

# What's new in human rights doctoral research

A collection  
of critical  
literature reviews  
Vol. VIII

edited by

Pietro de Perini, Paolo De Stefani



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**Vol. VIII**

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Pietro de Perini and Paolo De Stefani,  
University of Padova



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## Introduction

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For several years now, it has become nearly conventional to observe that the contemporary socio-political, cultural, and academic landscape is experiencing substantial challenges to the human rights framework, which was haltingly and laboriously constructed over decades by the international community. The global norms and institutions established with the objective of promoting and protecting human rights are subjected to persistent and increasingly overt attacks. Political and cultural stakeholders across various regions, including in nations historically associated with the cause of human rights, are openly questioning the effectiveness, relevance, and legitimacy of the normative structures established in the aftermath of the Second World War and fostered by the United Nations.

However, it is not solely the specific subject matter of rights, with its distinct political and programmatic dimension rooted in Western history, that faces critique. This critique—by no means solely constructive—extends to the dismantling of the very concept of an international order, the project of a governmentality elevated to an international and potentially planetary scale. It is not merely individual components of the international law ‘software’ (the norms concerning human rights, international trade law, the law of the sea, or the law of armed conflict) that are suffering substantial disruption and significant delegitimation; rather, the entire ‘hardware’ of international law is being profoundly destabilised by corrosive practices and discourses that broadly shape our contemporary era.

The contributions assembled in this volume encapsulate the multifaceted crisis confronting the governance paradigms that undergird the edifice of globalization—paradigms presently confronting political, technological, and environmental transformations of unprecedented magnitude.

The most epistemologically prominent manifestation of this ontological upheaval is the hypothesis of the Anthropocene: an era in which the entire planet, including its physical and biological foundations, is purportedly conditioned by a single species—humankind—whose decisions across political, economic, energy, and technological domains have the capacity to irreversibly influence the Earth’s future, potentially to the point of causing its own extinction. Even if this perspective were to be deemed scientifically inaccurate or excessively alarmist, it nonetheless articulates a real circumstance: humanity’s profound uncertainty regarding its positioning within the planet it inhabits, rendered unable to depend upon the certainties or rhetorical frameworks of either traditional or modern thought.

For the fragmentarily globalised society in which we are immersed, the challenge is to design a rational and dialogic horizon that enables individuals, collectivities, state and nonstate institutions to develop relationships that are both ‘just’ and ‘peaceful’. This should be achieved by establishing foundations liberated from the legacies of colonialism and other historical and ideological relics, applying necessary radicalism, and exposing the propaganda and rhetorical devices through which neoliberal governance – merely seemingly inclusive – has been legitimised. An analogous process must also apply to individual agency and self-construction, which holds particular significance for adolescents and young people. The various forms of human and labour exploitation, indeed, converge at the intersection of neoliberal governance policies and the policies of ‘govern of self’, which entail the voluntary relinquishment of individual rights and dignity in return for an illusory form of inclusion.

Chapter One opens the volume with Sofia Riva’s interdisciplinary literature review connecting three bodies of scholarship: digital migration, platform governance, and the philosophy of law on vulnerability. Drawing on a large literature review, she traces how migrants and diasporic individuals increasingly conduct central identity processes – familial, cultural, political – through digital platforms whose architecture and governance are shaped by corporate rather than democratic values. The chapter argues that this generates a distinctive form of vulnerability warranting attention from a human rights perspective.

The second chapter sees Chenda Wu examine the labour exploitation of Chinese migrant workers in Italy, focusing on the tension between the ethnic labour market’s informalised norms and Italian criminal law, particularly Article 603-bis of the Penal Code. Drawing extensively on migration studies and legal scholarship, Wu introduces the concept of “self-exploitation” to describe arrangements that are simultaneously voluntarily accept-

ed and structurally coercive. The chapter highlights the near-absence of Chinese workers from collective bargaining processes and documents an emerging trend of ethnicised hierarchisation as third-country nationals are recruited to replace a shrinking Chinese migrant workforce.

Chapter Three presents Anna Romanovych's wide-ranging review of human relationships with nature, climate change, and the emerging legal concept of ecocide. Moving from environmental history and political ecology through to international criminal law, the chapter traces the genealogy of ecocide from Galston's initial coinage in 1970 to the 2021 Independent Expert Panel definition, documenting the persistent legal obstacles – causation, *mens rea*, state versus individual responsibility – that impede its formal recognition. The chapter also surveys existing mechanisms for environmental protection and restoration, reading rights-of-nature provisions and indigenous legal frameworks as partial but significant advances.

Marta Vischi's formally experimental review of how the term "energy transition" is deployed across academic, financial, and political contexts is the fourth chapter of this book. Vischi argues that social scientific constructs such as "energy justice" and "energy democracy" affix the word "energy" to pre-existing normative debates without substantively advancing them, whilst financial instruments such as green taxonomies constitute rather than describe the conditions they purport to measure. Turning to physics, Vischi contends that energy, properly understood, neither transitions nor is produced or consumed, and that what is ordinarily called an energy transition is more precisely a technological conversion.

Chapter Five examines social justice from a psychological perspective, situating it within a global "polycrisis" of armed conflicts, democratic erosion, climate change, and inequality. Mehmet Caglar Akyigit traces the historical and theoretical roots of social justice, from Platonic and Kantian philosophy to contemporary institutional definitions by the UN and ILO. The chapter introduces the three core dimensions of social justice – redistribution, recognition, and participation – and argues that psychology must move beyond individual-level analysis to engage with systemic inequalities. It explores how "lotteries" (unchosen circumstances such as natural, social, geographical, temporal, and interspecies inequalities) generate structural injustice affecting mental health and well-being. The chapter further argues that pluralism, complexity, and critical consciousness are key capacities for youth confronting these challenges.

Barbara Rinaldi authors Chapter Six, which investigates the role of future thinking in supporting adolescents aged 14–18 in planning their career paths, within the context of the Anthropocene Age, marked by ecolog-

ical crises and extreme social inequalities. The chapter introduces the Life Design framework as a paradigm shift in Career Guidance, emphasising holistic, narrative-based, and sustainability-oriented approaches to career development. It presents the Anticipatory Design Paradigm, which conceptualises future thinking as a collective, socially embedded capacity grounded in abductive reasoning. Rinaldi reviews empirical evidence linking future thinking to career adaptability, time perspective, and decision-making in adolescents. Two validated instruments – the Consideration of Future Consequences Scale and the Foresight Style Assessment – are examined for their applicability in Career Guidance. The chapter concludes by highlighting the absence of specific future thinking interventions in Career Guidance and proposes a five-session workshop-based programme to foster adolescents' imaginative and future-oriented capacities.

In Chapter Seven, Joseph Tendai Ruzvidzo critically examines the UN Human Rights Council (HRC) and Universal Periodic Review (UPR) through a postcolonial lens, arguing that their structures reproduce colonial legacies and power hierarchies. Drawing on scholars such as Mutua, Spivak, Fanon, and Boaventura Santos, the chapter challenges the universalist claims of the human rights system, exposing its Eurocentric foundations. Ruzvidzo introduces the concept of the “participation-power gap,” describing how Global South states and civil society actors are formally included but rarely exercise substantive influence. The chapter analyses the UN's colonial origins, the selective scrutiny within the HRC, and the performative nature of UPR reviews, noting that the three cycles completed in 2011, 2016, and 2021, consolidated institutional legitimacy without addressing structural inequalities. The chapter distinguishes between procedural reform proposals and more radical decolonial approaches, ultimately arguing that genuine transformation requires confronting the epistemic hierarchies that determine whose voices and knowledge are recognised.

In Chapter Eight, Tancredi Marini presents a theoretical framework for researching the role of Italian local authorities in promoting a political culture of peace, using the Perugia-Assisi March for Peace and Fraternity as a case study. The chapter begins by defining the notion of political culture, before introducing Galtung's concept of positive peace – encompassing social justice, non-violence, and structural transformation – as the normative foundation for a peace culture. It then examines Antonio Papisca's theory of International Democracy, which positions peoples, NGOs, and transnational movements as agents of change capable of democratising the international system through human rights law. The chapter further explores Global Civil Society, Multilevel Governance, the principle of sub-

sidiarity, and City Diplomacy, arguing that local authorities are increasingly active international actors. Together, these frameworks support the claim that local peace cultures can contribute meaningfully to global democratic transformation.

Clelia Vettori's literature review on propaganda in Western democracies, with particular focus on the United States and Israel, closes this collection. Her chapter traces the origins of modern propaganda from early 20th-century thinkers such as Bernays and Lasswell, who argued that mass persuasion is an inherent feature of democratic governance. It distinguishes "soft" peacetime propaganda from wartime "atrocities propaganda" and critically examines Israeli *hasbara* as a contemporary case, challenging its classification as mere "public diplomacy" and arguing it falls squarely within propaganda's definitional scope. The chapter then analyses the structural mechanisms of mainstream US media – drawing on Herman and Chomsky's propaganda model and the media consensus approach – that make them susceptible to serving elite interests. Finally, Vettori introduces the techno-feudal thesis (Varoufakis, Dean) to describe how algorithmic platforms have transformed the information environment, laying groundwork for a propaganda model suited to the post-truth era.



# An Interdisciplinary Review of Digital Vulnerability for Migrant and Diasporic Groups

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**Abstract:** This article serves as a brief literature review of three thematic issues through an interdisciplinary lens. Part one explores the evolving field of digital migration, focusing on the use of digital infrastructures, mainly digital platforms, by migrant and diasporic groups to conduct identity processes. Part two delves into platform architecture and governance, highlighting the strand of scholarship denoting the mediating power of platforms. Part three concludes with a brief summary of the philosophy of law literature on vulnerability, specifically in its application to migrants and the human rights framework. The article concludes with a call for further investigation into the interconnections between these areas of study in order to elucidate a special kind of vulnerability of migrants and diasporic groups on digital platforms, and questions if the human rights framework could serve to address such.

*Keywords: Digital Migration, Digital Platforms, Vulnerability, Human Rights Framework.*

## Introduction

A common characterisation of our modern society is the state of *hyper-connectivity*. This implies a recognition of the fact that our modes of communication and connection with others are no longer limited by a cartesian framework, by the here and now. Ever more connections transverse time and space, through the infrastructure of digital platforms. These kinds of digital connections are even more crucial for individuals in transnational settings who *cannot* combine the digital connection with a physical one.

Migrant and diasporic individuals encapsulate this conundrum— existing in an existential state of separation, and limited in a myriad of ways (time, money, legal status) from traversing that separation: except through digital infrastructure. A closer look, thus, is needed at the use of digital platforms by migrant and diasporic individuals for the conduct of central identity processes. Furthermore, I seek to highlight the special vulnerability generated by the architecture, governance, and *value generation* of these platforms. To this end I will take the reader through a (very) brief literature review of three main concepts: digital migration, platform structure, and vulnerability as a legal philosophical framework. I contend that such an interdisciplinary look is crucial to identify specific forms of precarity and potential rights violation, and open up new currents of investigation from the human rights perspective.

## 1. Digital Migration

Digital Migration is at its heart an intersectional methodology calling attention to the, ever growing, role of technologies in the migration process. It encapsulates the ‘digitisation of borders’ and developments in surveillance technologies (Leurs 2023, 1). Included is a strand of scholarship which traces new diasporic forms of identity processes on digital platforms. ‘Migration’, Ken Leurs reminds us in the introduction to his volume *Digital Migration* ‘has always been a mediated affair, constituted through storytelling and communicative exchanges.’ (Leurs 2023, 3). A re-examination of the infrastructures allowing such communication in our modern society, brings us into the realm of the digital. For diasporic individuals, migrants, and groups in transnational settings, digital platforms, be these social media accounts, data storage in the cloud, or messaging or video call apps, are potent forms of transborder communication with family or community members who may live on the other side of the world. Attention thus is needed to both the ways in which these communication networks both facilitate, and *mediate*, migrant and diasporic identity, as well as the way that technologies enabling digital mobility are themselves formed within political, economic, and social power structures.

