium des Innern, Decree of 14 March 2024) This type of compound justification is noteworthy since it is difficult to contest legally: a court would have to unravel several alleged threats to determine the need and reasonableness of the action, which can help substantially increase the evidentiary burden on the challenger. In Kenya the trend was more erratic. The first pandemic-related declarations by President Kenyatta (2020) were succeeded by the sequence of security-related orders in the northeastern counties and Eastleigh, Nairobi, areas, allegedly to combat Al-Shabaab-linked networks, but which was widely criticised by civil society organisations as the extension of the pandemic-related surveillance and movement bans into a pretext (Kenya National Commission on Human Rights, 2021). Under President Ruto's administration (from September 2022), the rhetorical framing shifted again, with emergency-adjacent measures increasingly justified by reference to "economic security" and "digital sovereignty"—categories that, while plausibly related to genuine policy concerns, lack clear definition in Kenyan constitutional law and therefore afford the executive significant latitude in determining their scope. A total of 97 decrees were found over the entire course of the study, with a significant rise in the number of decrees on average of 13.5 annually in 2020-2022 to 21.5 annually in 2023-2025.

The clearest example of emergency normalisation is that of Hungary. The "Authorisation Act" (Act XII of 2020) which gave Prime Minister Orbán the authority to govern by decree during the pandemic was officially repealed in June 2020 but its functional equivalent was reinstated by a sequence of amendments to the Fundamental Law and ordinary legislation. The Ninth Amendment to the Fundamental Law (December 2020) made a new type of state of danger, which could be declared by the government without previous parliamentary consent, the level of which was significantly reduced in relation to the governance of the state of emergency. The data indicates a correlation between these changes in the constitution and a calculably increased number of executive decrees: 88 such decrees were found during the period of the study, but their distribution was much more likely to be observed in 2022-2025 (62 of 88 or 70.5 percent), which was associated with the expansion of the legal framework of unilateral executive action. The Hungarian rhetoric of framing was significantly less extravagant than Germany or Kenya; in most instances, the decrees merely referred to the state of danger without specifying what threat it was, a technique, as Scheppele (2018) has called, autocratic legalism, or the use of legal form to justify substantively authoritarian rule (see also Vékony, 2024; Szente, 2024).

4.2 Judicial Response: Rates of Review and Disposition Patterns

The judicial reaction to executive action in emergency situations in the three jurisdictions differed radically, but in all three instances the evidence indicates a tendency towards greater deference to executive assertions of necessity. The Bundesverfassungsgericht in Germany heard 34 objections to the measures related to emergencies throughout the study period. 8 struck down (23.5% of these) led to the measure being struck down in its entirety or with reservations (usually the addition of a time constraint or a reporting condition); 14 upheld with reservations (41.2% of these) were affirmed with modifications or conditions (usually the addition of a time limitation or a reporting condition); 12 upheld (35.3% of these) were affirmed as it stood. The trajectory over time is instructive: in 2020–2021, the strike-down rate was 33.3% (5 of 15); in 2022–2023, it fell to 18.8% (3 of 16); and in 2024–2025, no measures were struck down in the three rulings issued. The trend is indicative of an increasing unwillingness of the Court to question executive judgments about security threats, a tendency which, although perhaps justifiable in a situation of true uncertainty, poses serious long-term dangers to the proportionality principle as a judicially enforced standard.

There is a slight but decisive change in the emphasis of doctrine in the reasoning of the German Court in some of the later decisions. In Bundesverfassungsgericht, 1 BvR 781/21 (November 2021), the Court used a strong proportionality test, questioning the epidemiological evidence provided by the government, and finding that some of its curfew actions were more than what was required to accomplish the aforementioned public health goal. In comparison, in 1 BvR 1634/24 (March 2025) - a case challenging a cybersecurity executive order that required real-time data sharing between telecommunications providers and the Federal Office for Information Security (BSI) - the Court took a much more permissive stance, concluding that the threat level assessed by the government was not manifestly unreasonable and that the measure did not exceed the The transformation of active scrutiny to manifest-unreasonableness review is an important narrowing of judicial review, even in a jurisdiction where the strength of constitutional review is generally regarded as one of the strongest in the world.

The High Court and Supreme Court in Kenya ruled on 31 challenges, of which 29.0% (9 of 31) were struck down, 25.8% (8 of 31) were upheld with reservations, and 45.2% (14 of 31) upheld. The role of the Kenyan judiciary in emergency action has been more belligerent than in Germany, but has also been more chaotic, both in the relative youth of the constitutional order in 2010 and in the institutional strains on the Kenyan judiciary. Some of the landmark judgments, such as *Law Society of Kenya v. Inspector General of Police* (2021) and *Katiba Institute v. Cabinet Secretary for Interior* (2023), indicated that the Court was ready to exercise the stringent proportionality review in matters related to security in regard to restrictions on movement, assembly, and digital privacy. These decisions have however been somewhat unequally enforced with the executive in other situations merely re-issuing significantly similar measures upon new legal authority, a practice which the Court so far has not viewed as contempt. This trend of judicial claim and executive avoidance is typical of transitional states whereby the formal institutional competence is ahead of the informal regulations of institutional adherence (Ginsburg and Huq, 2018).

The most extreme case is that of Hungary, which is the Constitutional Court (Alkotmánybíróság). A total of 18 challenges to emergency-related measures were brought to the Court throughout the study period, which is also indicative of both the tightening of the standing rules that were introduced in 2012/2013 and the composition of the Court, which was changed when the Fidesz government increased its membership and appointed ideologically minded judges (Aydin-Cakir, 2024; Vékony Among these 18, only 2 (11.1) had any adverse finding, and in both instances the Court only ordered the prospective guidance and not the invalidation of the measure which was being challenged. The other 16 cases (88.9) affirmed the action of the executive in its entirety, usually with little rationale, and in none of the recognisable kind of proportionality analysis. The Hungarian case can therefore be seen as the extreme of judicial deference- a territorium where the institutional form of constitutional review is maintained but its substance as a restraint on executive power is effectively depowered. This phenomenon deserves the additional empirical study, especially because it helps to understand how illiberal regimes preserve the performative aspect of constitutionalism and strip it of functioning content.

4.3 Administrative Discretion Trajectory

The net effect of the growing rate of emergency invocations and the falling rate of judicial strike-downs is a quantifiable increase in administrative discretion, in other words, in the area of executive action that is not explicitly mandated by the legislature, but which is not in effect judicially put into bounds. In order to quantify this phenomenon, the executives in the corpus were coded to the extent to which the authority is said to be (scored 1- 3) narrowly bound, specific, vague or compound, and whether there are time, geographical, or subject-matter restrictions on the use of the authority (scored 0- 1 each). The resulting index, 3-12, gives an approximate yet informative idea of the amount of unchecked executive latitude in each instrument.

An average of the discretion index of the entire corpus stood at 6.8 (SD = 2.1). Disaggregated both by jurisdiction and time period, the data shows a very pronounced upward trend. In Germany, the mean index rose from 5.2 (2020–2021) to 6.4 (2022–2023) to 7.1 (2024–2025). The corresponding figures were 6.0, 7.3 and 8.1 in Kenya. The steepest trajectory was observed in Hungary: 7.4-8.9-9.6. These numbers must be treated with care, the discretion index is not an interval measure, but an ordinal, and some sub-periods have small sample sizes, which restrict the accuracy of the estimates. However, the steady rise of all three cases, and the fact that the rise is positively correlated with the decreasing judicial intervention, provides empirical evidence to support the theoretical postulation according to which emergency governance once launched creates its momentum towards executive aggrandizement.

A particularly concerning finding is the emergence of what might be termed “discretionary ratcheting”—a pattern in which each new emergency measure is calibrated to the outer boundary of what the courts have previously tolerated, thereby incrementally expanding the zone of permissible executive action without triggering judicial intervention. This mechanism is most clearly observable in Germany, where the executive’s legal advisors appear to have carefully studied the Court’s proportionality jurisprudence and crafted subsequent measures to fall just within the margin of deference established by prior rulings. The practical effect is a gradual but relentless expansion of executive authority that operates within, rather than against, the formal framework of judicial review. This finding has significant implications for the design of constitutional safeguards, as it suggests that proportionality analysis alone—however rigorously applied—may be insufficient to prevent the normalisation of emergency governance over extended periods.

5. DISCUSSION

5.1 Security-Legality Tension in Post-Pandemic Governance

The results provided above help shed light on an underlying conflict in the core of post-pandemic governance: the conflict between decisive and quick executive action in the face of real security risks and the necessity of legal certainty, which is predictability, transparency, and accountability, which is the foundation of the Rule of Law. The tension in question is, however, not inherently unsolvable; the proportionality framework, in its best form, offers a systematic way of setting security requirements against the protection of rights. However, the practical implementation indicates that in reality, the scales have swung heavily to the side of executive discretion, and towards a more rapid swing.

A reason behind this trend is the very nature of the threats themselves. The complexity, uncertainty, and temporal indeterminacy of post-pandemic security crises, such as cybersecurity emergencies, critical infrastructure vulnerability, climate-related displacement, and the disruption of supply chains, are marked by uncertainty and time indeterminacy. There is no start, middle, or end to a cybersecurity emergency or a climate-migration crisis, unlike a more traditional military attack, which poses a comparatively contained threat that can be judicially evaluated. This temporal indeterminacy establishes a structural bias in favour of executive discretion, since it is natural that the courts are hesitant to second-guess expert judgments of threats which themselves, being uncertain and changing, are evolving. The trouble is that this deference, once granted is very hard to withdraw. As has been argued by Gross and Ni Aolain (2006, p. 228), once granted, emergency powers acquire their institutional constituency, a fact that the pattern of discretionary

ratcheting in the German data proves to be quite useful. The term administrative discretion thus takes on a gloomier shade in this context: it is not simply the authoritative space in which executive discretion can be exercised within a system of legal restraints but rather a refuge of practical impunity that grows with every new wave of crisis and judicial acquiescence.

5.2 Democratic Backsliding and Thinning of Institutional Norms.

The comparative aspect of the research allows making some preliminary generalisations regarding the connection between the regime type and the normalisation of emergency governance. In consolidated democracies such as Germany, it is incremental, procedurally sophisticated and largely invisible to popular discussion; in illiberal democracies such as Hungary, it is blistering fast, overt and deeply institutionalized; and in transitional states such as Kenya, it is episodic and contentious, but structurally disruptive. These differences are pronounced, yet they must not obscure the reality of underlying similarity: in each of the three instances, the post-pandemic era has seen an observable growth in executive powers at the cost of judicial checks, and in each of the three, this growth has been enabled by the rhetorical and legislative instruments of emergency governance.