Focusing our lens on these digital platforms brings us to what Kern and Müller have called the ‘middle space of migration’ (see Kern and Müller 2015). Using such a spatial analysis, this middle space is populated by the *actors* of the migratory process which, I would emphasise, includes not only individuals on the migratory route, but also those in both the country of or-

igin and of destination, as well as the institutions and networks which both enable and transform the experience of migration (Collins 2020, 3). The explosion of digital platforms in this middle space, and their emergence as a major infrastructure of the migratory process, has been theorised by different scholars (See: Either and Irscheid 2024; Leurs and Seufferling 2022; Gordano Peile 2014). A variety of frameworks and terminologies (non specific to migration) have been utilised- stretching from the particular 'platform economy', 'platform capitalism', 'platform urbanism' to the absolute, 'network society' (Terranova 2004) 'platform society' (Van Dijck et al. 2018). In essence, these theories, as Collins citing Leszczynski writes 'index the emergence of 'nascent and developing socio-technical formations that coincide with sweeping shifts being wrought across spheres of economic, political, and social life.' (Collins 2020, 2).

Over the past decades, and thanks to the pioneering work of countless scholars, it has become obvious that these formations are pivotal to the study of migration. The integral role of communication technologies has been highlighted in the probability of a given individual to embark on migration, in information sharing about destinations, or routes to be taken, in the creation of social networks, in testimony and depiction of journeys (Vollmer 2019; Shrestha and Yeoh 2018; Deshingkar 2019). Analysis of network platforms becomes crucial to take into account informal, rather than institutionalised systems (Kleist and Bjarnesen 2019). Of particular interest to a wide range of scholars, which we shall delve into deeper later in this section, is the *cultural* dimension of migration which network communication systems evidence. The importance of social networks and cultural imaginaries in shaping both migrant life, experience and *identity*, for diasporas and the way in which this is structured and performed on digital platforms has been a fruitful source of academic research.

Taking Sökefeld's distillation of diaspora as 'not being there' (Sökefeld 2004), we can extend such a characterisation to the entire migratory process. If from the moment of departure we are not there anymore, this extends from the moment of leaving, to those still in journey, to second generations never having visited the country of origin of their parents. One could even theorise it encompasses moments of return, returning to a place which, perhaps, no longer exists as in the state of memory, or which no longer encompasses the totality of your life and experiences. Of particular interest to scholars has been the ways in which information and communication technologies (ICT) problematises the classic version of (double) absence, and moves us into a paradigm of 'connected presence' interfering with our understanding of space and time. As Dimenscu and

Loveluck summarize it, the migrant experience 'needs to be grasped rather as a logic of multiple forms of presence, associated with the *connected* migrant.' (Diminescu and Loveluck 2014, 1). The connected migrant uses digital communication to link the origin and destination countries, resulting in new practices and mobilities which in turn form new continuities across space and time.

As Tiziana Terranova, points out, the disruption of space and time is not new to digital platforms, but is instead a fundamental feature of communication. She writes 'Communication technologies do more than just link different localities...They actively mould what they connect by creating new topological configurations and thus contributing to the constitution of geopolitical entities such as cities and regions, or nations and empires.' (Terranova 2004, 40). In the scope of this analysis, when examining the migrant or diasporic subject, this space-time warping leads not only to the creation of unique social and cultural entities or imaginaries, but becomes centrally enmeshed with the agency and *timeline* (memory, present, future) of the subject. Scholars such as Andrade and Doolin have shown how migrants use information and communication technologies (ICTs) to manage the trauma of displacement, and how these are connected to temporal dimensions of human agency: iterational (past), practical-evaluative (present), and projective (future) (Andrade and Doolin 2019).

The scholarship on the various facets of the way in which migrants and diasporas navigate and instrumentalize this connected state, and the surprising and particularised formations that emerge is incredibly vast. It encompasses analyses focused on political participation, such as Victoria Bernal's fascinating work on the ways in which diasporic political mobilisation and discussion of origin country politics via digital platforms problematises the boundaries of the state and sovereignty (Bernal 2014); to analyses of platforms as cultural products for migrant and diasporic individuals negotiating minority identities, such as Cassidy and Wang's and Dhoest and Szluc's works on different diasporic groups negotiating their sexual identity (Cassidy and Wang 2017; Dhoest and Szluc 2016). In essence: we can trace in this literature the ways in which migrant and diasporic individuals utilise digital platforms in a plethora of *identity* processes, which, I posit, can be linked with key fundamental rights.

One of the most developed strands of the literature is the ways in which digital platforms are used by migrants and diasporic individuals to navigate and participate in their family lives, in communication with individuals still in the host country. In their seminal work, *Migration and New Media*, Madianou and Miller put it succinctly: 'Although information and

communication technologies do not solve the problems of separation within families, they do contribute to the transformation of the whole experience of migration and parenting.' (Madianou and Miller 2012, 2). What has emerged from literature on 'connected transnational families' or 'digital families' is the way in which migrants and diasporic individuals use what Madianou and Miller termed 'polymedia' that is to say 'a constellation of different media as an integrated environment' (Madianou and Miller 2012, 3) through which to conduct multigenerational familial relations, from love affairs, to parenting, to care-giving for aging parents or relatives (Taipale 2019; Madianou and Miller 2012). Work has also been done on the ways in which new generations use digital platforms to *form new* family ties in transnational settings (Patterson and Leurs 2020).

In light of the incredible breadth of identity, cultural, familial, and agentic processes that occur on digital platforms, thus, Digital Migration as a methodology calls for the need for careful attention to both sides of the equation: the users and the platforms itself. The same platforms which not only enable but co-*create* the 'connected migrant' experience, are far from neutral structures. Leurs et. al urge for a 'relational view to...understand how top-down governmental, security and corporate forces co-shaping the digital migrant condition and bottom-up digital migrant practices impact each other...(and) give a critical account of how migration and digitisation (re)produce unequal power relations as well as drawing on social justice perspectives to articulate possible alternatives' (Leurs 2023, 5). In light of this, in the next section we will take a closer look at the structures of digital platforms, and the literature analysing the consequences of such structure on their users.

## 2. Platform Architecture and Governance

When examining platform structure, as evidenced above, what must be grasped is the way in which platforms are not neutral receptacles, but are structures formed within a socio-political reality which play a key role of *mediation*. As John Law points out,

Materials – technologies – are moulded by the intersection of natural and social factors. They are shaped....To talk of social shaping draws our attention to the larger factors (economic conditions, cultural assumptions) that pattern materials. By contrast, to talk of social construction differentially draws our attention to the people doing the patterning, the act of creating and building, and their uses of culture. (Law 2008, 2).

Both social shaping and social construction is imperative to the discussion of digital platforms. This is especially so when considering the ways in which central processes of the subject, as we saw in the previous section, such as family ties, cultural belonging, identity and agency, – in gist activities classically considered perhaps the most *embodied*– are the activities being mediated. As Van Dijck writes: ‘Both body and machine are considered platforms through which activities are mediated, yet the materiality of that platform profoundly matters: information is embodied as much as flesh is computed’ (Van Dijck 2007, 45). Likewise, Terranova notes: ‘Machines, the reality constructed by capitalism, are not phantoms of modernity after which life can run unscathed– they are, on the contrary, the concrete forms according to which reality organises itself, and the material connections within which subjectivity is produced..’(Terranova 2004, 39).

Over the past decade there has been an ever-growing literature surrounding digital platforms, and their various roles in different facets of life: such as public discourse, cultural production, labour organisation, consumption and economic participation. Much of the research surrounding digital platforms’ organisation can be divided into two main streams: research into platforms as business models, and research into platforms as a type of social order, with emphasis on governance models (Ametowolba and Kirchner 2022, 2-3). For the purposes of the analysis here, I find Van Dijck’s theorisation of each platform as a microsystem ,which can be understood as both a technocultural concept (which encompasses technology, users and usage and content) and as a socioeconomic structure (which shifts the focus onto its owners, governance and business model) (Van Dijck 2013, 28) to be the most pertinent. In order to understand not only the structure of each microsystem, but also the way each platform *interacts* in the broader ecosystem, we can work with Van Dijck et al.’s definition of platform and platform ecosystem:

An online “platform” is a programmable digital architecture designed to organise interactions between users- not just end users but also corporate entities and public bodies. It is geared toward the systematic collection, algorithmic processing, circulation and monetisation of user data. Single platforms cannot be seen apart from each other but evolve in the context of an online setting that is structured by its own logic. A platform “ecosystem” is an assemblage of networked platforms, governed by a particular set of mechanisms that shapes everyday practices (Van Dijck et al., 2018, 4).

Two main considerations must be taken into account here then. The first is the (socio-political) role of the *digital architecture* itself, and the sec-

ond the *governing mechanisms* of the ecosystem. Let us first look at the former.

When considering the platform as a technocultural concept, it is important to highlight the ways in which its digital architecture is itself imbued with norms and values which fundamentally shape, mediate and limit the uses of that architecture by users - quite simply the architecture prestructures how you can behave and relate to others. Poel, Wall and Van Dijck write: ‘...we need to understand platform infrastructure as *performative*... platforms do not simply connect social and economic actors but fundamentally steer *how* they connect with each other. In this process, platforms construct new value regimes and economies.’ (Van Dijck et al. 2018, 24). Scholarly work on the structuring of sociality by digital architecture ranges from the purely philosophical to the platform specific. Rokas Vaičiulis’ phenomenology of digital sociality, as an example of the former, outlines two main perspectives in the literature: an extensionist and pluralist one. The former includes scholars analysing digital sociality as an extension of our embodied and situated experience, such as Zhao’s theory of *consociated contemporaries* implying ‘telecopresence’. The latter, the pluralist perspective, such as in the work of Berger, instead examines the way in which digital architectures weaken the limitations that lie within embodied sociality’s ties with the physical plane, and results in the multiplication of realities that an individual can situate themselves in, or the multiplication of selfhoods they can adopt (Vaičiulis 2020, 14). Other scholars instead cement their analysis on platform specific affordances, to reference Hutch, looking instead at how architectures of specific platforms manipulate sociality of a given group of users (de Seta 2020; Schor et al. 2020).

This then, is where analysis of the platform as a socioeconomic structure is crucial: an understanding of the platform as – in the vast majority of cases – a corporate structure driven by profit maximisation and shareholder appeasement, led by individuals with, as recently has been so clear in the case of CEO’s of the “big five” in the United States, specific political agendas. The values and logic of the platform- and of the entire connected eco-system, is then imbued with these values - with real effects on the mediated sociality of the users. This shift over the past 15 years, is one which different scholars have attempted to reconstruct (Christensen 2022). Overall, As Tom Bratrud and Karen Waltrorp write: ‘This includes values perceived to be shifting from common/public to individualistic/market-driven/private.’ (Bratrud and Waltrorp 2024, 5). As Poel, Wall and Van Dick point out: ‘The platform ecosystem... is moored in paradoxes: it looks egalitarian yet is hierarchical; it is almost entirely corporate, but it appears

to serve public value; it seems neutral and agnostic, but its architecture carries a particular set of ideological values; it appears local, while its scope and impact are global; it appears to replace ‘top down’ ‘big government’ with ‘bottom up’ ‘customer empowerment’, yet it is doing so by means of a highly centralised structure which remains opaque to its users.’ (Van Dijck et al. 2018, 12).

Moving from the *digital architecture* to the *governance model*, leads us to take a closer look at this centralised structure. The governance of digital platforms is formally structured by Terms of Service (ToS) or End User License Agreements (EULAs) or what Perzanowski and Schultz in *The End of Ownership* calls ‘that incomprehensible slew of legalese you reflexively click “I agree” to dismiss. Those terms....determine your rights.’ (Perzanowski and Schultz, 2016, 2). The last two decades have brought about a robust literature on analysis of ToS and EULAs, which range from content analysis to user perspectives, and from specific platforms to the ecosystem as a whole (Ericson et al. 2022; Bonar-Bridges 2016; Bakos et al. 2014; Hagan 2016; Vila et al. 2004; Mahaptra and Sicar 2024; Oprysk and Sein 2020). Of particular interest to this article is the strand of scholarship focusing on the ways in which ToS and EULA’s encode, replicate, and create quasi-legal norms, within what numerous scholars have called a *grey area* of law. This “twilight zone” to quote Compagnucci (Companucci 2020), comes from the fact that EULAs and ToS often deal with issues at the very margins of technological development, and therefore law. It also comes fundamentally from the fact that owners of these platforms very deliberately position their corporations as mere *connectors* or *enablers* of users, masking their mediating qualities, and negating the fact that they are *producing a certain type of sociality* or economic activity. ‘The deliberately hybrid status’ write Poole, Waal and Van Dijck, ‘allows platform operators and users to bypass regulation or escape professional norms and standards to which most sectors are subjected, either by law or custom, thus creating a legal and social grey area to negotiate their position with regulators and legacy competitors.’ (Van Dijck et al. 2018, 21). Scholars analysing specific provisions of EULAs and ToS have often drawn out reoccurring fundamental issues that are pervasive across the platform ecosystem- such as high instances of unconscionability, derived from the fact that EULAs and ToS can be modified at any time by the platform (Zmurchyk 2006; Terasaki 2014), and a fundamental unequal bargaining power between the user (who is more often than not totally unaware of the content of the “agreement”(Plaut and Bartlett 2012)). However, to return to our discussion above about the foundational *values* written into both the platform architecture and its

governance, an even more crucial issue arises. ‘To summarize’ writes Gilbert ‘EULAs taken alone present a flawed method of governance of virtual worlds...participants are not the intended beneficiaries of this source of virtual world law indicated by their lack of recourse under the EULA, which undermines their participatory experience....the developers’ intent is not to provide a judicial system, only to keep subscribers complacent and paying.’(Gilbert 2009, 247-8). This last point is a powerful critique of the system- thinking about the previous discussion of the *fundamental subjective processes* occurring on these platforms. Yet- within the *corporate* arena in which these processes are occurring is fundamentally structured not as a judicial system but as a system of profit maximisation. Neither are the same users, the so-called “rights holders”, seen as the *beneficiaries* of the system.

EULAs and ToS encode legal norms, but just as with sociality, they fundamentally *morph them*. Perhaps the most studied field is that of property rights (Li and Xiao 2017; Spithoven 2025; Michels and Millard 2022; Franklin 2024) – the ever thorny question of *who owns data?*– however significant scholarship has also been paid to the fields of copyright (Peukert and Windisch 2025, Cohen 2012) and, of course, privacy (Bélanger and Crossler 2011; Goldfarb and Que 2023; Fainmesser et al. 2023). If we are moving from the classical conception of property to *licensing* when we deal with virtual goods, from monitoring for social cohesion or security purposes, toward surveillance born from the ‘desire to learn more’ as Julie Cohen points out ‘about current and prospective customers’ (Cohen 2012, 107), then we can clearly see how the fundamental values upon which our institutional and legal systems are predicated are being perverted in a space where many of us conduct a majority of our social lives, determined by a process antithetical to democratic values. As Perzanowski and Schultz comment: ‘...under our system, law is created through a process—imperfect in many respects—that is ultimately responsive to our input. But a future defined by licensing is one where control over how we interact with the world around us and with each other is increasingly concentrated in the hands of a small coterie of powerful private actors. In that future, the limits on our autonomy will flow from a EULA rather than collective self-government’ (Perzanowski and Schultz 2016, 11). This has piercing effects on the *rights* of users. The irony is perhaps best encapsulated by the fact that the term DRM(s), “digital rights management” – refers to the ways in which platform companies (and manufacturers) embed “digital goods” with codes to *limit the ways in which you are allowed to use them*, in essence solely for the purpose of increasing their profit margins.

There is a long standing consensus through the literature that law and institutions have entirely failed to keep up with the explosion, and convergent trends of EULAs and ToS across the platform ecosystem, and there are numerous calls for more regulatory intervention (Jones 2018; Mazur and Serafin 2024). An obvious consideration is territorial complications, given the complicated nature of locality of incorporation, data server locations, multi nationality and status of users...the list goes on and on. Another point of crucial importance, though one that has lacked development in my view, is that of the lack of (external) recourse for users under EULAs and ToS in cases of rights violation. What emerges thus, is the fact that, by whatever term you would like to call it: *tecnoscape*, *polymedia*, *platform ecosystem*, our *networked culture*, is ever increasingly governed by a parallel system of "law" founded essentially on private values of profit maximisation. In conversation with the previous section on digital migration, the rub begins to emerge. If ever increasingly migrants and diasporic individuals, who perhaps even more than the *stanziale*<sup>1</sup> legal subject, whose identity, culture and memory may be more centrally rooted in a territorial community, are conducting *fundamental* processes of self in a space governed by anti democratic, anti-*public*, quasi-legal values - then this generates a special kind of vulnerability. This vulnerability, in turn necessitates a specific theoretical framework. In the next section thus, we move onto the concept of vulnerability in philosophy of law, considering both the case of the migrant, and what implications this might have for the instrumentalization of human rights.

### 3. Vulnerability

In philosophy the concept of vulnerability has been of theoretical importance and scholarly analysis for centuries. The term, derived from *vulnus* -the lesion, the wound - denotes in the words of Sandra Rossi 'everything that is exposed to the possibility of being wounded, violated, harmed, or damaged, whether from a physical or a psychological point of view.' (Bernardini et al. 2018, 83). There are many historical reconstructions of the term throughout political-giuridical thought - starting from a Hobbesian materialist perspective upon which are predicated security and disciplinary focused theories, to ones based on Schopenhauer's cosmic war, birthing

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<sup>1</sup> While the literal translation here would be permanent I have yet to come across an english translation which expresses this term well. The *rooted* or *stationary* legal subject as opposed to the migratory one, would perhaps come closest.

ethics of intersubjective responsibilities, and compassion toward the other (Bernardini et al. 2018, 88). The genealogical construction makes its necessary pass through Arendt's theory of modernity's uprooting of theological tenets, and into theories of biopower, paying homage to theorists such as Foucault, Agamben, Mbembe. Many scholars denote a certain Jewish strand of the ethical considerations of vulnerability, traceable all the way back to Talmudic core values and encapsulated in the works of Weil, Levinas, and Jonas. Feminist theories of the late 20th century are also crucial here - combining with the Jewish perspective perhaps most recently and famously, in the work of Butler (Bernardini et al. 2018).

In modern day philosophy of law the concept of vulnerability as a human condition, and its implications for the construction of a legal subject, has become an established school of thought. This posits vulnerability as a common denominator integral to the human condition, while still recognising the ways in which different individuals, or groups, can experience different *grades or exposures* to vulnerability, living lives of various degrees of *precarity*. The vulnerability of a given person or group is not *only* a "natural or physical" phenomenon, but can also be viewed through a social lens: the contexts and relations in which they are situated heightens their exposure to the risk of being exploited, discriminated against or denied protection by the state. This opens up new questions of the role of law, and of institutions in addressing such vulnerability,

Many scholars have noted the 21st century, and particularly in Europe, has been marked by what many term the 'vulnerability shift' - in which the concept of vulnerability migrated from the realm of philosophy into political, juridical, and social theory. This, according to Lucia Re, was derived from the outdated nature of the 20th century welfare state "both because it is deemed inadequate to meet the challenges of economic globalisation, and because it is accused of being ...ill-suited to contemporary fragmented societies in which the bond between citizenship, entitlement to social rights, and work appears to have been severed." (Bernardini et al. 2018, 17). This vulnerability shift is not only traceable in theory, but as well as the jurisprudence utilised by major courts, and into the normative and policy language of international and European institutions (Bernardini et al. 2018, 16-7).

This concept has been applied to the study of migration by numerous authors, who explore the various dynamics of vulnerability which may structure the migrant subjectivity, be they structural, situational or experiential (Gilodi et al. 2024; Leboeuf 2022). As Encarnación La Spina notes 'The persistence of the necessary link between migrant and non-citizen is a

fundamental aspect of the process of characterising migrants as “vulnerable among the vulnerable”, signalled by a diminished capacity coming from the cutting of *social bonds*, enmeshed within the paradigm of nationality and citizenship. (Bernardini et al. 2018, 320). Yet, many scholars note that attempts to address the vulnerability generated by the migrant condition, oscillate in what has been termed the ‘gabbia di ferro’ (steel cage) between the extremes of social inclusion and exclusion (Bernardini et al. 2018, 338). This leaves no space left in the middle for the very real *in-between* - of host country integration, origin country participation, and novel social formations - which encompasses also diasporic figures. Furthermore, as we saw in part one, it is in precisely this *middle space*, that vulnerability generated by digital platforms occurs. Thomas Casadei in fact, proposes that the ‘vulnerability thesis’ entails a call to a critique of the neoliberal order, and its backdrop of growing material and social inequality, through proposals of alternatives to the juridical-political order, and the *subjectivities* recognised within (Giolo and Pastore 2018, 90). I would place this analysis within that call.

Interesting work has also been done on the *nature* of those subjectivities- if they must be handled in isolation - or if there exists a collective dimension. Scholars such as Baldassare Pastore have instead spoken to the *intersubjectivity* required of a vulnerability paradigm, highlighting how a heuristic reconstruction of vulnerability as both a universal state and a particularised continuum, upon which different (juridical) subjects are placed - necessitates an understanding of a type of ‘mutual construction’ and recognition of the self in a web of *relations* to the other. (Pastore 2021, 45). Others- such as Fabio Macioce, have worked to analyse that (ever thorny issue) of *group* vulnerabilities - such as the ephemeral group of “migrants”(Macioce 2021). Yet- if we come back to the all encompassing idea of ‘*not being there*’ as La Spina points out ‘Vulnerability is therefore the result of the activation of the migration project, whereby precarity materialises in the place of arrival and develops through social relationships with fellow nationals, other newly arrived migrants, established residents, and the host society.’ (Bernardini et al. 2018, 322). Degrees of precarity thus rise and fall along a path that very much does not end with the passing of a border, nor even with the release of a permanent residency card, nor even the birth of a child in the host country.

In fact, La Spina for one, decries the gap between theoretical consensus on the linkages between vulnerability and rights violations of migrants and the ‘insufficient attention to the implementation of specific international protection mechanisms.’ (Bernardini et al. 2018, 321). This link between

vulnerability as being marked by the exposure to human rights abuses, and the need for *practical analysis of mechanisms to limit such exposure*, is crucial. It stands out in the United Nations definition of migrants ‘in vulnerable situations’ as ‘persons who are...entitled to call on a *duty bearer’s heightened duty of care*’<sup>2</sup> recognising vulnerability as the result ‘of multiple dynamics that lead to diminished and unequal levels of power and enjoyment of rights’ (Lorubbio and Benardini 2023, 223). Scholars such as Elena Pariotti have also analysed the concept of vulnerability in relation to the development of Human Rights, pointing out that the concept of vulnerability in its referral to human rights can be most helpful in individuating specific forms of violation of human dignity (Pariotti 2019). In essence: as Pastore says: ‘The use of the category of vulnerability, therefore, directs the specific content of human rights towards ensuring a minimum threshold below which dignity would be intolerably violated.’ (Pastore 2021, 34). Using the concept of vulnerability thus can help us identify certain *subjectivities*, including in their relational or group dimensions, that imply varying degrees of precarity, which pierces to the heart of the human condition- not merely physical, but also psychological. The schema of human rights can serve as a way in which to concretise this precarity into a specific rights-violation, and –potentially– find novel ways in which to address it.