The theory of democratic backsliding has some significant implications. A large portion of the current literature has paid attention to dramatic cases of democratic erosion, the destruction of independent media, persecution of political opposition, electoral fraud, as the paradigmatic indicators of backsliding (Waldner and Lust, 2018; Haggard and Kaufman, 2021; Little and Meng, 2024). The result of this paper indicates that a more pernicious kind of backsliding works via the bureaucratic-legal processes of emergency governance, even in the states with well-established constitutional practices and independent courts. This result is a bit contradictory to recent quantitative studies by Morgenstern and Pinto-Medeiros (2025), who conclude that the pandemic has not substantially boosted democratic backsliding in Latin America; nevertheless, the qualitative richness of the current research indicates that there are mechanisms, especially the discretionary ratcheting effect, that cannot be reflected in aggregate indices. Such backsliding is hard to notice in action since it is carried out within the legal frameworks of legality; any single act of such backsliding can be justified, but when combined create a structural shift in the relation between executive power and legal limitation. The observation that, despite the pandemic potentially not having triggered democratic backsliding in consolidated democracies, it supplied new tools to increase the executive power in existing-backsliding states and generated weak signals of antidemocratic trends even in robust systems is supported by empirical evidence provided by the V-Dem Pandemic Backsliding project (Edgell et al., 2021) and comparative studies of legal responses (Grogan, 2022). The executive aggrandizement concept by Bermeo (2016) accurately reflects this dynamic, but the post-pandemic experience indicates that the phenomenon might be more widespread and more difficult to remedy than the current literature has acknowledged.

5.3 The Gap of Inclusive National Dialogue

Another aspect of the issue, which the current literature has failed to cover, is the loss of inclusive national discourse as a constraint on executive power. Emergency governance in its very form centralises decision-making at the executive level, and excludes the deliberative procedures of decision-making, which in ordinary situations in democratic societies constitute the negotiations over the terms of collective action; these include: parliamentary debate, public consultation, civil society engagement. This centralisation was dramatically increased by the pandemic and the following emergency powers based on security have continued this. In Kenya, as an illustration, civil society organisations noted that the space to engage in civil affairs of security policy had shrunk significantly in the wake of the re-classification of counter-terrorism operations as national security matters that are not subject to freedom-of-information requirements (International Commission of Jurists, Kenya Section, 2023). The Hungarian example has been more structured and overtly political, as the government has been using the rhetoric of national security to justify cracking down on foreign-funded NGOs and independent media (Halmai, 2024; Szente, 2024).

The lack of an inclusive conversation is not just a Democratic deficit, it is a structural weakness. Emergency actions designed without extensive consultation will tend to be ill-fitted, disproportionate, and slow to change. They also have higher chances of creating popular backlash and disobedience, which, again, gives the executive even more of a reason to apply coercive power- a vicious cycle that Ginsburg and Huq (2018) have discussed as the authoritarian feedback loop. The post-pandemic experience hints that the reestablishment of inclusive national discourse, not as a desired standard but as a procedural obligation with the force of law, should be a focal point of any system of limiting emergency governance. Herein lies a breach which the current proportionality doctrine, with its emphasis on the consideration of individual actions as opposed to the mechanism by which those actions are embraced, is poorly placed to address.

5.4 Proportionality When Under Pressure: Doctrinal Tests.

The results of the study posing searching questions concern the sufficiency of the proportionality principle as a doctrinal parameter of limiting emergency governance. The principle works well when the threat is well-established, the measure is time-bound and the court has access to credible evidence regarding the severity of the threat and effects of the measure on the safeguarded rights. These circumstances are becoming more challenging to meet the security environment in post-pandemic conditions. In a case where an executive order cites a compound threat, involving cybersecurity, supply-chain, and migration aspects, what is the way in which a court is to examine the appropriateness and necessity of the action? Where the threat is characterized as continuing and changing, what does a court do to determine whether a less restrictive measure would be sufficient to respond to the threat? And when the executive asserts that the revelation of the evidence of threat-assessment would in itself constitute a defeat to national security, to what extent is the balancing required by strict proportionality to be carried out by a court? The questions are not speculative, they are based on the arguments of the German and Kenyan courts, as analyzed in this paper. The recurring reference to the margins of appreciation and manifest unreasonableness tests in the subsequent decisions imply that the courts themselves know of the doctrinal load bearing, and are effectively delegating the proportionality issue to the executive. Vyhnanek et al. (2024) have proposed a third way between full substantive proportionality and outright deference: semiprocedural review, that focuses on the review of the policy-formation process, rather than the results. Šišková (2024) has similarly argued for a “precautionary” application of proportionality analysis during emergencies, drawing on the precautionary principle from environmental law.

This does not imply that proportionality must be discarded as a method of doctrine. But it does indicate that proportionality analysis must be accompanied by structural protections that are effected at the level above judicial review-safeguards that limit the extent and the duration of the exercise of emergency powers at the time when they are created, and not just because judicial review of their exercises will be undertaken ex post. This is the understanding that inspires the Sunset Clause framework proposed in the section below.

6. CONCLUSION: TOWARD A MANDATORY SUNSET CLAUSE FRAMEWORK

The empirical evidence of this paper leads towards one grand conclusion: post-pandemic normalisation of emergency governance is a structural threat to the Rule of Law, which cannot be sufficiently addressed with the help of judicial review. Even doctrinally sophisticated and the most independent courts are ill-equipped to withstand the gradual build-up of executive power when each individual step can be justified as a reasonable reaction to a real, although diffusely defined, security threat. The same dynamic can be observed in the discretionary ratcheting mechanism that is observed in the German data, the executive circumvention pattern that was seen in Kenya and the effective neutralisation of judicial review that was seen in Hungary: the asymmetry between the executive capacity to act and the judicial capacity to restrain.

As a remedy to this asymmetry, this paper suggests a framework of Sunset Clause as a binding legislative prerequisite to all emergency powers related to security. The notion extends previous ideas of Kouroutakis and Ranchordas (2016) and on the recent analytical framework of Szente (2025) on the evaluation of rule-of-law breaches in case of emergency in states. The framework includes five

interconnected components, which are meant to respond to a particular vulnerability detected in the empirical analysis.

Originally, automatic expiry: any emergency powers must automatically lapse by operation of law after a specified period (this article proposes 90 days as the default, and jurisdiction-specific), unless expressly renewed by the legislature. The weight of justification needs to be placed on the executive in showing the ongoing need of the action, not on the legislature or the judiciary in showing that it is unnecessary. This aspect directly responds to the temporal indeterminacy which defines post-pandemic security threats and does not allow temporary measures to be transformed into fixed elements of administrative law.

Second, parliament review on a regular basis: renewal of emergency powers must be passed by the affirmation of the legislature, and accompanied by a formal threat assessment report submitted to a parliamentary committee with proper security clearance. This is necessary to accomplish two things: first, it would reestablish the deliberative quality of emergency governance that is often lost during the crisis response period, and second, it would provide an organized means of including the national dialogue by forcing the executive to defend the extension of emergency measures in a setting that, at least in theory, would be open to public criticism.

Third, limitation in scope: every emergency instrument must be made to identify which is the specific threat to which it responds, to what geographical areas it applies, what rights it is limiting, and on what basis it will be determined whether its continued necessity is warranted. Complex or ambiguous reasons - of the kind seen in the German and Kenyan data - must be banned under legislation and the executive forced to provide a specific, revisable reason behind every action. This aspect is aimed at minimizing the evidentiary load on the challengers and to recreate the circumstances under which proportionality analysis can be operated effectively.

Fourth, judicial notification: the executive must be mandated to inform the top court about any emergency powers declaration in the next 48 hours along with an overview of the facts underpinning the declaration. This is no prior judicial authorisation, which would be impracticable in a real emergency, but it is a safeguard that the judiciary is notified of the measure at the earliest stage possible, so that the measure can be reviewed in time and the threat of faits accomplis that courts are not likely to reverse is minimised.

Fifth, transparency and reporting: the executive must be obliged to release a public report of the actions taken, their effects on fundamental rights, and results of such actions, at the end of every emergency period. This post-factum accountability device is not only a deterrent to disproportional actions, but also a source of data to the type of longitudinal empirical study that this study has tried to offer. In the long term, the archive of this type of reports would build a publicly available history of emergency governance that would make a significant contribution to both academic knowledge and democratic accountability.

The suggested framework is not a panacea. None of the institutional designs would be able to entirely protect the Rule of Law against the corrosive impact of chronic crisis, and the effectiveness of the framework would require the political will of legislatures to apply it, and the courts to resolve the conflicts that arose out of it. In Hungary, an example would be that a Sunset Clause framework could not be of much use without a really independent judiciary and a parliament that would want to fulfill its oversight role. However, the framework is a significant advancement upon the status quo which depends nearly solely on ex post judicial review, a tool which, as this paper has revealed, is proving less and less adequate to the job.

Normalisation of the emergency is not an inalienable aspect of the contemporary governance. It is a result of certain institutional decisions, legal principles and political advantages, which are subject to reform. It is up to the scholars, legislators, and jurists to develop institutions that would not to impair the ability of the executive to act decisively in real crises but would make that ability transparent, limited in time and accountable. The Sunset Clause framework presented herein is presented as an input to that existing project- not as a final solution, but as an organized starting point to the wider institutional transformation that the post-pandemic world is in dire need of.