## Conclusion

To conclude, therefore, in such a short review of the above literature, I have attempted to lay the foundations for understanding a special kind of vulnerability of migrant and diasporic individuals which is generated by their use of the infrastructure of digital platforms to conduct central identity processes. An interdisciplinary view is fundamental to pry apart the “black box” of platform architecture and understand the structural impact this has on central affective processes. Using the concept of vulnerability furnishes us with a path with which to begin to overlay the state of precarity of individuals on these platforms, with a rights framework. If we can use digital migration literature to identify the processes of self conducted- cultural, familial, and agentive, can we begin to connect these with fundamental human rights? What rights are implicated- and in what ways? Is there a space for the instrumentalization of human rights in clarifying the “twilight zone” of law which governs these platforms?

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<sup>2</sup> Emphasis my own

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# The Labour Exploitation of Chinese Migrant Workers in Italy: 'Self-Exploitation' and Labour Law Compliance

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**Abstract:** This chapter presents an overview of the state of the art in labour exploitation and labour law violations among Chinese migrants in Italy. The Chinese ethnic labour market and Chinese ethnic entrepreneurship through transnational ethnic networks promote the mass migration from China to Italy and provide numerous job opportunities for Chinese migrant workers, but the informal labour system in the Chinese ethnic labour market also contains many violations of labour law, which may constitute the situation of labour exploitation as shown in the recent cases of violations of Art. 603-bis of the Italian Penal Code. However, such an exploitative labour system is also a result of an agreement between the Chinese employers and Chinese workers and is generally considered mutually beneficial to both parties. The 'voluntariness' of Chinese migrant workers to exploitation lies at the basis of their situation of 'self-exploitation', but also conflicts with the Italian legal system. This makes it especially important for an in-depth analysis from a human rights-based social-legal perspective.

*Keywords: Chinese migrants in Italy; Migrant workers; Italian labour law; Labour exploitation; Ethnic labour market; Self-exploitation.*

## Introduction

In 2024, a case in Milan regarding the Armani Group drew public attention to Chinese migrant workers and labour exploitation again (Bassi 2024). According to some investigations, this Italian fashion house was using contracting factories of Chinese migrants in Italy to produce its 'Made

in Italy' products. Evidence has shown several labour law violations in those contracting factories, including illegal housing, long working hours, insufficient remuneration, and poor safety and health conditions. Those conditions may constitute 'labour exploitation' and trigger criminal liability under Art. 603-bis of the Italian Penal Code (c.p.), the crime of 'illicit intermediation and labour exploitation'. The Tribunal of Milan pointed out in the decree that Armani's organisational deficiency and lack of controls over its supply chain facilitated the criminal offence, and therefore, the Tribunal decided to apply a preventive judicial administration to the contracting factories run by Chinese migrants and a subsidiary company of the Armani group according to Art. 34 of the 'Anti-Mafia Law' (Legislative Decree No. 159 of 6 September 2011). This application of Anti-Mafia Law in the cases of Art. 603-bis c. p. was an innovative case law of the Tribunal of Milan, which aimed to balance combating labour crimes and maintaining company productivity (Roia and Ramoni 2024). The judicial administration is not a conviction and does not mean the involved parties are guilty. Instead, it is a preventive measure, and the case is still under investigation.

Art. 603-bis c. p. is the most relevant law on labour-related crimes in the Italian legal system. Initially, it was introduced to combat the so-called '*caporalato*' system, a labour intermediation system with exploitative conditions, predominantly used in the agricultural sector in Southern Italy. In the *caporalato* system, the labour brokers (so-called '*caporali*') transport teams of farmworkers to the farms on the coastal plains, especially in those agricultural operations requiring a large force of seasonal wage labour. The working conditions of those farmworkers always contain a certain degree of exploitation, such as disproportionate pay and degrading housing conditions (Perrotta 2014; Perrotta and Raeymaekers 2022; Giammarinaro and Palumbo 2022). Thanks to the consistent struggle of the unionists, *caporalato* has been eventually prohibited in Italy. Under this background, the Art. 603-bis was introduced in the Italian Penal Code by the Legislative Decree No. 138 of 13 August 2011 (the so-called '*Caporalato Act*') to criminalise *caporalato*. And five years later, Act No. 199 of 29 October 2016 extended the scope of the law and shifted the focus from the so-called *caporalato* system to the responsibility of employers and, more generally, entrepreneurs in labour exploitation (Giordano 2022; Caprioglio and Rigo 2020).

However, after a decade since the introduction of Art. 603-bis, scholars have despondently recognised that those efforts are proven ineffective in combating the phenomenon of large-scale *caporalato* or in guaranteeing exploited workers ways to emancipate themselves from their con-

dition due to the dependent and vulnerable natures of migrant workers (Caprioglio and Rigo 2020). Especially, many new forms and risks of labour exploitation have emerged in contemporary industrial and production relations, posing challenges to the application of Art. 603-bis. The labour exploitation in the textile factories run by Chinese migrants, which is considered a 'new form of *caporalato* (Boccafurni 2025), represents some of those challenges.

The 'Armani Case' is only the tip of the iceberg. Other fashion manufacturers in Italy, such as Alviero Martini, Valentino, and Tod's, were also found or suspected to be (directly or indirectly) involved in the labour exploitation in the contracting factories run by Chinese migrants (Bassi 2024; Casadei 2024; Monaci 2025; Ferrarella 2025). Hence, in the context of the recent cases of *caporalato* and the long-standing issue of labour exploitation and labour law violations of Chinese migrants, this chapter aims to present a literature review of current studies. The discussion of this issue is not limited to legal studies. Instead, it is a complex issue which has emerged alongside the Chinese migration to Italy. Scholars in migration studies have made great contributions to this issue. Hence, this chapter attempts to combine as various views as possible to comprehensively present the state of current studies and provide a general knowledge on this issue.

## 1. Ethnic Labour Market, Ethnic Entrepreneurship, and 'Self-Exploitation'

### 1.1. Ethnic Labour Market and Ethnic Entrepreneurship

The occupational situation of the Chinese migrants shows an interesting divergence. On the one hand, the employment figures manifest a super active participation of Chinese migrants in the labour market. In 2022, the employment rate (from 15- to 64-year-old) of over 280,000 Chinese migrants in Italy reached 66.3%, which was much higher than the average performance of migrant workers (58.2%), showing their strong performance on the job market (Ministero del Lavoro 2023). However, on the other hand, the working conditions of Chinese migrant workers are relatively poorer. They always work with long working hours, insufficient pay, or degrading housing conditions (Ceccagno 2015; Biggeri et al. 2021).

Some scholars found the association between this unique occupational situation and a special ethnic labour market of Chinese migrants, known as 'intragroup labour market', 'ethnic labour market', or 'Chinese labour market', meaning a parallel labour market which self-consistently consists of

Chinese workers, Chinese employers, and a set of labour orders that differs from the formal labour market (Wang 2000; Ma Mung 2005; Zhou 2010; Fladrich 2009; Du 2019). The Chinese ethnic labour market offers numerous job opportunities exclusively for Chinese migrant workers, but the labour orders in the ethnic labour market always contain derogations of labour standards, resulting in a high employment rate and relatively poorer working conditions at the same time.

The premise of the ethnic labour market is ethnic entrepreneurship. Scholars have noticed that there is a hierarchy in the search for labour force among Chinese migrant entrepreneurs: 'first, the members of their household, then their close patrilineal and affinal relatives, and later their more distant relatives (Antolín 1998, 226).' Over the past four decades, with the expansion of their businesses, many Chinese migrant entrepreneurs in Europe have been constantly recruiting workers among their friends and relatives back in China. Besides, the occupational training and the career routines of Chinese migrants have been developed in the Chinese ethnic labour market. They are also highly associated with the Chinese transnational networks, building up an exclusive ethnic labour market with its own workforce ecosystems (Antolín 1998; Pieke et al. 2004; Du 2019; Ceccagno and Gao 2023).

On the other hand, the transnational ethnic networks of Chinese migrants are considered one of the main factors of their business success (Nyíri 1999; Pieke et al. 2004; Thunø and Pieke 2005; Ceccagno 2007). The social cohesion, inter-group solidarity, and relations of trust from ethnic networks grant ethnic entrepreneurship advantage in labour recruitment, cost reduction, and market and supply chain development (Portes and Sensenbrenner 1993; Waldinger et al. 1990; Zhou 2004; Ceccagno and Sacchetto 2020a). Chinese migrant entrepreneurship also benefits from the economic growth in China through the transnational ethnic network. For example, since the 1990s, when China has become the 'world factory', new businesses as wholesalers and retailers of 'Made in China' goods have become new economic pathways for many Chinese migrants in Italy (Ceccagno 2003, 2017; Cologna 2005; Dei Ottati and Cologna 2015). The business model associated with Chinese transnational ethnic networks also makes Chinese employers more inclined to hire Chinese migrant workers, promoting the formation of the ethnic labour market.

The external environment and opportunities in times of crises are other factors of their business success. Taking the fashion industry as an example, Chinese entrepreneurship entered this area during the crisis in the Italian fashion industry in the 1990s, when the Italian fashion industry was

facing challenges from emerging economies with significant advantages in labour costs. The Chinese migrants seized this opportunity and quickly established a foothold in the Italian fashion industry, leveraging the benefits of low-cost and high-speed production (Ceccagno 2007, 2015; Ceccagno and Sacchetto 2020b).

The 'flexibility' and 'informality' are other main advantages of Chinese migrants, which allow them to chase those opportunities in times of crises. The flexibility and informality contain many 'off the book' operations in the grey area, which are prohibited in the formal economy, including those informalised labour norms in the Chinese ethnic labour market. One of the most representative examples is the so-called 'sleeping agreements' in the Chinese factories, which is also commonly discussed in cases of Art. 603-bis c. p. as degrading housing conditions: the workers sleep in the workshop with board and lodging provided by the employers; the workers can save the expense for household and time for commuting in this labour regime, and in exchange, the employers gain extra working hours from the workers (Ceccagno and Sacchetto 2020b; Ceccagno 2022).

Through flexibility, informality, and transnational ethnic networks, Chinese entrepreneurship has overcome the liability of foreignness and developed its own competitive advantages. During the economic crisis in Italy, when their local counterparts faced the 'local liability' in the international competition (such as high cost and difficulties to access the international market), Chinese entrepreneurship chased opportunities and expanded its business layout (Guercini et al. 2017).

## **1.2. The 'Self-Exploitation' of Chinese Migrant Workers**

The informalised labour norms in the ethnic labour market are also very controversial: the advantage of flexibility is reached at the expense of private life, childcare time, health, and extreme fatigue. Hence, some of those labour orders are often considered associated with labour exploitation, forced labour, or even 'new forms of slavery' (Gao 2004; Gao and Poisson 2005a, 2005b; Du 2019). Nevertheless, the seemingly exploitative labour norms often contain a degree of voluntariness: the labour orders are negotiated through internal arrangements between Chinese employers and workers and are perceived as mutually beneficial (Ceccagno 2007; Cagioni et al. 2017).

The situation of 'self-exploitation' is deeply rooted in their migration background. Most Chinese migrants in Italy and Europe are the so-called 'new migrants', who migrated after the Chinese Economic Reform in the

1980s (Laczko 2003; Pieke et al. 2004; Xu 2010). The main region of origin is Southern Zhejiang, particularly Wenzhou City, Qingtian County, and their rural areas (Ministero del Lavoro 2023). This region was very undeveloped before the Chinese Economic Reform in the 1980s; getting rid of poverty was their main motivation for migration. Hence, Southern Zhejiang is famous as a region of emigration in China, or the so-called 'Qiaoxiang (侨乡)' in Chinese (Fei 1998). Their destinations of migration are various, including some other European countries such as Spain, France, and the Netherlands, as well as other parts of the world (e.g., North America) and other regions within China (e.g., the former 'Zhejiangcun' in Beijing) (Benton & Pieke 1998; Xiang 2005; Zhou 2017).

This context of origin provides them with an extraordinary tolerance towards extreme working conditions and constructs their 'regional culture' of being willing to endure hardships and passionate about changing destiny by hard work (Xu 2012). Diligence and thriftiness are also notable features of those Chinese migrants (Chen 2015). Some scholars summarised an 'Oriental Gold Diggers Trilogy' of their life trajectory: work incredibly hard, save as much money as possible, and then be your own boss (Wang 2000; Oraiani and Staglianò 2008). Hard work and penny-pinching are not the end, but a way to accumulate the initial capital for business. This 'boss dream' makes the Chinese worker willing to accept poor working conditions for a foreseeable better future, and the shared ethnicity and life experience between employers and workers promote the understanding of each other (Du 2019).

Southern Zhejiang migrants are a non-elite group. They came to Italy through the so-called 'chain migration' – with the help of previous migrants and probably in an irregular way. In the first few years after arrival, they are naturally barred from the formal labour market of the host society because of the lack of language proficiency and legal status. Although under heavy conditions, the jobs within the Chinese ethnic labour market at least offer them a 'shelter'. In the chain migration model, there is also a similar practice of labour mediation. Because of the lack of access to the formal labour market, the new migrants always rely on snakeheads or brokers in the migrant community to find a job, usually with a very high referral fee. However, many Chinese migrant workers do not see it as labour exploitation but see it as an opportunity and a fortune to change their lives (Bélanger & Pinard 1991; Zanfrini 2001; Ceccagno 2007; Zhou and Zhu 2014).

Apart from the majority of the Southern Zhejiang region, we can also find Chinese migrants from other regions, especially from Fujian Province and Northeastern China (Thunø 1998; Ceccagno 2003, 2007). Geograph-

ically close to Southern Zhejiang, Fujian Province has a similar tradition of migration, which enables Fujian migrants to quickly fit into the network-based model and intra-group labour market of Southern Zhejiang migrants, and enables them to build up parallel Fujianese communities.

Migrants from Northeastern China present different characteristics. They are mainly urban skilled workers who lost their jobs in the reform of state-owned enterprises in China during the 1990s. They are not familiar with the informal market economy and have difficulties in integrating into the social network model, and are therefore at a higher risk of exploitation (Thunø 1998; Ceccagno 2003). To this extent, the Northeastern migrants are an exception to the 'intra-group labour market model' and the 'self-exploitation model'.

The Chinese ethnic minority migrant workers are even more ignored under the mainstream overseas Chinese narrative, given their ethnic marginality in the Han (汉)-dominated labour market (both domestic and overseas), such as the Yi (彝) ethnic group (Ma and Haugen 2022). As one of the most populous countries, the Chinese population has a huge diversity, as well as the overseas Chinese population. However, the Chinese in Italy are usually represented by the Zhejiangese/Fujianese-Han model, which results in the regionally and ethnically underrepresented groups lacking attention.

Gender differences are also an essential perspective to examine the internal diversity in the Chinese migrant community. This perspective has been commonly adopted by mainstream migration studies circles, especially regarding the labour exploitation and *caporalato* system in Italy, due to the wide presence of female migrant workers in the agricultural and health care fields (Vianello 2014; La Barbera 2019; Palumbo 2022; Giammarinaro and Palumbo 2020, 2022). Although statistics have shown that Chinese women have higher occupational performance and are relatively less vulnerable compared to female migrant workers from other ethnic groups (Ministero del Lavoro 2023), the intersectional perspectives on gender and underrepresented migrant groups have yielded some significant results. For instance, scholars have found that the proportion of female migrants from Northeast China engaging in prostitution is relatively higher than that of female migrants from Southern Zhejiang or Fujian, because of their double weaknesses as women and outsiders of the migrant network (Ceccagno 2007). Hence, based on a general knowledge of the 'self-exploitation' of the Chinese migrants in Italy, further studies should also pay more attention to those underrepresented migrants in terms of region, ethnicity, and gender.

## 2. The Tension between the Chinese Ethnic Labour Market and the Italian Legal System

### 2.1. The 'State of Need' in Art. 603-bis c. p. and the 'Self-Exploitation' of Chinese Migrants

The situation of 'self-exploitation' brings problems in the application of the law. In Art. 603-bis of the Italian Penal Code, the crime of illicit intermediation and labour exploitation contains two elements: subjecting workers to conditions of exploitation; taking advantage of their state of need (Stolfa 2017). The state of need (*stato di bisogno*) indicates workers' weakness and their dependency on jobs for maintaining basic living needs, which may be used by employers to make workers compromise on unfair working conditions (Stolfa 2017).

However, the 'self-exploitation' of the Chinese migrant workers in the ethnic labour market makes it difficult to ascertain the state of need. As described in the 'Oriental Gold Diggers Trilogy', the Chinese migrant workers are highly motivated to accumulate the original capital by extreme hard work and then carry out their own business (Wang 2000; Oraiani and Staglianò 2008; Du 2019). Some field cases even show that some Chinese workers tend to leave the work if it is not heavy enough to leverage all their time to earn money (Oraiani and Staglianò 2008).

As the Penal Court of the Italian Cassation ruled in the case No. 24441/2021, the core issue of the state of need is that the worker's freedom and voluntariness are limited. The question is: can the 'voluntariness' of Chinese migrant workers eliminate the state of need? Can the 'voluntariness' of Chinese migrants constitute the victim's consent and constitute a justification for the offence? These questions are still tricky and are core issues in the recent case-law (Bin 2024; Cassazione Penale, Sez. 4, 22 giugno 2021, n. 24441; Tribunale di Milano, Sezione autonoma misure di prevenzione, decreto 3 aprile 2024).

The voluntariness of migrant workers is commonly discussed in migration studies. The consent of migrant workers to labour exploitation must be examined in the context of their structurally vulnerable position. Their seemingly 'freedom to act' is often insufficient and limited. At least, the yawning gap between rich and poor countries is itself a form of coercion and forces people to migrate for jobs and forces them to accept unfair working conditions (Hochschild 2009; Sciorba 2019). Like other economic migrants, the Chinese migrants came to Italy between the 1980s and the 2010s to get rid of poverty and had to accept unfair working conditions.

However, the case of Chinese migrants is special because China itself is an 'exception'. China, particularly Southeast China, has rapidly developed and industrialised since the Reform and Opening Up. Their homeland is no longer poor but a major manufacturing centre and market of the world. Compared to other migrants, Chinese migrants have more choices and are more privileged to behave as mediators and brokers between China and Europe, which gives them more opportunities to gain success (Zhou and Zhu 2014; Chen and Wu 2017). Driven by foreseeable economic rewards, both Chinese employers and workers have a stronger willingness for a higher degree of autonomy in their ethnic labour market and to be free from intervention. But on the other hand, it is also true that some Chinese employers exploit the Chinese workers' 'state of need' to impose unfair working conditions. Hence, the complexity and duality of this situation make the question of the Chinese migrants' voluntariness and 'state of need' in need of further study and clarification.

## **2.2 Collective Bargaining and the Indicators of 'Exploitation' in Art. 603-bis of the Italian Penal Code**

The 'self-exploitation' also causes difficulties for collective bargaining, which is a core institution in the Italian labour law system. The right to organise and trade union freedom are confirmed as constitutional rights by Art. 39 and Art. 40 of the Italian Constitution. Guided by the idea of legal abstentionism, Italian labour law and interunion law leave a high degree of autonomy for collective bargaining and collective agreements in the determination of labour standards in various aspects, including remuneration, working and resting time, occupational health and safety, etc (Boccafurni 2025).

As a labour-related criminal law, Art. 603-bis c. p. is also affected by the legal abstentionism foreseen in the Italian labour law. As mentioned above, apart from 'taking advantage of the workers' state of need', the other element of this crime is 'subjecting workers to conditions of exploitation'. However, Art. 603-bis does not offer an exact definition of exploitation but offers four (non-exhaustive) indicators to deduce the existence of exploitation, which are highly associated with collective agreements (Stolfa 2017; Boccafurni 2025).

The four indicators regard remuneration, working and resting time, occupational safety and health, and other degrading working conditions. The first indicator regards the remuneration and directly refers to collective agreements: 'the repeated payment of wages in a manner that is clearly

different from the national or territorial collective agreements stipulated by the most representative trade union organisations at the national level, or in any case disproportionate to the quantity and quality of the work performed'. It is because there is no statutory law on national minimum wage in the Italian labour law system, even though Art. 36 of the Italian Constitution prescribes the constitutional right to sufficient remuneration. Instead, the minimum wage for each category of employees at the national level is determined by National Collective Agreements (Zambelli 2024).

The second and third indicators are related to working and resting time and health and safety at work, respectively. Unlike the first indicator, these two indicators do not expressly mention collective bargaining, but the statutory labour laws regarding these two fields are also highly associated with collective bargaining and collective agreements, making the second and third indicators also partly depend on collective bargaining. For example, regarding working and resting time, Legislative Decree No. 66 of 8 April 2003 leaves a wide margin of discretion to collective agreements in various aspects. Regarding health and safety at work, Legislative Decree No. 81 of 9 April 2008 prescribed an essential institution of 'worker's safety representative', which reflects the collective participation in this issue.

The last indicator is about other 'degrading working conditions, methods of surveillance or housing situations'. The law establishes a core ideal of prohibiting any degradation of human dignity in work; however, determining degrading conditions refers to other laws and collective agreements. For example, Art. 50 of the National Collective Contract of the Fashion Industry limits the methods of surveillance for organisational and production needs or workplace safety and prescribes that any surveillance device may be installed only with the prior agreement of trade union representatives.

However, the participation of Chinese migrant workers in collective bargaining is very rare because of the special situation in the Chinese ethnic labour market. The dynamic of industrial relations in the Chinese ethnic labour market over the past four decades reflects the process from 'exploitation' to 'self-exploitation' and explains why collective bargaining is difficult for Chinese migrant workers. During the early years, most Chinese migrant workers were illegally residing in Italy. The dependency on the employers due to the lack of legal status prevented the airing of open conflict between workers and employers (Bélanger & Pinard 1991). Afterwards, the waves of amnesty from the 1990s granted legal status to many Chinese migrant workers and encouraged them to bargain with employers with the help of trade unionists or lawyers. However, the small-scale and informal nature of those Chinese SMEs (Small and Medium-sized Enter-

prises) made the organisation of trade unions very difficult and eventually led to the failure of most of those attempts. After those unsuccessful attempts, in the 2000s, the workers and the employers gradually reached a 'deal', making the informalised labour regime of the ethnic labour market mutually beneficial to employers and workers (Ceccagno 2007).

Tripartism is the basis of collective bargaining theory, denoting the roles and dialogues of workers, employers, and public authorities as three parties in collective bargaining. However, the ideal tripartite industrial relation of collective bargaining is distorted and unbalanced in the Chinese ethnic labour market, making the practice of collective bargaining very difficult in this case. The mutual interests between the workers and employers motivate both parties to maintain and safeguard the *status quo* in the ethnic labour market. It is common to see Chinese workers and employers collaborate to confront and escape from the inspection and intervention of the public authorities (Ceccagno 2007; Lunardon 2021; Casale 2023; Jaspers and Pisarczyk 2024).

Moreover, the industrial relations in the Chinese ethnic labour markets are mixed with social networks and ethnic identities, making the situation even more complex. With the ethnic identity overwhelming the class identity, the collective actions of Chinese migrants are more motivated by the interests of the ethnic community rather than class interests (Jounin 2014). One of the most representative examples of the collective actions of Chinese migrants in Italy is the 2007 *Via Sarpi* revolt in the Milan Chinatown: ignited by a law enforcement incident regarding parking and unloading, the Chinese migrants in *Via Sarpi* Chinatown committed a collective action in order to protest what they saw as unfair treatment and discriminatory enforcement (Oraiani and Staglianò 2008; Montagna 2016). Rather than striking for labour standards, the collective actions of Chinese migrants aim more for the political rights of the ethnic group, and are usually spontaneous and unorganised (Thunø and Li 2020).