REFERENCES

- Agamben, G. (2005). *State of exception* (K. Attell, Trans.). University of Chicago Press. (Original work published 2003)
- Alexy, R. (2002). *A theory of constitutional rights* (J. Rivers, Trans.). Oxford University Press.
- Barak, A. (2012). *Proportionality: Constitutional rights and their limitations*. Cambridge University Press.
- Bermeo, N. (2016). On democratic backsliding. *Journal of Democracy*, 27(1), 5–19. <https://doi.org/10.1353/jod.2016.0012>
- Edgell, A. B., Grahn, S., Lachapelle, J., Lührmann, A., & Maerz, S. F. (2021). Pandemic backsliding: Violations of democratic standards during Covid-19. *Social Science & Medicine*, 285, 114244. <https://doi.org/10.1016/j.socscimed.2021.114244>
- Ginsburg, T., & Huq, A. Z. (2018). *How to save a constitutional democracy*. University of Chicago Press.
- Ginsburg, T., & Versteeg, M. (2021). The bound executive: Emergency powers during the pandemic. *International Journal of Constitutional Law*, 19(5), 1498–1535. <https://doi.org/10.1093/icon/moab059>
- Graziadei, M. (2003). The functionalist heritage. In P. Legrand & R. Munday (Eds.), *Comparative legal studies: Traditions and transitions* (pp. 100–127). Cambridge University Press.
- Grogan, J. (2022). COVID-19, the rule of law and democracy: Analysis of legal responses to a global health crisis. *Hague Journal on the Rule of Law*, 14, 349–369. <https://doi.org/10.1007/s40803-022-00168-8>
- Gross, O., & Ní Aoláin, F. (2006). *Law in times of crisis: Emergency powers in theory and practice*. Cambridge University Press.
- Haggard, S., & Kaufman, R. (2021). *Backsliding: Democratic regress in the contemporary world*. Cambridge University Press. <https://doi.org/10.1017/9781108957809>
- Halmai, G. (2024). Rule of law backsliding and memory politics in Hungary. *European Constitutional Law Review*, 19(4):602-622. doi:10.1017/S157401962300024X
- International Commission of Jurists, Kenya Section. (2023). *Shrinking space: Security legislation and civil liberties in Kenya, 2020–2023*. ICJ Kenya.
- Kelsen, H. (1967). *Pure theory of law* (M. Knight, Trans.). University of California Press. (Original work published 1934)
- Kenya National Commission on Human Rights. (2021). *COVID-19 and human rights in Kenya: A monitoring report*. KNCHR.
- Kouroutakis, A., & Ranchordás, S. (2016). Snoozing democracy: Sunset clauses, de-juridification, and emergencies. *Minnesota Journal of International Law*, 25(1), 29–78.
- Lazar, N. C. (2009). *States of emergency in liberal democracies*. Cambridge University Press.
- Levitsky, S., & Ziblatt, D. (2018). *How democracies die*. Crown.
- Little, A. T., & Meng, A. (2024). Measuring democratic backsliding. *PS: Political Science & Politics*, 57(2), 149–161. <https://doi.org/10.1017/S104909652300063X>
- Mayring, P. (2014). *Qualitative content analysis: Theoretical foundation, basic procedures and software solution*. SSOAR. <https://nbn-resolving.de/urn:nbn:de:0168-ssoar-395173>

- Petrova, M. (2026). Emergency governance and rule of law: Evaluating executive overreach during national security crises in the post-pandemic era. *Politics & Security*, 15(1), 61-72. <https://doi.org/10.54658/ps.28153324.2026.15.1.pp.61-72>
- Molloy, S. (2021). Emergency law responses to Covid-19 and the impact on peace and transition processes. International Institute for Democracy and Electoral Assistance.
- Morgenstern, S., & Pinto-Medeiros, A. (2025). Emergency without backsliding. *Constitutional Political Economy*. Advance online publication. <https://doi.org/10.1007/s10602-025-09493-0>
- Przeworski, A., & Teune, H. (1970). *The logic of comparative social inquiry*. Wiley-Interscience.
- Scheppele, K. L. (2018). Autocratic legalism. *University of Chicago Law Review*, 85(2), 545–583.
- Schmitt, C. (2005). *Political theology: Four chapters on the concept of sovereignty* (G. Schwab, Trans.). University of Chicago Press. (Original work published 1922)
- Smet, S., & Brems, E. (2023). *When human rights clash at the European Court of Human Rights: Conflict or harmony?* Oxford University Press.
- Szente, Z. (2025). How to assess rule-of-law violations in a state of emergency? Towards a general analytical framework. *Hague Journal on the Rule of Law*, 17, 117–138. <https://doi.org/10.1007/s40803-024-00244-1>
- Szente, Z. (2024). Emergency as a pretext for restricting political rights: The Hungarian autocratic regime at work. In M. Florczak-Wątor et al. (Eds.), *States of emergency and human rights protection* (pp. 187–199). Routledge.
- Tushnet, M. (2004). Constitutional hardball. *John Marshall Law Review*, 37(2), 523–553.
- Vyhnánek, L., Boháček, M., Kosar, D., & Petrov, J. (2024). The dynamics of proportionality: Constitutional courts and the review of COVID-19 regulations. *German Law Journal*, 25(3), 386–406. <https://doi.org/10.1017/glj.2023.96>
- Šišková, N. (2024). Proportionality during times of crisis: Precautionary application of proportionality analysis in the judicial review of emergency measures. *European Constitutional Law Review*, 20(1), 27–51. <https://doi.org/10.1017/S1574019624000051>
- Vékony, A. (2024). Confused constitutionalism in Hungary—New assessment criteria for recognising a populist constitutional court. *Hague Journal on the Rule of Law*. Advance online publication. <https://doi.org/10.1007/s40803-024-00239-y>
- Waldner, D., & Lust, E. (2018). Unwelcome change: Coming to terms with democratic backsliding. *Annual Review of Political Science*, 21, 93–113. <https://doi.org/10.1146/annurev-polisci-050517-114628>
- Aydin-Cakir, A. (2024). The varying effect of court-curbing: Evidence from Hungary and Poland. *Journal of European Public Policy*, 30(6), 1179–1205. <https://doi.org/10.1080/13501763.2023.2171089>
- Won, Y. (2025). Emergency powers and COVID-19 derogations, *International Journal of Constitutional Law*, 23(1), 113–147, <https://doi.org/10.1093/icon/moaf010>

CONSTITUTIONAL PRINCIPLES OF CRIMINAL PROCEDURE AND SECURITY GOVERNANCE: A CRITICAL DISCUSSION ON THE PRACTICAL APPLICATION OF CONSTITUTIONAL PRINCIPLES IN THE MEXICAN ACCUSATORY CRIMINAL SYSTEM

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Abstract. *This paper analyzes the constitutional principles governing criminal procedure in Mexico, understood as human rights and procedural guarantees that ensure respect for the dignity and fundamental rights of defendants, victims, and witnesses. Critically, the article situates these principles within the broader framework of security governance, examining how the 2008 constitutional reform that established the accusatory and oral criminal system was a direct institutional response to the security crisis generated by organized crime, drug cartel violence, and systemic impunity. Using a legal-descriptive methodology, the study reviews normative sources (the Political Constitution of the United Mexican States; the National Code of Criminal Procedure), doctrinal analysis, jurisprudential interpretation (Mexican Supreme Court), and comparative scholarship on criminal justice reform and security. The analysis identifies a fundamental tension between the procedural guarantees enshrined in Article 20 of the Constitution — including the presumption of innocence, publicity, adversarial proceedings, and due process — and the state's operational need to effectively prosecute organized crime, drug trafficking, corruption, and terrorism. The article concludes that the system's effectiveness as a security governance instrument depends on the genuine observance of these principles, institutional adaptation, and the consolidation of a human rights-based judicial culture capable of addressing high-complexity security threats without sacrificing constitutional guarantees.*

Keywords: due process; presumption of innocence; human rights; accusatory criminal justice system; security governance; organized crime; constitutional reform; Political Constitution of the United Mexican States.

1. INTRODUCTION

The criminal process is the channel through which the State legitimately exercises its *ius puniendi* (right to punish) under constitutional controls that ensure legality, equality, and respect for human rights. In Mexico, Article 20 of the Political Constitution of the United Mexican States stipulates that the process shall be accusatory and oral, governed by the principles of publicity, adversarial proceedings, concentration, continuity, and immediacy, and recognizes the rights of the accused and the victim (Chamber of Deputies, 2025, Art. 20). These requirements align with Article 8.2 of the American Convention on Human Rights, which establishes minimum judicial guarantees such as the presumption of innocence, the right to a defense, and a public trial before a competent judge (OAS, 1978).

However, it is essential to recognize that the transformation toward the accusatory model in Mexico was not merely a procedural modernization; it was a direct institutional response to a profound security crisis. By the mid-2000s, Mexico faced escalating violence from organized crime and drug cartels, systemic impunity, and a criminal justice system that had lost public legitimacy. The constitutional reform of June 18, 2008, which redesigned criminal justice and introduced orality and its governing principles, was explicitly framed as a reform in matters of security and justice (DOF, 2008). The subsequent human rights reform of June 10, 2011, mandated that the entire process be interpreted and applied in accordance with the Constitution and international treaties (DOF, 2011).

Together, these reforms represent Mexico's attempt to reconcile the imperative of effective prosecution of serious security threats with the protection of fundamental rights — a tension that lies at the heart of contemporary security governance. As scholars of comparative criminal justice have observed, the shift from inquisitorial to accusatory systems in Latin America has been driven not only by rule-of-law considerations but also by security imperatives (Langer, 2007; Hammergren, 2007).

The central research question of this article is accordingly framed as follows: how do constitutional procedural guarantees interact with — and at times constrain or enable — the state's capacity to prosecute serious security threats such as organized crime, terrorism, and corruption within the Mexican accusatory criminal system? The general objective is to analyze the constitutional principles of criminal procedure in Mexico, their normative foundation, doctrinal development, and jurisprudential interpretation, with a particular focus on their implications for security governance.

2. THE SECURITY CONTEXT OF THE 2008 CONSTITUTIONAL REFORM

The constitutional reform of June 18, 2008, cannot be understood in isolation from the security environment that necessitated it. By the early 2000s, Mexico was experiencing a crisis of criminal violence that had acquired dimensions of a national security emergency. The consolidation of major drug trafficking organizations — including the Sinaloa Cartel, the Gulf Cartel, Los Zetas, and the Jalisco New Generation Cartel — had produced levels of violence that overwhelmed the existing criminal justice infrastructure. Homicide rates escalated dramatically, reaching over 27,000 recorded homicides in 2011 alone, with several northern border states experiencing rates comparable to active conflict zones (Shirk, 2011; Zepeda Lecuona, 2004).

The criminal justice system that existed prior to the reform was widely regarded as incapable of addressing these threats. Under the mixed inquisitorial model, criminal proceedings were largely written, opaque, and heavily dependent on the investigative file assembled by the public prosecutor. Conviction rates were paradoxically low despite high rates of pretrial detention, and the system suffered from chronic impunity: studies estimated that fewer than two percent of crimes resulted in a conviction (Zepeda Lecuona, 2004). As Shirk (2011) has documented, the old system was neither effective in producing security outcomes nor respectful of due process guarantees.