### 2.3. The Law Enforcement and the Agency of Chinese Migrants

The clash between the 'self-exploitation' of Chinese migrants and the Italian legal system also draws scholars' attention to the actual law enforcement against Chinese migrants. Ceccagno noticed a 'selective law enforcement' targeting Chinese manufacturing firms by studying the implementation of the policies in Tuscany, especially the 'Pact for Safe Prato' and the 'Safe Work Project'. Under the selective enforcement, Chinese enterprises receive significantly more inspections compared to their Italian

counterparts, resulting in additional liabilities to businesses owned by Chinese migrants (Ceccagno 2022). The motivation behind those policies and their enforcement is doubtful: these policies appear to serve as a political response to the growing tension between the local industry and migrant entrepreneurship. This situation reflects a broader question on the orientation of Italy's migrant labour regulation, whether its focus lies on protecting the human rights of foreign labour or serving the economic and political needs. A study on the recent regularisation of migrants in irregular situations during the Covid-19 pandemic worriedly pointed out that the latter focus seems to prevail, which may impede the protection of migrant workers from labour exploitation (Caprioglio and Rigo 2020).

The selective enforcement did not fix the gaps; instead, the ethnic conflicts intensified. In 2016, Chinese entrepreneurs organised a revolt in Sesto Fiorentino to protest repeated sanctions and discriminatory law enforcement (similar to the 2007 Via Sarpi revolt). But the revolt was short-lived and had no lasting political effect, as political movements of Chinese migrants always are. It shows a mismatch of their economic and political status: 'They are active in economic terms but live in a political vacuum (Ceccagno 2022, 2089).' This misalignment between the political and economic status impedes the expression of their voice on legislation and its enforcement, magnifying the gaps between the law and the Chinese ethnic labour market.

### **3. Future Tendency: A Shrinking Ethnic Labour Market, Blurring Boundaries, and New Giants**

Nowadays, the mode of operation of the Chinese ethnic labour market is changing. The Chinese ethnic labour market has been facing a labour shortage due to a halt in the mass migration from China to Italy since the 2010s: the rapid growth of the Chinese economy has dissolved the economic reason for migration (Ceccagno 2017). The increasing wealth and living standards of Chinese migrants after years of hard work have also enabled them to build their own business or retire. Their kids, the second-generation migrants, are less willing to accept extreme working conditions due to their different social experience, educational background, and cultural identity (Carchedi and Ferri 1998; Fladrich 2009).

Some Chinese entrepreneurs have been looking for labour supply from other transnational migrant groups, such as Pakistani and Bangladeshi migrant workers. Those migrant workers are more vulnerable and face a

'double foreignness'. Without shared interests, community networks, and ethnic identity with the Chinese employers, they often face poorer treatment than their Chinese colleagues. This trend is risky: a process of ethnicised hierarchisation is happening in the Chinese-run businesses (Cagioni and Coccoloni 2018; Ceccagno and Salvati 2019; Ceccagno 2022). This worrying trend has also been confirmed in some recent cases of '*caporalato*', where third-national migrant workers were found victims of labour exploitation in the Chinese-owned factories (Barea 2023; Rataj 2024). A Tuscany trade union, Sudd Cobas, has been organising strikes in Prato by Pakistani and Bangladeshi workers to protest against the exploitation by Chinese employers and for the right to an eight-hour workday.

The worsening exploitation situation is even tangled with other violent crimes. Vicious price competition based on labour exploitation between the Chinese-owned enterprises is squeezing profit margins of all parties (Chen 2015). The extreme cost control escalates the competition and leads to more radical conflicts and even gangster crimes between different groups and families. For instance, in April 2025, two Chinese citizens were killed on the street in Rome. This event was suspected related to a business competition between gangs – the so-called 'War of the Crutches' (*guerra delle grucce*) (Giovana 2025).

The shrinking trend of the Chinese ethnic labour market does not erase its urgency. Instead, the situation of labour exploitation is at risk of escalating due to the trend of ethnicised hierarchisation and the worsening vicious competition. Under this background, the regularisation of the Chinese ethnic labour market and its integration into the formal labour market are still urgent issues.

While the Chinese migrants' ethnic labour market is shrinking, Chinese international capital is increasingly present in Italy and other parts of the world. Although the current Italian government is distancing itself from China by withdrawing from the Belt and Road Initiative and restricting Chinese capital by using the 'Golden Power' (Andornino et al. 2025), many Chinese international companies are still expanding their business in Italy. Those Chinese companies' employment cultures and human resources policies are unique and sometimes different from the local labour environment, causing problems in industrial relationships and labour law compliance. Chinese Labour lawyer Luo Kaitian summarised some key labour law compliance challenges faced by Chinese companies when going overseas, which include working hours and overtime, supply chain labour standard, employee engagement and industrial relations, occupational health and safety (OHS), and respect for diversity and anti-discrimination law (Luo

2025). Moreover, the recently promulgated new EU laws are setting clearer requirements for due diligence in the supply chain, including the Corporate Sustainability Due Diligence Directive (Directive 2024/1760/EU) and the Forced Labour Regulation (Regulation 2024/3015/EU). They not only regulate Chinese investments in Europe, but also the European companies that want to utilise Chinese supply chains.

Under these circumstances, some propose a theory of 'Chinese Model for Labour': China is externalising its own particular national form of labour management, through both international Chinese capital and migrant entrepreneurship (Henderson et al. 2013). Concerns also arise that the Chinese labour model will undermine the labour standards and human rights in Europe (Meunier 2018). On the contrary, some scholars noted that the ideal of the Chinese labour model is biased and inaccurate. In particular, Chinese migrant entrepreneurship and international Chinese companies are under completely different conditions and cannot be classified in the same category simply because they are both 'Chinese' (Ceccagno and Sacchetto 2020a). Undeniably, Chinese migrants' entrepreneurship and the global expansion of Chinese international companies are associated, but their common 'Chineseness' should be examined more thoroughly and without prejudice, as well as their impact on the local labour standards.

## **Conclusion**

This chapter reviewed the current studies on labour exploitation and labour law violations of Chinese migrants in Italy. The ethnic entrepreneurship and ethnic labour market created a unique occupational situation: the Chinese migrant workers are privileged for numerous job places available within the ethnic labour market, but also face relatively poorer working conditions. On the one hand, ethnic entrepreneurship is the premise for the ethnic labour market. The Chinese entrepreneurs' transnational recruitment of the Chinese labour force has pushed the mass migration from China to Italy and has formed the intragroup ethnic labour market. On the other hand, the informalised labour regime within the ethnic labour market also contains violations of labour standards, which constitute the problems of labour exploitation and labour law compliance.

The labour exploitation and labour law violations of Chinese migrants are complicated and hard to address due to the 'self-exploitation' of Chinese migrant workers. The violation of labour standards is the result of an agreement between the Chinese employers and workers. Both parties

can benefit from the informalised labour regime. The 'self-exploitation' of Chinese migrant workers is associated with their migration background. Most Chinese migrants in Italy migrated for economic reasons from the Southern Zhejiang, which was a very underdeveloped region before the Chinese Economic Reform. They are highly motivated for economic success and are willing to give up some working conditions for extra economic benefits. Moreover, the 'chain migration' mode has transplanted the social networks from the migrants' context of origin. The strong ethnic and social bonds in the migrant community also prevent the escalation of conflicts and control the violations of labour standards at an acceptable level. With the situation of 'self-exploitation', Chinese migrant workers rarely organise collective bargaining against exploitative conditions. Since collective bargaining has a core position in Italian labour law and Art. 603-bis, the absence of Chinese workers in collective bargaining causes a gap between the Chinese ethnic labour market and the Italian legal system, hindering legal interventions in the Chinese ethnic labour market.

The characteristics of the Chinese ethnic labour market draw our attention to the law in action. A phenomenon of ethnic bias in law enforcement is worth our attention: the Chinese-owned enterprises face extra burdens caused by more frequent inspections compared to their Italian counterparts, although a certain degree of informality is also common among the Italian SMEs. Such selective law enforcement does not fix the gap but further magnifies the ethnic conflicts. The collective actions of the Chinese migrants reflect this tension: the Chinese migrants tend to organise on the basis of ethnic identity and fight for their political rights, rather than organise on the basis of class and carry out collective bargaining for labour standards.

Although the Chinese ethnic labour market is shrinking and transforming, the importance of this issue is not diminishing. To find a substitute for the labour shortage of Chinese migrant workers, Chinese entrepreneurs have been starting to recruit migrant workers from third nations. Those third-nation migrant workers are more vulnerable and face worse working conditions than their Chinese counterparts. This tendency of ethnicised hierarchization indicates the escalation of labour exploitation in the Chinese ethnic labour market and reflects a growing urgency for the regularisation of the Chinese ethnic labour market.

In the context of the recent cases and investigations of the '*caporalato*' in the Chinese-run business, an open discussion on the labour exploitation of Chinese migrants is currently ongoing in legal scholarship (Boccafurni 2025). However, the discussion should not be limited to legal studies.

The rich contributions of migration studies are necessary for us to have a thorough knowledge of this migrant group and the socio-economic and historical background of this issue (Du 2019; Ceccagno and Sacchetto 2022a). More empirical socio-legal studies, combining the perspectives of migration studies, are needed in this field, especially considering the law in action and the Chinese migrants' agency. From this interdisciplinary perspective, it is more likely to find the core reasons for the violations and the difficulties of the law compliance, to promote the application of the law or targeted legal reform, and to push a more sustainable regularisation of the Chinese ethnic labour market and a more harmonious social integration.

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# Human Relationships with Nature: Climate Change and the Crime of Ecocide

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**Abstract:** Human relationships with the surrounding environment are complex. If in the past humanity was at the mercy of nature, nowadays it has become an active driver of changes to its environment. This review contests the idea of ownership humans perceive towards nature, raising the question of what duties, responsibilities and laws we have to put in place and obey to preserve the environment, which is essential for the global ecosystem of life on the planet.

*Keywords: Ecocide; Environmental degradation; Climate change; Nature rights; Green criminology.*

## Introduction

This paper reviews the human relationships with nature and their evolution over time. It provides an overview of the current processes of nature alteration and degradation, climate change, and defines the human role in those processes. It lays down the concerns that became the basis for the call to establish a crime of ecocide and potential issues associated with doing so within the legal framework. Ultimately, it indicates the currently available instruments of 'giving back to nature' and their value for the environment as a standalone entity.

## 1. Evolution of Human Relationships with Nature

Human relationships with the environment are complex and have evolved over time. Early settlements depended entirely on nature for survival, with communities forming deep connections to their surroundings. This relationship influenced cultural and spiritual practices, with some cultures even personifying natural forces in their beliefs and religions. But with time, further evolution of our civilisations and deepened comprehension of the world, a decoupling of humans from nature has occurred (Beery 2023, 474-475). The natural threats that would previously cause fear, or could wipe out a big part of the territory's population in the past, didn't affect humanity in the same way again.

It seems that when humanity reached significant progress in medicine and science, established new, more complex social and economic structures, and discovered new ways of manufacturing and trade, our relationship with nature has changed. Even our religion has shifted - mono god, similar to human beings, replaced the pantheon of gods representing forces of nature<sup>1</sup>. The state of being at the mercy of nature has shifted to owning nature<sup>2</sup> by appropriating the land and benefiting from its natural resources. New societies have put the human into the centre and adopted a lifestyle based on the extraction, accumulation of natural resources, intensified production and trade for the sake of economic 'development'.

And nature became a concept, up to human interpretation.

### **1.1. New Nexus of Human-Nature Relationship: Climate Change, Capitalism and Anthropocene**

The first indicative period often referenced as a departure point for this visible shift in treating nature is the Industrial Revolution, which happened in the 1760s-1830s in Britain, and then spread worldwide. It was then, it seems, humanity adopted a new vision: a human-centred world, with humans 'at the top of the food chain'; not that dependent on the land anymore, thanks to the rapid technological development, with the only aim to 'develop' as fast as possible. This period distinctly shows a rise in the privatisation of land for production, and the population's occupation shifting from agriculture to industry and services (Amatori and Colli 2019, 47).