Against this backdrop, the 2008 reform pursued several security-related objectives. First, it aimed to reduce impunity by introducing adversarial proceedings, oral hearings, and stricter evidentiary standards that would compel prosecutors to build stronger cases. Second, the reform sought to improve conviction rates in cases of serious and organized crime by creating a more efficient and transparent process. Third,

the reform aspired to restore institutional trust in the criminal justice system, recognizing that public confidence in the courts and prosecutors is essential for citizen cooperation in reporting crimes — a critical factor in combating organized crime (Magaloni, 2007; Ingram & Shirk, 2012).

The reform also introduced specific provisions targeting security-sensitive cases: arraigo (pre-charge detention for organized crime suspects, up to eighty days under judicial oversight), special rules for wiretapping and witness protection, and mandatory pretrial detention for high-gravity offenses including organized crime, homicide, kidnapping, and crimes against national security. More than fifteen years after the reform's enactment, the assessment of whether these security-related objectives have been achieved is mixed. While the accusatory system has brought greater transparency and procedural fairness, impunity rates remain stubbornly high: the National Survey of Victimization and Perception of Public Safety consistently reports that over ninety percent of crimes go unreported or uninvestigated (INEGI, 2023).

3. THEORETICAL FRAMEWORK

The contemporary criminal process is conceived as a set of guarantees for the protection of human rights against the exercise of the state's power to punish. From the perspective of legal guarantees, the legitimacy of punishment depends on the procedure's adherence to principles and rules that limit arbitrariness and ensure reasoned and accountable decisions (Ferrajoli, 2011). At the same time, the international literature on security governance emphasizes that criminal justice systems serve a dual function: protecting individual rights and enabling the state to effectively confront threats to public security and the rule of law (Goldsmith & Sheptycki, 2007; Uildriks, 2010).

Article 20 of the Political Constitution establishes the core principles of the accusatory process: publicity, adversarial proceedings, concentration, continuity, and immediacy. Article 14 establishes the right to due process and conditions the validity of any restriction on personal liberty. The National Code of Criminal Procedure (CNPP) codifies equality before the law (Art. 10), equality of the parties (Art. 11), due process (Art. 12), presumption of innocence (Art. 13), and prohibition of double jeopardy (Art. 14) (Chamber of Deputies, 2024). Inter-American standards under Article 8.2 of the American Convention recognize minimum judicial guarantees including presumption of innocence, adequate defense, and a public trial before a competent judge (OAS, 1978).

Comparative scholarship on criminal procedure reform in Latin America has further emphasized that the transition from inquisitorial to accusatory systems must be understood as a fundamental transformation in the relationship between the state, the citizen, and the security apparatus (Langer, 2007; Duce & Pérez Perdomo, 2003). The core principles are: (a) Presumption of innocence — a multifaceted right serving as rule of conduct, standard of proof, and rule of judgment; (b) Due process — essential formalities, publicity, adversarial proceedings, and adequate defense; (c) Equality and adversarial proceedings — equality of arms between prosecution and defense; (d) Publicity — general rule of the trial with narrow legal exceptions; (e) Immediacy, concentration, and continuity — presence of the judge, oral hearings, and continuous proceedings.

4. METHODOLOGY

This research is juridical-descriptive and dogmatic in nature, grounded in constitutional and conventional hermeneutics. The analysis identifies, systematizes, and interprets the constitutional principles of criminal procedure based on primary sources (Constitution, laws, treaties) and jurisprudence of the Supreme Court of Justice of the Nation (SCJN), contrasted with specialized doctrine. The study also draws on comparative and interdisciplinary scholarship on criminal justice reform and security governance to situate the Mexican experience within a broader international context.

The investigation is delimited to the Mexican legal system within the time frame of 2008–2025, covering the implementation and consolidation of the accusatory model. Normative sources include: the Mexican Constitution (latest amendment October 2025); the National Code of Criminal Procedure (latest

amendment December 2024); and the American Convention on Human Rights. Jurisprudential sources include SCJN Isolated Thesis 2018965 and ADR 3457/2013. Doctrinal sources include Ferrajoli (criminal guarantees), Fix-Zamudio and Valencia (constitutional procedure), and Carbonell (Mexican constitutional law). Comparative and interdisciplinary sources include Langer (2007), Shirk (2011), Zepeda Lecuona (2004), Magaloni (2007), Hammergren (2007), Ingram and Shirk (2012), Goldsmith and Sheptycki (2007), and Uildriks (2010).

Validity and reliability are ensured through normative-jurisprudential-doctrinal triangulation, verification of normative validity in official repositories, and corroboration with international comparative scholarship. The analytical technique consists of systematization of each principle by definition, constitutional and conventional basis, and jurisprudential development; and comparative analysis of how procedural guarantees interact with the prosecution of security-sensitive cases.

5. RESULTS AND DISCUSSION

The core of the accusatory criminal procedure in Mexico is structured around the principles of publicity, adversarial proceedings, concentration, continuity, and immediacy, as well as the presumption of innocence, equality of arms, and due process. Article 20 of the Constitution establishes that all hearings are conducted in the presence of a judge; only evidence presented at trial is admissible; the burden of proof rests with the prosecution; and evidence obtained in violation of fundamental rights is inadmissible.

- Presumption of innocence

Every person is presumed innocent and shall be treated as such; the judge can only convict if there is a conviction of guilt based on evidence presented at trial. The Supreme Court of Justice of the Nation outlines its multifaceted nature as a rule of treatment, standard of proof, and rule of judgment: if there is insufficient evidence for the prosecution, acquittal is warranted, and the judge must comprehensively assess both incriminating and exculpatory evidence (SCJN, 2019; 2014; OAS, 1978). The application of this principle in organized crime cases, while challenging, is essential for maintaining the legitimacy of convictions and preventing the erosion of public trust.

- Due process and equality of arms

Article 14 of the Mexican Constitution protects the right to a prior trial and essential formalities. Due process limits the power to punish and requires impartiality, reasoned arguments, publicity, and the right to challenge evidence. Articles 10 and 11 of the CNPP specify equality before the law and between the parties, guaranteeing real parity for the prosecution and defense and the dialectical control of evidence. In practice, due process is compromised by material asymmetries: public defenders often face heavy workloads, budget constraints, and limited time to investigate, while prosecutors concentrate resources and have priority access to expert services.

- Publicity, immediacy, concentration, and continuity

Publicity as a general rule of the accusatory trial (Article 20, A, IV) strengthens transparency and social control, with narrow justified exceptions to protect victims, children, or sensitive information. Immediacy, concentration, and continuity require the presence of the judge, prohibition of delegating the evaluation of evidence, and continuous oral hearings. These principles raise the quality of evidence and reduce delays — but in practice face challenges from workload, courtroom scheduling, and technological infrastructure, with fragmented hearings and prolonged intervals affecting evidence quality.

- Exclusionary rule

The nullity of evidence obtained in violation of fundamental rights (Art. 20, A, IX CPEUM) preserves the legitimacy of the trial and discourages rights-violating practices. The exclusion decision must be duly justified, explaining whether the remaining evidence meets the standard for conviction. In organized crime cases, strict application of the exclusionary rule has generated significant debate: there are documented instances in which convictions have been weakened because of evidentiary exclusions related to irregularities in search warrants or unlawful surveillance. As Hammergren (2007) has argued, the solution

is not to weaken procedural safeguards but to strengthen the professional competence of the institutions operating within them.

5.1 Procedural Guarantees And Security Effectiveness: Navigating The Tension

The principles analyzed above do not operate in a normative vacuum. A primary area of tension concerns the evidentiary framework in organized crime prosecutions. The adversarial system's requirement that all evidence be presented orally at trial and subjected to cross-examination creates operational difficulties in cases where witnesses face credible threats of violence from criminal organizations. Mexican law has responded with institutional adaptations, including the Federal Law for the Protection of Persons Involved in Criminal Proceedings (2012). However, the tension between publicity and the practical need to protect witnesses in security-sensitive cases remains unresolved in several jurisdictions (Ingram & Shirk, 2012).

The Supreme Court of Justice of the Nation has addressed the tension between presumption of innocence and political and public pressure in high-profile cases, emphasizing that this principle applies with full force regardless of the severity of charges, and that the state's security interests cannot justify its erosion (SCJN, 2019). At the same time, the Court has upheld the constitutionality of mandatory pretrial detention for offenses related to organized crime and national security, acknowledging that the legislature has a legitimate interest in ensuring that defendants accused of the most serious offenses remain available for trial (SCJN, 2014).

Comparative experience supports the approach of protecting procedural safeguards while building institutional capacity. In Colombia, the transition to an accusatory system in 2004 — similarly motivated by the need to combat organized crime — produced analogous tensions between procedural guarantees and security effectiveness, with Colombian courts developing a body of jurisprudence that balances rights with operational needs (Langer, 2007). The European Court of Human Rights has developed a sophisticated proportionality framework for assessing the compatibility of security measures with fair trial guarantees under Article 6 of the European Convention, providing an additional comparative reference point for evaluating the Mexican approach (Duce & Pérez Perdomo, 2003).

In sum, the evidence suggests that procedural guarantees enshrined in the Mexican accusatory system do not inherently undermine the state's capacity to confront serious security threats. Rather, the principal obstacles to effective prosecution lie in institutional deficits — inadequate investigative capacity, insufficient training, resource asymmetries, and corruption within law enforcement — that no amount of procedural weakening would resolve. The challenge for Mexico's security governance is not to choose between rights and security, but to build the institutional infrastructure necessary to achieve both simultaneously.

5. CONCLUSIONS

First, the core guarantees of the Mexican criminal process — publicity, adversarial proceedings, concentration, continuity, and immediacy — structure the accusatory model and guide judicial action toward reasoned, transparent, and accountable decisions. These principles must be understood not only as procedural requirements but as foundational elements of security governance, insofar as they determine the legitimacy and effectiveness of the state's response to organized crime and other serious security threats.

Second, the presumption of innocence operates in a multifaceted way as standard of treatment, standard of proof, and rule of judgment. In the absence of sufficient incriminating evidence, the mandate is to acquit. The application of this principle in organized crime cases, while challenging, is essential for maintaining the legitimacy of convictions and preventing the erosion of public trust in the justice system (SCJN, 2019; 2014).

Third, due process, equality of arms, and the exclusionary rule protect the integrity of the trial and prevent arbitrary decisions. These guarantees are particularly important in security-sensitive cases, where the risk of state overreach is highest.

Fourth, constitutional-conventional harmonization with Article 8.2 of the American Convention on Human Rights is essential: Inter-American criteria serve as a parameter for interpreting Mexican procedural principles and ensuring compatibility with international standards on security and human rights.

Fifth, the 2008 constitutional reform, understood as a security governance intervention, has achieved partial success. The principal obstacles are institutional rather than normative: inadequate investigative capacity, resource asymmetries, insufficient training, and corruption. Comparative experience from Colombia and the European Court of Human Rights demonstrates that robust procedural safeguards and effective security prosecution can coexist when supported by adequate institutional infrastructure, professional training, and judicial oversight.

Finally, consolidating the accusatory model as an effective instrument of security governance requires: (a) training of legal professionals in evidentiary standards and human rights; (b) hearing management guaranteeing continuity and concentration; (c) internal controls ensuring judicial immediacy and the consistent application of the exclusionary rule; (d) strengthened witness protection and specialized prosecution units for organized crime cases; and (e) a sustained commitment to institutional reform addressing the root causes of impunity.

REFERENCES

- Cámara de Diputados del H. Congreso de la Unión. (2025). Constitución Política de los Estados Unidos Mexicanos [Political Constitution of the United Mexican States] (última reforma: 15 de octubre de 2025). Secretaría de Servicios Parlamentarios.
- Cámara de Diputados del H. Congreso de la Unión. (2024). Código Nacional de Procedimientos Penales [National Code of Criminal Procedures] (última reforma: 16 de diciembre de 2024). Secretaría de Servicios Parlamentarios.
- Carbonell, M. (2022). Derecho constitucional mexicano [Mexican constitutional law]. Universidad Nacional Autónoma de México.
- Diario Oficial de la Federación. (2008, 18 de junio). Decreto por el que se reforman y adicionan diversas disposiciones de la Constitución Política de los Estados Unidos Mexicanos (reforma en materia de seguridad y justicia) [Decree amending the Political Constitution — reform on security and justice].
- Diario Oficial de la Federación. (2011, 10 de junio). Decreto por el que se modifica la denominación del Capítulo I del Título Primero y se reforman diversos artículos de la Constitución Política de los Estados Unidos Mexicanos (reforma en materia de derechos humanos) [Decree amending the Political Constitution — human rights reform].
- Duce, M., & Pérez Perdomo, R. (2003). Citizen security and reform of the criminal justice system in Latin America. In H. Fruhling, J. Tulchin, & H. Golding (Eds.), *Crime and violence in Latin America: Citizen security, democracy, and the state* (pp. 69–92). Woodrow Wilson Center Press / Johns Hopkins University Press.
- Ferrajoli, L. (2011). Derecho y razón: Teoría del garantismo penal [Law and reason: Theory of penal guaranteeism] (9th ed.). Trotta.
- Fix-Zamudio, H., & Valencia Carmona, J. (2019). Estudios sobre derecho procesal constitucional y convencional [Studies on constitutional and conventional procedural law]. Universidad Nacional Autónoma de México.
- Goldsmith, A., & Sheptycki, J. (2007). *Crafting transnational policing: Police capacity-building and global policing reform*. Hart Publishing.

- Hammergren, L. (2007). *Envisioning reform: Improving judicial performance in Latin America*. Pennsylvania State University Press.
- Ingram, M. C., & Shirk, D. A. (2012). *Judicial reform in Mexico: Toward a new criminal justice system*. In D. A. Shirk (Ed.), *Building resilient communities in Mexico: Civic responses to crime and violence* (pp. 169–198). Woodrow Wilson International Center for Scholars / University of San Diego.
- Instituto Nacional de Estadística y Geografía (INEGI). (2023). *Encuesta Nacional de Victimización y Percepción sobre Seguridad Pública (ENVIPE) 2023 [National Survey of Victimization and Perception of Public Safety]*. INEGI.
- Langer, M. (2007). *Revolution in Latin American criminal procedure: Diffusion of legal ideas from the periphery*. *American Journal of Comparative Law*, 55(4), 617–676.
- Magaloni, A. L. (2007). *Arbitrariedad e ineficiencia de la procuración de justicia: Dos caras de la misma moneda [Arbitrariness and inefficiency in criminal prosecution: Two sides of the same coin]*. *Documentos de Trabajo del CIDE*, 26.
- Organización de los Estados Americanos. (1978). *Convención Americana sobre Derechos Humanos (Pacto de San José), art. 8.2 [American Convention on Human Rights (Pact of San José), Art. 8.2]*. Secretaría General de la OEA.
- Shirk, D. A. (2011). *The drug war in Mexico: Confronting a shared threat*. Council on Foreign Relations Press.
- Suprema Corte de Justicia de la Nación. (2014, 26 de noviembre). *Amparo Directo en Revisión 3457/2013 (Primera Sala) [Direct Amparo Review 3457/2013 (First Chamber)]*.
- Suprema Corte de Justicia de la Nación. (2019). *Tesis aislada 2018965: Presunción de inocencia en su vertiente de estándar de prueba o regla de juicio [Isolated thesis 2018965: Presumption of innocence as standard of proof or rule of judgment]*. *Semanario Judicial de la Federación*.
- Suprema Corte de Justicia de la Nación — Centro de Estudios Constitucionales. (2024). *Principios del sistema penal acusatorio: publicidad, concentración y continuidad [Principles of the accusatory criminal system: Publicity, concentration and continuity]*.
- Uildriks, N. (2010). *Mexico's unruly of law: Implementing human rights in police and judicial reform under democratization*. Lexington Books.
- Zepeda Lecuona, G. R. (2004). *Crimen sin castigo: Procuración de justicia penal y ministerio público en México [Crime without punishment: Criminal prosecution and the public ministry in Mexico]*. Fondo de Cultura Económica / CIDAC.

FROM RADICALIZATION TO REINTEGRATION: MEASURING THE EFFICACY OF COUNTER- TERRORISM POLICIES IN POST-CONFLICT SOCIETIES

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Abstract. *The ontological paradox of reintegration is rarely formulated in such a straightforward manner: a society is requested to re-incorporate the same people whose cruelty has ripped its social fabric, and to do so without the wounds being suppurative, the institutional scaffolding half-collapsed, and the political incentives in a sharp mismatch. It is this conflict between the moral necessity to provide means of escape out of extremism on one side and the social unwillingness to forget what extremism has created on the other side that drives the whole post-conflict governance debate but is habitually papered over by programmatic optimism. The international policy framework has also changed to less kinetic Preventing and Countering Violent Extremism (P/CVE) approaches rather than paradigms in the last 20 years, a move that was influenced less by ideological belief than by the sheer failure of detention-and-destroy paradigms to capture recruitment spurts. Based on a longitudinal comparative study of the Saudi Arabian theological rehabilitation model, the Danish Aarhus social-welfare experiment, and the fractured implementation environments of Iraq, northeastern Nigeria, and the Western Balkans, this article asks the question whether the conceptual machinery of the modern deradicalization programmes can survive exposure to post-conflict environments marked by institutional weakness, ethno-sectarian distrust, and the This data suggests a sobering conclusion that, where it happens, reintegration is not a restorative goal but a managed failure, a politically negotiated stalemate in which recidivism is contained and not solved, the stigma is redistributed and not removed, and measures of success are pegged not to human security results but to funding needs of donor states and implementation agencies.*

Keywords: Deradicalization, P/CVE, Social Cohesion, Disengagement, Post-Conflict Governance, Human Security.

1. INTRODUCTION

The reintegration industry, which now is quite literally an industry, with its own consultancies, its conferences of donors, its acronym-heavy monitoring systems and its new cast of senior advisors, is based on an assumption so fundamental that its advocates seldom see the need to justify it. The hypothesis will go as follows: the society that has been formed on the background of armed conflict can be deemed as something resembling a blank slate, a space of mutual readiness into which, with the help of the appropriate combination of occupational training, psychosocial care, and theological cure, the previously radicalised individuals can be introduced.

The fact, of course, is more stubborn. The world of post-conflict societies is not a tabula rasa. They are palimpsests, stratified, marked, overwritten yet never erased, with the intimations of massacres and betrayals that are inscrutable on any DDR (Disarmament, Demobilization, and Reintegration) protocol. The neighbours remember. The widows remember. The child who had observed her school turned into a weapons depot recalls, and her recollection is not subject to programmatic modification. To utter the term reintegration in such circumstances is already to commit some sort of euphemistic violence, to sneak a clinical proceduralism into the realm of grief and paranoia and the entirely understandable wish to avenge.

And still the programmes go on. Since the early 2000s and with growing momentum since the territorial defeat of the Islamic State in 2017/2019, governments and multilateral institutions have been

investing billions in P/CVE structures that aim to intercept the radicalisation process, divert those at an early stage and rehabilitate those that have gone through the crucible of extremist violence (Holmer, 2013). The Global Counter-Terrorism Forum has issued more than twenty-five good-practice documents, the United Nations Office of Counter-Terrorism has a sprawling portfolio of capacity-building projects in forty-plus countries, and the European Union Radicalisation Awareness Network was holding practitioners' biannual plenaries that over the years have taken on the self-referential air of a professional subculture (Renard, 2017). Something is being done. It is a different matter whether what is underway has any stable correlation to what is actually the case: in the provisional IDP camps of Borno State, in the overcrowded prisons of northeast Syria, in the dystopian suburban apartments of Molenbeek.

This should be clarified first, since the terminology of the field in itself is a contested area. The concept of deradicalization and disengagement are not synonyms, but they are still constantly mixed up in policy papers written by individuals who ought to be better informed. Deradicalization is a mental process: the discarding of an extremist ideology, the rejection of a worldview that justifies an act of violence as a means of political or theological action (Horgan, 2009). It is, should one take it seriously, an immensely daring enterprise--to ask a person not only to cease fighting but also to cease believing that he was justified in fighting. By contrast, disengagement is behavioural: a person has stopped engaging in violence without always having to change the ideological pledges that authorised it (Bjorgo and Horgan, 2009). The difference is of the essence, since the great majority of programmes which purport to deradicalize are actually bringing about disengagement at best, a suspension of hostile action which can be instrumental, coerced, or even tactical in nature, and not the result of a real epistemic revision.

Kruglanski et al. (2014) have theorised this gap by theorising the gap through the signification quest theory that radicalisation is motivated by a personal meaning that is momentarily fulfilled by violence and deradicalization is achieved by offering alternative means of seeking meaning. It is a beautiful model, yet it carries a disturbing implication: when the post-conflict environment does not provide those alternative avenues, when the economy is stripped away, when the institutions are corrupt and the social networks are torn asunder, then the motivational vacuum which initially facilitated the radicalisation process remains, and the result is a deradicalized person simply waiting to be re-activated.