<sup>1</sup> Scholar Jannel (2024) quotes religious shift in human – nature relationships, on example of the passage from Bible: 'So God created mankind in his own image...and said to them, "Be fruitful and increase in number; fill the earth and subdue it. Rule over the fish in the sea and the birds in the sky and over every living creature that moves on the ground"' (Genesis 1, Contemporary English Version, 27-28).

<sup>2</sup> It was Rene Descartes who provided the world with contested philosophical statement that humanity 'can become masters and possessor of nature', contributing to the technological project of that time, originated from Francis Bacon (Merrill 2008).

But Moor (2017) contests the idea that the Industrial Revolution is the departure point for the changes in human relationships with nature. He states that while there's 'no question that environmental change accelerated sharply after 1850, and especially after 1945, it seems equally fruitless to explain these transformations without identifying how they fit into patterns of power, capital and nature established some four centuries earlier' (Moor 2017, 596). He calls this period preceding the intensification of the Industrial Revolution a period of Capitalocene – the 'age of capital', when the endless accumulation of capital began. He argues that since the 1450s, the Human/Nature binary came into place, 'converting the living, multi-species connections of humanity-in-nature and the web of life into dead abstractions, abstractions that connect to each other as cascades of consequences rather than constitutive relations' (Moor 2017, 598). Hand in hand with Capitalocene, he claims, there is an ongoing period of Necrocene – 'a period of driven extinction, fueled by capitalogenic extremism' (McBrien 2016). Those perspectives on the 'starting point' of the human-nature relationship deviation introduce an alternative to the 'classical' economic narrative.

In this review, for the purpose of highlighting the impact of this duality between human and nature, and its consequences on planetary health, the Industrial Revolution is rather seen as the beginning of an intense phase of human decoupling from nature, as the time when we started to appropriate nature on a new, industrial scale.

Society's desire for accelerated production, transformation of trade, agriculture, and transportation, accompanied by a demographic revolution and intense urbanisation (Amatori et al. 2019, 48), required a huge amount of natural resources, in particular - fossil fuels. This turned human activity into the biggest driver of changes to its environment. Since the 1850s, humanity has significantly increased greenhouse gas (GHG) emissions, which in turn has affected the global surface temperature average. Reconstructed average temperatures of the decade in period 1-2000 and temperatures observed after 1850 were compared and presented in the IPCC report (2021), the outcome of which is demonstrated in Figure 1. The same working group concluded that human influence has warmed the climate at a rate that is unprecedented in at least the last 2000 years (IPCC 2021).

## Human influence has warmed the climate at a rate that is unprecedented in at least the last 2000 years

### Changes in global surface temperature relative to 1850-1900

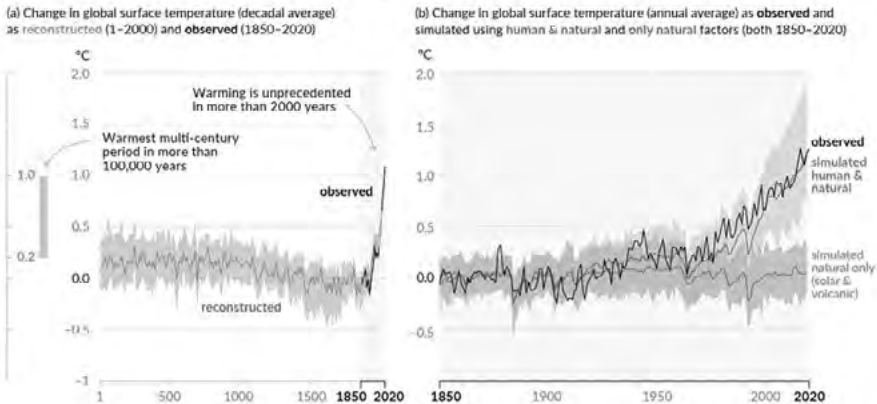


Figure 1. SPM.1: History of global temperature change and causes of recent warming.

**Panel (a) Changes in global surface temperature reconstructed from paleoclimate archives (solid grey line, years 1–2000) and from direct observations (solid black line, 1850–2020), both relative to 1850–1900 and decadal averaged.** The vertical bar on the left shows the estimated temperature (very likely range) during the warmest multi-century period in at least the last 100,000 years, which occurred around 6500 years ago during the current interglacial period (Holocene). The Last Interglacial, around 125,000 years ago, is the next most recent candidate for a period of higher temperature. These past warm periods were caused by slow (multi-millennial) orbital variations. The grey shading with white diagonal lines shows the very likely ranges for the temperature reconstructions.

**Panel (b) Changes in global surface temperature over the past 170 years (black line) relative to 1850–1900 and annually averaged, compared to Coupled Model Intercomparison Project Phase 6 (CMIP6) climate model simulations (see Box SPM.1) of the temperature response to both human and natural drivers (brown) and to only natural drivers (solar and volcanic activity, green).** Solid coloured lines show the multi-model average, and coloured shades show the very likely range of simulations. (See Figure SPM.2 (IPCC 2021) for the assessed contributions to warming). {2.3.1; Cross-Chapter Box 2.3; 3.3; TS.2.2; Cross-Section Box TS.1, Figure 1a}

Source: Figure SPM.1 from the IPCC (2021) Summary for Policymakers. In: *Climate Change 2021: The Physical Science Basis. Contribution of Working Group I to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change* [Masson-Delmotte, V., P. Zhai, A. Pirani, S.L. Connors, C. Péan, S. Berger, N. Caud, Y. Chen, L. Goldfarb, M.I. Gomis, M. Huang, K. Leitzell, E. Lonnoy, J.B.R. Matthews, T.K. Maycock, T. Waterfield, O. Yelekçi, R. Yu, and B. Zhou (eds.)]. Cambridge University Press, Cambridge, UK and New York, NY, USA, pp. 3–32, doi: 10.1017/9781009157896.001

Scholars use the period before the 1850s, or ‘pre-Industrial Revolution’, as a baseline of how much GHG emissions humanity produced before our lifestyle and economic activities changed with the industrialisation. The period ‘after’ is characterised by increased GHG emissions and the expansion of the economic system that emerged after the Industrial Revolution – capitalism.

Capitalism is commonly known as an economic system in which a society’s means of production are held by private individuals or organisations, not the government, and where products, prices, and the distribution of goods are determined mainly by competition in a free market (Merriam-Webster Dictionary 2025). For this review, we define capitalism from a rather anthropological perspective - as a cultural system that promotes commodification and market values, which creates a shift in how communities in particular territories change their traditional systems to fit into the new world of market-oriented behaviours. This means that everything gets a market value, nature included. Conor (2024) introduced the hydrocarbons, coal, oil and gas as dead plant matter that becomes reanimated as a ‘staple commodity for human consumption’. This commodification of fossil fuels and natural resources for the sake of economic development is also one of the characteristics of the capitalist economic system.

As a result, scientists also call the period after the Industrial Revolution the ‘Anthropocene’. In 2001, Crutzer suggested that ‘human activity was impacting natural environmental conditions to the extent that we had effectively left the natural stable conditions of the Holocene and moved into the new interval’, proposing that this new geological period should officially be called Anthropocene (ICS and IUGS 2024, 1). Even though on march 20, 2024, IUGS decisively rejected the proposal, in their report, they acknowledged that Anthropocene as a concept will continue to be widely used by scientists and the general public, and that ‘it will remain an invaluable descriptor in human-environment interactions’ to be used for ‘discus-

sions of the anthropogenic impacts on Earth's climatic and environmental systems' (ICS and IUGS 2024, 3). This term characterises well the modern human-nature relationships.

Ultimately, to counter the ideas of capitalism and Anthropocene, scholars across promote the idea of 'post-development'. This school of thought promotes moving away from the current capitalist economy and shifting towards a more nature-centred, traditional knowledge-based and just approach to human-nature relationships. The proposals aim to curb the damage humanity causes to the environment and restore the balance, putting human and nature in the position of co-existence and mutual respect. The example of the 'pluriverse' of ideas and proposals for post-development can be found in the works of Kothari, Escobar, Esteva and many more (Kothari 2019).

## 1.2. Cascading Effect of Human-Driven Climate Change on the Planet and Nature

As it became evident that human activity is causing changes to the climate, it has also become clear that climate change causes unpredictable and intense climate events that are *challenging nature* itself.

In the latest IPCC report (2023), one of the *high confidence* conclusions was that climate change led to widespread adverse losses and damages to nature:

'Climate change has caused substantial damages, and increasingly irreversible losses, in terrestrial, freshwater, cryospheric, and coastal and open ocean ecosystems... Hundreds of local losses of species have been driven by increases in the magnitude of heat extremes..., with mass mortality events recorded on land and in the ocean... Impacts on some ecosystems are approaching irreversibility, such as the impacts of hydrological changes resulting from the retreat of glaciers, or the changes in some mountain... and Arctic ecosystems driven by permafrost thaw...' (IPCC 2023, 5).

Current findings are only the beginning of the severe changes that could happen if no further measures are taken, as demonstrated in Figure 2 of the IPCC (2023) report. It's clear that if humanity is to continue at the current pace, nature will keep losing its resilience and natural adaptation due to the severity of the perturbations. That is why, despite the complexity of finding concrete proofs of cause and outcome connections, some scientists believe that climate change is one of the indirect contributors to the crime of 'ecocide', which will be discussed in greater detail further on. It seems that business 'as usual' is already causing destructive effects on

nature far beyond what could be imagined, even without taking into consideration the direct impacts that human-led conflicts, such as wars, cause.

**Future climate change is projected to increase the severity of impacts across natural and human systems and will increase regional differences**

Examples of impacts without additional adaptation

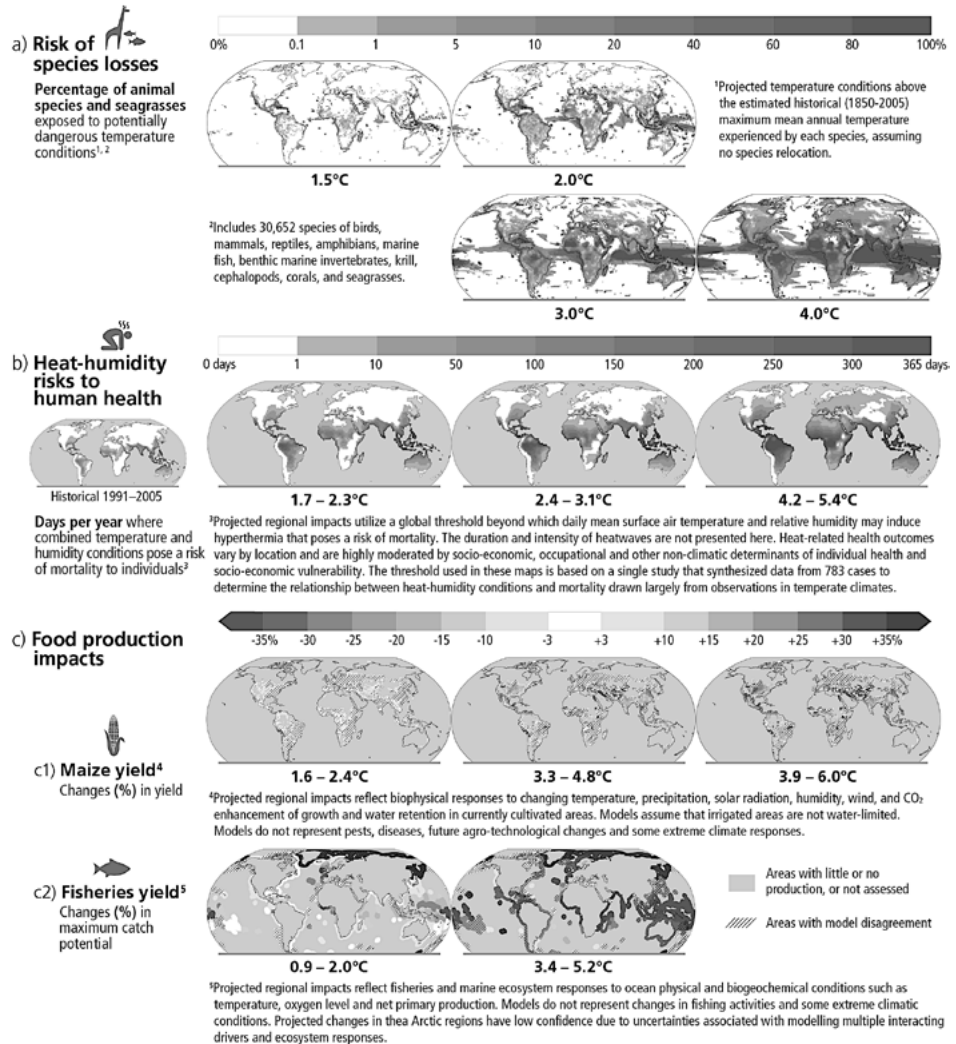


Figure 2. SPM.3: Projected risks and impacts of climate change on natural and human systems at different global warming levels (GWLs) relative to 1850-1900 levels.