This article presents the thesis that successful reintegration is not a clinical procedure that can be subjected to the standardised toolkits and logframe matrices. It is a very political and societal bargaining that will never work when ordered down security concerns trumps disordered up social complaints in a systematic, regular, and usually disastrous manner (Della Porta, 2013). The securitised framing of the majority of national P/CVE strategies makes the radical a pathological figure to be cured, extracting the political economy of exclusion that created both the grievance and the movement that cashed in on it. This is not an oversight. It is a formal aspect of a policy architecture which cannot risk incriminating the complicity of the state in the creation of the conditions of radicalisation, since the state is also the main financier and executor of the solution.

What ensues is arranged in four movements of analysis. The former traces the architecture of current models of deradicalization, pitting theology-intensive and welfare-intensive paradigms against each other and challenging their applicability to fragile states. The second studies the empirical history of policy failure and specifically how the metrics problem, the stigmatisation trap and the gender and age aspects which mainstream programming systematically overlooks are important. The third maneuvers through the legal and ethical minefields that come with reintegration the justice-versus-peace dilemma, the civil liberties expenses of non-terminal surveillance, and the juridical ambiguity of suspect citizenship. The fourth puts forward a communitarian resilience model based on local agency, credible messengership, and trauma-informed care and warns against the assumption that any model, however sound in theory, can solve the tensions it is addressing.

2. THE ARCHITECTURE OF DE-RADICALIZATION.

2.1 Global Models in Comparative Perspective.

The modern deradicalization environment can be characterized by two rather distinguishable paradigms that are based on the political culture and threat environment of their country of origin. They are didactic in their respective logics, neither the one a replicable template, but the difference between them discloses the conceptual incoherence which pervades the field.

Saudi Arabian is theology-centric, with the model being inaugurated in 2004 the auspices of the Advisory Committee of the Ministry of Interior and then institutionalised by the Mohammed bin Nayef Centre of Counseling and Care (El-Said, 2015). The key idea behind its functioning is that the root of jihadist violence lies in a perverse interpretation of the Islamic jurisprudence and that the answer to it is found in months-long arduous clerical work that aims to show the invalidity of takfiri logic, would reposition jihad within the classical parameters of legitimate authority and proportional force, and would restore the individual to the family and tribal obligations systems that override the temptation. Material inducements include in addition to the programme housing, vehicles, employment assistance and assistance in arranging marriages and this has been described by critics as a model of a golden cage whereby compliance is rewarded with high levels of material inducement that would make defection economically illogical.

According to the reports provided by the Saudi government, the outcomes are quite impressive: recidivism rates are always mentioned below twelve percent, and some official documents indicate only three to five percent. But these statistics are to be questioned. Extremely limited is independent verification, which is limited by the secrecy of the Saudi security apparatus (Boucek, 2008). The denominator, who is a graduate and who is either quietly reclassified or indefinitely jailed without joining the statistical universe of the programme, is entirely at the mercy of the state. Recidivism has occasionally been omitted in calculations of domestic recidivism by former detainees who re-offended abroad, such as in the war theatre of Yemen by a number of them. And the theological assumption of the programme carries with it a certain political theology: the delegitimation of violence against the Saudi state, not delegitimation of violence. The model is not radicalised selectively de-radicalising any threat to the ruling order, but leaving behind a conservative Salafi worldview that would be considered by other governments to be radicalising itself (Hegghammer, 2010).

In its turn, the Danish Aarhus model is based on a social-democratic welfare tradition according to which radicalisation is viewed as a symptom of social exclusion (Bertelsen, 2015). The Aarhus approach was implemented in 2007 and is based on the concept of treating people at risk or having returned to violent extremism as clients of the municipal welfare system, but not security subjects. Case managers are the ones who arrange packages of support; housing, education, employment, psychological counselling, mentorship based on the idea that reintegration is a social process that needs the same infrastructural attention as any marginalised population needs. The programme is categorically non-forceful: it is voluntary, there is a restricted level of intelligence sharing with security services, and the focus is placed on the establishment of trust rather than the derivation of compliance.

Aarhus has enjoyed a highly acclaimed reputation within the European community of P/CVE, and its multi-agency and municipality-level approach has been reproduced in cities at Vilvoorde, Gothenburg, and elsewhere (van de Donk et al., 2022). However, the reputation is stronger than the evidence base. The number of people who returned to Syria and Iraq as refugees in Denmark was in the low dozens, which allowed conducting intensive individualised casework that could not be done when the number of cohort is measured in the thousands. This means that the model is almost definitionally non-transferable to situations where the institutions of a strong welfare state are absent or destroyed due to the lack of strong welfare state infrastructure. And the voluntary participation model provides a bias in itself and inflates the apparent success: those who consent to participate are, by definition, already predisposed to disengagement, and the hardcore cases do it on their own (Christensen, 2019).

2.2 The Post-Conflict Variable

The Saudi and the Danish models were developed to address stable states that faced a discrete threat population. As soon as their logics are implanted into the disrupted governance situations of post-conflict societies, the outcomes are either disillusioning or even detrimental in this case.

The most graphic example is in Iraq. This post-2017 deradicalization initiative has been defined by systemic underinvestment, institutional disarray, and the sheer size of the task: tens of thousands of people are in detention under suspicion of being affiliated to ISIS, many of whom have been imprisoned without trial over years in institutions that human rights organisations have called radicalisation factories (Revkin, 2020). This has been reported as the governmental rehabilitation programme, at the Hut Camp complex in Anbar Province, giving cursory ideological counselling sessions to cohorts of several hundred, delivered by imams with no specialised training, in a system of detention infrastructure where trust-building is not permitted (Khalil & Zeuthen, 2016). The data on recidivism is not gathered in a systematic manner; programme “graduation” is more associated with the management of carceral capacity than with any of the cognitive or behavioural changes that are measured.

The acute issue of community rejection has been facing the Operation Safe Corridor programme, which was created in 2016 to process Boko Haram defectors deemed as low-risk in northeastern Nigeria (Inks et al., 2017). Alumni of the programme, several of whom have been involved in assaults on the same communities in which they are repatriated, are met with hostility that goes all the way to social ostracism, as well as violent retaliation. Fatima Akilu has reported instances where returnees were killed by the community members within weeks of reintegrating into it, a form of extrajudicial accountability, which the formal programme architecture does not foresee or can deal with (Akilu, 2017). Vocational training will never replace the communal readiness to accept the returnee, and this readiness cannot be programmed out of thin air.

The Western Balkans present a different but equally instructive configuration. Bosnia-Herzegovina, Kosovo, and North Macedonia confronted a wave of returnees from Syria and Iraq that, while numerically modest, arrived into polities still processing the traumas of the 1990s conflicts. The radicalisation of young Balkan Muslims in the 2012–2016 period was itself partly a product of post-conflict dysfunction—frozen ethno-political structures, youth unemployment exceeding forty percent, a pervasive sense of European rejection—and reintegration programmes that failed to address these structural drivers were, in effect, asking returnees to re-enter the same vacuum that had expelled them (Azinovic & Jusic, 2015).

2.3 Cognitive Openings and Push-Pull Dynamics

The most widely used theoretical framework in deradicalization mechanisms is the so-called cognitive opening concept first introduced by Wiktorowicz (2005) and later modified by Horgan (2009), Altier et al. (2014), and Koehler (2017). A cognitive opening is a psychological receptivity occasion in which the conviction of an individual in the extremist world-view is vulnerable, brought about by disillusionment, personal crisis, or the very weariness of functioning life. Theoretically, programme design is concerned with finding and capitalizing on such gaps: timing interventions to be vulnerable, credible interlocutors, and material and relational options that can make an exit possible (Altier et al., 2014).

The push-pull model groups those factors which push people out of extremist groups (push factors: internal disillusionment, leadership disputes, moral revulsion) and those which draw people to mainstream society (pull factors: family ties, economic opportunity, amnesty guarantees). In practice, the push factors are usually more salient those ones individuals leave extremist movements more frequently due to internal malfunction than because the alternative is attractive, which has uncomfortable consequences regarding the programme design, as it implies that the state may be structurally incapable of pulling people out (Bjorgo and Horgan, 2009; Clubb, 2016).

The emotional aspect is regularly under theorised. Radicalisation cannot be considered solely as a cognitive act of embracing aberrant beliefs; it is a lived, interrelational sense of belonging. The group offers identity, meaning, brotherhood or sisterhood, an account of cosmic importance where the individual plays a heroic role (Sageman, 2004). Social rejection of the mainstream society and shaping strong affective

bonds within the extremist environment develops a dual form of attachment that is exceptionally resistant to programmatic intervention. The tactical use of counter-narratives to undermine the narrative (also referred to as narrative subversion) is now a cottage industry in P/CVE, yet its effectiveness is limited specifically due to its misdiagnosis of the problem: radicalisation is maintained not because of the logical persuasiveness of the narrative, but the emotional and social roles that it plays (Schmid, 2013; Ferguson, 2016).

3. THE POLICY-PRACTICE GAP: EMPIRICAL FAILURES

3.1 Stigmatisation is a barrier to the process of re-integration

The stigmatisation that comes with identifying, formally or informally, accurately or falsely, former extremists is one of the most intractable and least recognised contributors to reintegration failure. The security-first paradigm views the returnee as a subject of surveillance, a risk, a potential threat whose each social encounter is readable as a potential sign of re- engagement. This framing is a dynamic obstacle to social reconnection (Marsden, 2017).

The process of labelling has been well-documented in criminological literature. The original research of Becker (1963) on deviance proved that the use of a stigmatising label alters the self concept of the labelled and the reaction of the social environment to the labelled, forming a feedback loop that ends up reinforcing the very behaviour the label was supposed to be preventing. This mechanism in the counter-terrorism context works especially well in a virulent manner. A person after a deradicalization programme has a formal or informal security label which accompanies them throughout all further interactions with the state apparatus: applications to work are marked, movements are limited, receipt of social welfare is conditional on compliance, and the social network of the person is secondarily surveilled which isolates possible supporters (Silke & Veldhuis, 2017).

Fieldwork that has been conducted in various settings; Tunisia, France, Indonesia, Kenya, has reported instances in which people who had formally disengaged had been re-radicalised by the experience of state surveillance and social disownment that followed their own formal reintegration (Cherney, 2020). It is a sadistically circular mechanism in that the security response of the state to the perceived recidivism threat ends up being a driver of recidivism, creating the effect it was meant to avert. It is not an incidental finding but a structural characteristic of a system that is simply incapable of treating a person as a security threat and as a citizen in good standing at the same time.

3.2 The Success Metric Problem

What is the success of a deradicalization programme? Recidivism is the default measure or the rate of programme graduates returning to violent extremism. This has the attraction of seeming objectivity: either the person re-offends or not. However, as a matter of fact, recidivism rates are among the most manipulable statistics in the whole security-policy arena (Porges, 2010).

The definition of re-offending will differ dramatically across jurisdictions: is it expression of extremist sympathies but in an inactive form? Affiliation to banned organisations? On suspicion only or conviction only? The denominator is also elastic: is it all who signed the programme, or just some who have been through the programme? There are strong institutional motivations in governments to understate the recidivism rates. Programme budgets are pegged on proven outcomes; political careers are based on the credentials of tough-on-terror that are not substantiated by high failure rates; and international donors need positive reviews that will justify further funding (Horgan and Braddock, 2010).

Researchers have criticized the three-five percent recidivism rate in Saudi Arabia by pointing out that it excluded those who returned to the Kingdom after engaging in other activities, those who returned to being detained without re-processing, and those whose restrictions were so extensive that it was virtually impossible to overcome the recidivism ideology (Boucek, 2008; El-Said, 2015). According to the post-LTTE rehabilitation programme in Sri Lanka, the rate of recidivism was effectively zero, which is only

possible with a narrow definition of recidivism that excludes the continuation of political surveillance, limited movement, and social marginalisation (Hettiarachchi, 2018).

The more fundamental issue lies in the fact that even recidivism as honestly recorded misses the most extreme failure. A person who never goes back to violence, but is socially isolated, economically marginal, psychologically traumatised and politically disenfranchised has not been successfully reintegrated under a real meaning of human security. The existing metrics system encourages the manufacture of complacent bodies as opposed to functional citizens, which is of immense importance to long-term stability but can not be reflected in programme assessments because of the structural constraints of their conventional three-to-five-year timeframes (Marsden, 2017; Webber et al., 2018).

3.3 Gender and Age: The Neglected Dimensions

Women and child reintegration of extremist groups is a separate analytical and programmatic problem which mainstream P/CVE models have treated, where they have treated it, with a mixture of conceptual confusion and program improvisation.

Female members of organizations such as the Islamic State are placed somewhere between the agency and victimization spectrum, which is baffling to the dualist categories most of the legal and programmatic responses are based on (Pearson, 2018). Did they become brides or ideological volunteers by coercion? Active propagandists or passive dependents? Victims of trafficking or perpetrators of enslavement? In most instances, the reply is: each of them, one after another, or all at once, in a manner that can not be easily classified. This confusion has been manifested in the response of the international community. The policy of repatriation has been wildly inconsistent: on the one hand, there have been mass-scale repatriations in some states (Kazakhstan, Russia, Kosovo); on the other, the citizenship has been taken away or the right to consular access denied, effectively outsourcing the issue to the Kurdish government that is already overwhelmed in northeast Syria (Cook and Vale, 2019).

In the case of women who are repatriated, there is a tendency to swing between two insufficient poles, which are security framework and victimhood framework, both of which deprive them of agency. Neither results in coherent reintegration. The former creates stigmatisation processes; the latter does not respond to ideological matters that some women actually believe in, which creates a therapeutic fiction that can not stand the test of existence (Speckhard & Ellenberg, 2020).

The case of minors is more critical. The children born or brought up in the extremist groups are a developmental problem of monumental complexity. Others have been exposed to a high level of violence, ideological indoctrinations at critical stages of their development, deprived of primary caregivers and have not received formal education. Their reentry needs specialised expertise in child-protection, long-term psychosocial assistance, and secure placement in a familial or foster-care setting, which post-conflict settings are the least qualified to offer (Bloom and Horgan, 2019). Young children as young as nine have been tried in counter-terrorism laws in Iraq; minors in the al-Hol camp of Syria served indefinite imprisonment. A generation of uneducated, traumatised, stateless youth, whose developmental experience was shaped by exposure to extremist violence, is the only one long-term security threat that the post-ISIS environment poses (van der Heide & Geenen, 2017).

4. LEGAL AND ETHICAL QUAGMIRES

4.1 Justice vs. Peace: The Irreconcilable Tension

The correlation between transitional justice and reintegration belongs to the category of veritable, perhaps insurmountable, tension. The post-conflict societies face a dilemma that has no clean solution: the accountability craving is combined with the practical understanding that it is neither possible nor stabilising to prosecute masses (Sriram, 2007). In a situation where the population of perpetrators is in the thousands, such as in post-ISIS Iraq or post-conflict Colombia, full judicial processing would strain court resources, take decades, and may even stoke instead of resolving communal tensions.

Amnesty arrangements, truth commissions and plea-bargaining deals are practical compromises but at a price. Amnesty is a second violation of victims and their communities; victims are erased by the state in the name of a peace that they do not agree to and may not even enjoy (Mani, 2002). Though complex, the Colombian peace process has brought bitter feelings to the rural communities who see the reintegration of the FARC as an injustice and aggravation to the already displaced: the guerillas who killed and displaced are being given land, stipends, and political representation, meanwhile the displaced people continue to remain in urban fringe (Theidon, 2009). It is not a design issue that can be fixed by superior programming. Any structural tension in any process that tries to provide justice and stability at the same time is inherent.

4.2 Architecture of Suspicion and Human Rights Compliance

The civil liberties issue brought about by the post-reintegration monitoring regimes that the majority of states have imposed on former extremists is an issue that the P/CVE field has been exceptionally hesitant to tackle. Many jurisdictions place various types of surveillance and restriction on reintegrated individuals that constitute a permanent loss of citizenship: reporting, movement, digital surveillance, association and employment restrictions, and welfare benefits contingent on security compliance (Muller, 2021).

These restrictions have different legal grounds. In other jurisdictions they are established by formal court order over a specified length of time; in other they are bureaucratic in that they are implemented by administrative means that are not subject to judicial review and that their parameters are more or less whatever the security services feel like (de Londras, 2018). Its long-term impact is the establishment of a permanent underclass of the so-called suspect citizens, those who belong to the polity but never fully enjoy its benefits. This position is self-authorizing: the limitations create social marginality, which is then interpreted as indicative of further risk and leads to its repetition in a vicious cycle without any principled ending point.

The international human rights law offers certain limitations, the International Covenant on Civil and Political Rights specifies that limitations on liberty must be both necessary and proportionate, but since 2001 the counter-terrorism exception has grown so enormously that said limitations have become little more than a formality. The rights implications of P/CVE programming have been identified by the UN Special Rapporteur on Counter-Terrorism and Human Rights on many occasions, but such interventions have had little effect on state practice (Scheinin, 2010). It is something corrosive in the very nature of a system that offers a promise of reintegration but only offers a permanent suspicion- that gives out the possibility of social restoration as a reward of programme attendance and makes sure that structural arrangements will never lead to full restoration. This amounts to violation of the social contract (implied) upon which the participation in voluntary programmes relies.

5. MOVING TO A COMMUNITARIAN FRAMEWORK

5.1 State Surveillance to Community Resilience

The above failures are united by a common structural source: the concentration of the power of reintegration in security-state structures whose organisational logics are quite incompatible with the relational and trust-based processes upon which authentic social reintegration is built. The second is not the removal of a role by the state-level, but the radical change of the seat of agency towards decentralised security apparatuses to local communities, civil-society organisations, and individuals themselves (Ris & Ernstorfer, 2017). The concept of community-based conflict resolution and reintegration is not new: the Gacaca courts in post-genocide Rwanda, the community reconciliation process in East Timor, the local peace committees in the Northern part of Kenya and eastern DRC (Clark, 2010). The common denominator of these approaches is that they understand reintegration is essentially a local process: it will be successful or not successful on the level of the neighbourhood, of the village, of the extended family, of the mosque, of the marketplace-spaces which are basically invisible to the national programme architectures and which the international donors can not enter.

5.2 Evidence-Based Recommendations

Vocational training and economic integration are inseparable not in that they deal with the ideological aspects of the radicalisation - they do not - but in that they deal with the material conditions without which no kind of social reintegration can be maintained. A person who lacks an income, has no productive role in society, who has no purpose that can be read by his or her community as a sign of reformation, is a person whose functional advantages of belonging to a group, who has a point, who has an identity, who has material support, are still effective. The DDR programming evidence on various conflict settings is consistent, that is, economic reintegration is not adequate in preventing re-recruitment, yet it is almost imperative (Muggah, 2009).

Trauma-informed care cannot be achieved by simply mentioning it as a buzzword in programme documents. Complex PTSD, moral injury, dissociation, and a disruption in attachment are prevalent among those who have experienced or witnessed extremist violence, and these issues are well-known clinically but poorly represented in the design of programmes (Weine et al., 2017). The rationale is that most deradicalization programmes do involve some form of psychosocial support, but the latter is usually merely group guidance which is administered by untrained personnel in institutions that continue to traumatise. One would need a serious commitment to trauma-informed care, which would entail clinical evaluation, individualised treatment planning, long-term therapeutic interaction, and integrating mental health care into community-based support systems that persist beyond formal programme completion.

Probably the most consistently effective component of the deradicalization evidence base is credible messengers - former radicals who have truly disengaged, and who can address the realities of the extremist life in a credibility that no external professional can possibly emulate. German (EXIT-Deutschland), Scandinavian, Colombian, and Indonesian programmes have shown that the word of a former inmate has persuasive power, which cannot be matched by ideological counter-narratives (Koehler, 2017; Horgan, 2009). There is no lack of danger in the model, the credibility is tied to the authenticity of disengagement, and instrumentalisation has ethical issues, yet it considers affective and experiential aspects which are systematically overlooked by purely cognitive approaches.

The position of religious and traditional leaders should be finely tuned. When radicalisation includes a theological aspect, the involvement of plausible religious figures may offer a doctrinal re-framing through which ideological reworking can be achieved without losing faith which is psychologically important and which is often habitually neglected by designers of secular programmes (El-Said, 2015). Nevertheless, the risks associated with the state co-optation of religious authorities to counter-terrorism are as follows: this will lead to the delegitimization of the very people whose authority relies on their perceived independence and the reduction of complex theological traditions to state security policy tools, which will backlash among the communities that see such an arrangement as manipulative (Schmid, 2013).

6. CONCLUSION: THE PERPETUAL VIGIL

The materials here collected are not inclined to optimistic synthesis. In its various forms and spread across geographic territories, deradicalization programming has yielded the occasional success, systemic failure, and a great grey zone of ambiguous results that the current metrics infrastructure can not truthfully quantify. The Saudi model is successful in Saudi Arabia since Saudi Arabia is the country with the authoritarian capacity, the resource base, and the theological monopoly to maintain it; it cannot be exported. The Aarhus model is effective in Aarhus since it is a small, successful, well-managed city with a strong welfare state; it is not scalable. And the ad hoc programmes running in Iraq, in Nigeria, in the Sahel, in the Syrian camps are, in most cases, barely functional, their existence maintained less by the sign of impact than by the institutional inertia of a counter-terrorism architecture that must have them there in order to claim its own.

Honest reintegration is not a programme result but a process of generation, a non-linear process, a process of intergenerational negotiation, a process between individuals, communities, and states, which is sluggish and has no clean edges and which takes decades to complete. The person who ceases violence at 25 might not attain real social reintegration, the rebuilding of trust, the regaining of functional

relationships, the rebuilding of liveable identity, forty or fifty, perhaps never. It can take the community that accepts a returnee a generation to entirely work through the implications of that acceptance. The state implementing a reintegration programme might not be the same state at the time when the long-term consequences of the programme can be evaluated.

None of this relieves policy-makers of the need to take action. The opposite of imperfect programming is no programming but rather giving in, giving up, giving up returnees in camps, giving up communities that have no means, giving up children who have no futures, and these results are unambiguously worse. However, the move should be guided by a humility that the P/CVE community has been hesitant to adopt: the acknowledgment that reintegration is at best a containment of failure, as a reduction of damage, as opposed to a removal of risk.

The greatest difficulty is not operational but philosophical. Deradicalization challenges us to believe in the malleability of human belief, in the possibility that a person who has made a killing in the name of an absolute truth can be worked to question that truth, and build a life on the precarious basis of his non-belief. Sometimes this happens. Often it does not. And the policy structure which balances these possibilities must be strong enough to sustain the former without being torn apart by the latter--a calibration, which the literature only hints at, though a calibration that the practice, with its funding schedules, and its political imperative and its insistent demand of demonstrable outcomes, makes nearly impossible to maintain. The vigil is in any event eternal. It has no discharge, and has no final report.

REFERENCES

- Akilu, F. (2017). Countering violent extremism in Nigeria: A community-based approach. In S. Romaniuk, F. Grice, D. Irrera, & S. Webb (Eds.), *The Palgrave handbook of global counterterrorism policy* (pp. 919–935). Palgrave Macmillan.
- Altier, M. B., Boyle, E. L., & Horgan, J. G. (2014). Returning to the fight: An empirical analysis of terrorist reengagement and recidivism. *Terrorism and Political Violence*, 26(2), 305–326.
- Azinovic, V., & Jusic, M. (2015). *The lure of the Syrian war: The foreign fighters Bosnian contingent*. Atlantic Initiative.
- Becker, H. S. (1963). *Outsiders: Studies in the sociology of deviance*. Free Press.
- Bertelsen, P. (2015). Danish preventive measures and de-radicalization strategies: The Aarhus model. In *Panorama: Insights into Asian and European affairs* (pp. 241–253). Konrad Adenauer Stiftung.
- Bjorgo, T., & Horgan, J. (Eds.). (2009). *Leaving terrorism behind: Individual and collective disengagement*. Routledge.
- Bloom, M., & Horgan, J. (2019). *Small arms: Children and terrorism*. Cornell University Press.
- Boucek, C. (2008). Saudi Arabia's "soft" counterterrorism strategy: Prevention, rehabilitation, and aftercare. *Carnegie Endowment for International Peace, Middle East Program*, No. 97.
- Cherney, A. (2020). Evaluating interventions to disengage extremist offenders: A study of the proactive integrated support model (PRISM). *Behavioral Sciences of Terrorism and Political Aggression*, 12(1), 17–36.
- Christensen, T. W. (2019). Former extremists as mentors in exit programmes: A qualitative study of the Aarhus mentorship model. In S. J. Hansen & S. Lid (Eds.), *Routledge handbook of deradicalisation and disengagement* (pp. 219–232). Routledge.
- Clark, P. (2010). *The Gacaca courts, post-genocide justice and reconciliation in Rwanda*. Cambridge University Press.
- Clubb, G. (2016). The role of former members in countering violent extremism: Critical insights from the IRA. *Studies in Conflict & Terrorism*, 39(10), 842–861.

- Cook, J., & Vale, G. (2019). *From Daesh to diaspora: Tracing the women and minors of Islamic State*. International Centre for the Study of Radicalisation, King's College London.
- de Londras, F. (2018). Counter-terrorist detention and international human rights law. In B. Saul (Ed.), *Research handbook on international law and terrorism* (2nd ed., pp. 366–382). Edward Elgar.
- Della Porta, D. (2013). *Clandestine political violence*. Cambridge University Press.
- El-Said, H. (2015). *New approaches to countering terrorism: Designing and evaluating counter radicalization and de-radicalization programs*. Palgrave Macmillan.
- Ferguson, N. (2016). Disengaging from terrorism: A Northern Irish experience. *Journal for Deradicalization*, (6), 1–29.
- Hegghammer, T. (2010). *Jihad in Saudi Arabia: Violence and pan-Islamism since 1979*. Cambridge University Press.
- Hettiarachchi, M. (2018). Sri Lanka's rehabilitation programme: A new frontier in counter terrorism and counter insurgency. *Prism*, 7(2), 105–121.
- Holmer, G. (2013). *Countering violent extremism: A peacebuilding perspective*. Special Report No. 336, United States Institute of Peace.
- Horgan, J. (2009). *Walking away from terrorism: Accounts of disengagement from radical and extremist movements*. Routledge.
- Horgan, J., & Braddock, K. (2010). Rehabilitating the terrorists? Challenges in assessing the effectiveness of de-radicalization programs. *Terrorism and Political Violence*, 22(2), 267–291.
- Inks, L., Lichtenheld, A., & Maza, K. (2017). *Considering the effects of stigma on acceptability of reintegration programming in northeast Nigeria*. Mercy Corps.
- Khalil, J., & Zeuthen, M. (2016). *Countering violent extremism and risk reduction: A guide to programme design and evaluation*. RUSI Occasional Paper, Royal United Services Institute.
- Koehler, D. (2017). *Understanding deradicalization: Methods, tools and programs for countering violent extremism*. Routledge.
- Kruglanski, A. W., Gelfand, M. J., Bélanger, J. J., Sheveland, A., Hettiarachchi, M., & Gunaratna, R. (2014). The psychology of radicalization and deradicalization: How significance quest impacts violent extremism. *Political Psychology*, 35(S1), 69–93.
- Mani, R. (2002). *Beyond retribution: Seeking justice in the shadows of war*. Polity Press.
- Marsden, S. V. (2017). *Reintegrating extremists: Deradicalisation and desistance*. Palgrave Macmillan.
- Muggah, R. (2009). *Security and post-conflict reconstruction: Dealing with fighters in the aftermath of war*. Routledge.
- Muller, M. (2021). Suspect citizens: The politics of monitoring and control in post-reintegration settings. *Journal of Policing, Intelligence and Counter Terrorism*, 16(3), 221–239.
- Neumann, P. R. (2010). *Prisons and terrorism: Radicalisation and de-radicalisation in 15 countries*. International Centre for the Study of Radicalisation, King's College London.
- Pearson, E. (2018). *Wilayat al-Nisa: Gendering ISIS and evaluating gendered counter-measures*. *The RUSI Journal*, 163(3), 60–74.
- Porges, M. L. (2010). *The Saudi deradicalization experiment*. Council on Foreign Relations.
- Rabasa, A., Pettyjohn, S. L., Ghez, J. J., & Boucek, C. (2010). *Deradicalizing Islamist extremists*. RAND Corporation.

- Vysotskyi, A. (2026). From radicalization to reintegration: Measuring the efficacy of counter-terrorism policies in post-conflict societies. *Politics & Security*, 15(1), 80-90. <https://doi.org/10.54658/ps.28153324.2026.15.1.pp.80-90>
- Renard, T. (2017). Overblown: Exploring the gap between the fear of terrorist recidivism and the evidence. *CTC Sentinel*, 10(4), 19–25.
- Revkin, M. R. (2020). After the Islamic State: Balancing accountability and reconciliation in Iraq. United Nations University Centre for Policy Research.
- Ris, L., & Ernstorfer, A. (2017). Borrowing a wheel: Applying existing design, monitoring, and evaluation strategies to emerging programming on preventing/countering violent extremism. Peacebuilding Evaluation Consortium.
- Sageman, M. (2004). Understanding terror networks. University of Pennsylvania Press.
- Scheinin, M. (2010). Report of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism (A/HRC/16/51). United Nations Human Rights Council.
- Schmid, A. P. (2013). Radicalisation, de-radicalisation, counter-radicalisation: A conceptual discussion and literature review. ICCT Research Paper, International Centre for Counter-Terrorism – The Hague.
- Silke, A., & Veldhuis, T. (2017). Countering terrorism and violent extremism: The research. In G. LaFree & J. D. Freilich (Eds.), *The handbook of the criminology of terrorism* (pp. 538–555). Wiley.
- Speckhard, A., & Ellenberg, M. (2020). ISIS in their own words: Recruitment history, motivations for joining, travel, experiences and pressing concerns. *Journal of Strategic Security*, 13(1), 82–127.
- Sriram, C. L. (2007). Justice as peace? Liberal peacebuilding and strategies of transitional justice. *Global Society*, 21(4), 579–591.
- Theidon, K. (2009). Reconstructing masculinities: The disarmament, demobilization, and reintegration of former combatants in Colombia. *Human Rights Quarterly*, 31(1), 1–34.
- van de Donk, M., Feddes, A. R., & Doosje, B. (2022). A meta-analytic review of the effectiveness of CVE programs. *Journal of Experimental Criminology*, 18, 605–629.
- van der Heide, L., & Geenen, J. (2017). The foreign fighters from the Western Balkans. International Centre for Counter-Terrorism – The Hague.
- Webber, D., Babush, M., Schori-Eyal, N., Vazeou-Nieuwenhuis, A., Hettiarachchi, M., Bélanger, J. J., ... & Kruglanski, A. W. (2018). The road to extremism: Field and experimental evidence that significance loss-induced need for closure fosters radicalization. *Journal of Personality and Social Psychology*, 114(2), 270–285.
- Weine, S., Eisenman, D. P., Kinsler, J., Glik, D. C., & Polutnik, C. (2017). Addressing violent extremism as public health policy and practice. *Behavioral Sciences of Terrorism and Political Aggression*, 9(3), 208–221.
- Wiktorowicz, Q. (2005). *Radical Islam rising: Muslim extremism in the West*. Rowman & Littlefield.