Projected risks and impacts shown on the maps are based on outputs from different subsets of Earth system and impact models that were used to project each impact indicator without additional adaptation. WGII provides further assessment of the impacts on human and natural systems using these projections and additional lines of evidence. **(a)** Risks of species losses as indicated by the percentage of assessed species exposed to potentially dangerous temperature conditions, as defined by conditions beyond the estimated historical (1850-2005) maximum mean annual temperature experienced by each species, at GWLs of 1.5oC, 2oC,3oC and 4oC. Underpinning projections of temperature are from 21 Earth system models and do not consider extreme events impacting ecosystems such as the Arctic. **(b)** Risks to human health as indicated by the days per year of population exposure to hyperthermic conditions that pose a risk of mortality from surface air temperature and humidity conditions for historical period (1991-2005) and at GWLs of 1.7°C–2.3°C (mean = 1.9°C; 13 climate models), 2.4°C–3.1°C (2.7°C; 16 climate models) and 4.2°C–5.4°C (4.7°C; 15 climate models). Inter-quartile ranges of GWLs by 2081–2100 under RCP2.6, RCP4.5 and RCP8.5. The presented index is consistent with common features found in many indices included within WGI and WGII assessments **(c)** Impacts on food production: (c1) Changes in maize yield by 2080–2099 relative to 1986–2005 at projected GWLs of 1.6°C–2.4oC (2.0°C), 3.3°C–4.8oC (4.1°C) and 3.9°C–6.0oC (4.9°C). Median yield changes from an ensemble of 12 crop models, each driven by bias-adjusted outputs from 5 Earth system models, from the Agricultural Model Intercomparison and Improvement Project (AgMIP) and the Inter-Sectoral Impact Model Intercomparison Project (ISIMIP). Maps depict 2080–2099 compared to 1986–2005 for current growing regions (>10 ha), with the corresponding range of future global warming levels shown under SSP1-2.6, SSP3-7.0 and SSP5-8.5, respectively. Hatching indicates areas where { < ` }70% of the climate-crop model combinations agree on the sign of impact. (c2) Change in maximum fisheries catch potential by 2081–2099 relative to 1986–2005 at projected GWLs of 0.9°C–2.0°C (1.5°C) and 3.4°C–5.2°C (4.3°C). GWLs by 2081–2100 under RCP2.6 and RCP8.5. Hatching indicates where the two climate-fisheries models disagree in the direction of change. Large relative changes in low yielding regions may correspond to small absolute changes. Biodiversity and fisheries in Antarctica were not analysed due to data limitations. Food security is also affected by crop and fishery failures not presented here. {3.1.2, Figure 3.2, Cross-Section Box.2} (Box SPM.1)

Source: Figure SPM.3 in IPCC (2023) Summary for Policymakers. In: *Climate Change 2023: Synthesis Report*. Contribution of Working Groups I, II and III to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change [Core Writing Team, H. Lee and J. Romero (eds.)]. IPCC, Geneva, Switzerland, pp. 1-34, doi: 10.59327/IPCC/AR6-9789291691647.001

Added to human-driven climate change, humanity as such significantly contributes to the decreasing planetary health. In an article by Rockström et al. (2023), they have quantified *safe* and *just* Earth System Boundaries (ESBs) for climate, the biosphere, water and nutrient cycles, and aerosols at global and sub-global scales, presented in Table 1.

Table 1. Proposed Safe and Just ESBs

<b>Earth System Boundary (ESB)</b>	<b>Description</b>	<b>Suggested Safe and Just Limits</b>
<b>Climate</b>	<i>Warming boundary, crossing which can trigger climate tipping elements</i>	Max 1°C increase from the pre-Industrial Revolution temperatures
<b>Biosphere and biodiversity</b>	<i>The area of largely intact natural ecosystems that should be kept to maintain the Earth system's natural contribution to people (NCP)</i>	Min 50-60% of the global land surface
<b>Biosphere and biodiversity</b>	<i>Required functional integrity of all ecosystems, including urban and agricultural ecosystems, ensuring the capacity of those ecosystems to provide ecological functions and services to people at the landscape scale</i>	Approx. 20-25% of each 1 km <sup>2</sup> is under (semi-) natural vegetation
<b>Fresh surface water</b>	<i>Safe levels of flow alteration for individual watersheds</i>	20% magnitude monthly surface flow alteration
<b>Fresh groundwater</b>	<i>Suggesting levels of drawdown that should be sustainable compared with replenishment rates</i>	Annual drawdown not to exceed average annual recharge
<b>Green water stocks</b>	<i>Suggesting a spatially explicit boundary for defined maximum allowed deviation of soil moisture levels, to ensure hydrological regulation of terrestrial ecosystems, climate and biochemical processes</i>	Less than 10% of ice-free land area to exceed the boundary
<b>Nutrient cycles of nitrogen and phosphorus</b>	<i>Safe quantities for surpluses of agricultural nitrogen and cropland soil phosphorus in soils</i>	Agricultural nitrogen (61 Tg N/year) and cropland soil phosphorus (4.5–9.0 Tg P/year)
<b>Atmospheric aerosol pollution</b>	<i>The standards of 'permitted' air pollution for the healthy human and non-human existence</i>	Max 15 mg per m <sup>3</sup> mean annual exposure to PM <sub>2.5</sub> to avoid a high likelihood of significant harm from aerosols

Table created by the author based on the ESBs proposed by the article of Rockström et al. (2023)

The authors' assessment concluded that 'seven of eight globally quantified safe and just ESBs and at least two regional safe and just ESBs in over half of the global land area are already exceeded', and that some of the boundaries have already been breached for a while (Rockström et al. 2023). In Table 2, we highlight 2 main areas of focus for this review, which focus on the necessary mitigation and adaptation measures that would help to adhere to the ESBs proposed.

Table 2. ESB areas of this study's interest

<b>ESB areas of interest</b>	<b>Suggested measures and focus</b>
Climate	Extensive adaptation and compensation measures that will aim to reduce sensitivity to harm and vulnerability for those already severely affected by climate change, or who are to be affected in the near future.
Biodiversity	Maintaining areas of largely intact natural ecosystems is necessary for securing the Earth system functions on which all humans, other species and Earth system stability depend, including stocks and flows of carbon, water and nutrients and halting species extinction (Earth system NCP via Earth system functions). They suggest to to keep around 50-60% of the global land surface covered by largely intact natural areas, and an equivalent of 50-60% of terrestrial ESB for natural ecosystems in the ocean. They stress that the natural ecosystem areas also include largely intact natural areas, even if they are not currently in conservation, and that human habitation and sustainable use are not excluded from the vision of environmental protection of the area. For functional integrity of urban, agricultural or other human-modified ecosystems to complement the Earth system's NCP, it's suggested that we need at least 20-25% of diverse seminatural habitat including native species in each square kilometre in human-modified lands. It's important because paper states that the current functional integrity of human-dominated areas is <i>insufficient</i> and large areas show symptoms of resilience loss, requiring regenerative practices to restore local and Earth system functions.

Table created by the author based on proposals in the article of Rockström et al. (2023)

Authors conclude that natural protection and restoration actions, as well as air quality standards, are needed on the local level to achieve the

global biodiversity goal; and that we need global transformation across all ESBs to ensure human and nature's well-being in the long run:

'Transformations must be systemic across energy, food, urban and other sectors, addressing the economic, technological, political and other drivers of Earth system change, and ensure access for the poor through reductions and reallocation of resource use' (Rockström et al. 2023, 109).

The paper also provides an important insight: 'climate is the only ESB that has a relatively well-established and implemented methodology, with methodologies for other domains under development' (Rockström et al. 2023). This highlights the potential of applying successful principles of a climate change framework for other ESBs and reinforces the idea that we need to create more ways to meet the ESBs globally and nationally.

## 2. Human Perception Shaping the Natural World

It becomes clear that the way humans, who are the main drivers of changes on the planet, see nature is important. This vision determines the value that is being allocated to the environment, the level of care and protection it's offered and showcases what humanity perceives as being 'owed' to nature. Some believe that the notion of 'environment' itself comes from an anthropocentric perspective, meaning 'surrounding' for humans; while the notion of 'nature' refers to the earth that remained largely untouched by humans, therefore, from an ecocentric perspective (Von Der Decken and Von Rochow 2025).

Depending on the discipline, the terms 'nature' and 'environment' have different interpretations. In the environmental sciences or geography, nature is defined in the form of the physical environment and biophysical systems: natural resources, landforms, climate and weather systems, ecosystems and biodiversity, flora and fauna, habitat types, etc. In law, nature is defined as components of the environment that are *subjected* to regulation, rights or protection: air, water, soil, wildlife and habitats, ecosystem services, natural protected areas, etc. Social sciences see nature as a construct, shaped by culture, economics and politics. In contrast, in indigenous and traditional worldviews, nature is perceived as something alive and conscious, as an ancestor, teacher, or spiritual entity. Examples are Quechua concepts of 'Pachamama' and 'Sumak Kawsay/Buen Vivir' (Sanchez Ramos 2012; Cubillo-Guevara et al. 2014) and Maori environmental theology of 'whenua, whakapapa, wairua, whanau and whakapono' (Rangiwai 2018) that enabled Whanau river legal personhood (Hutchison

2014). The subtlety of perspectives results in different levels of protection and care we offer to the natural environment.

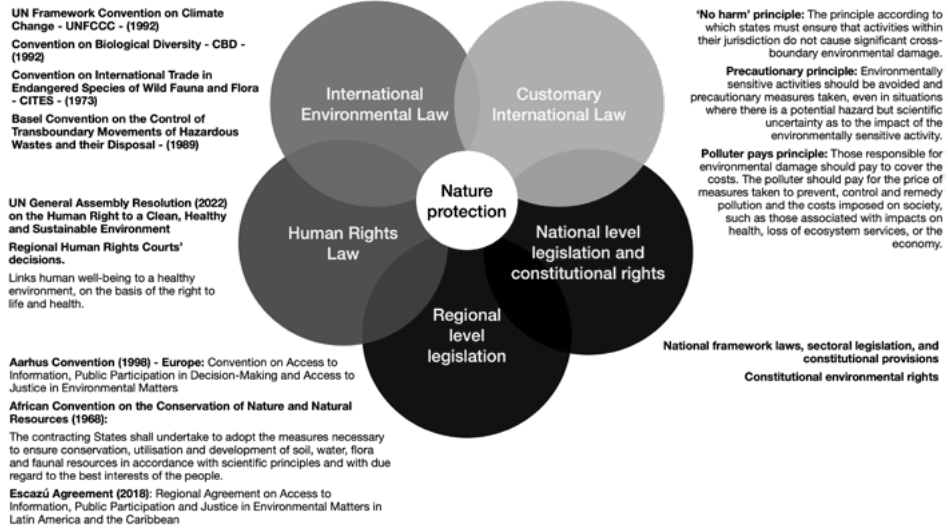


Figure 3. Example of the legal framework of nature protection during peacetime

Source: Author, a summary from the online open sources.

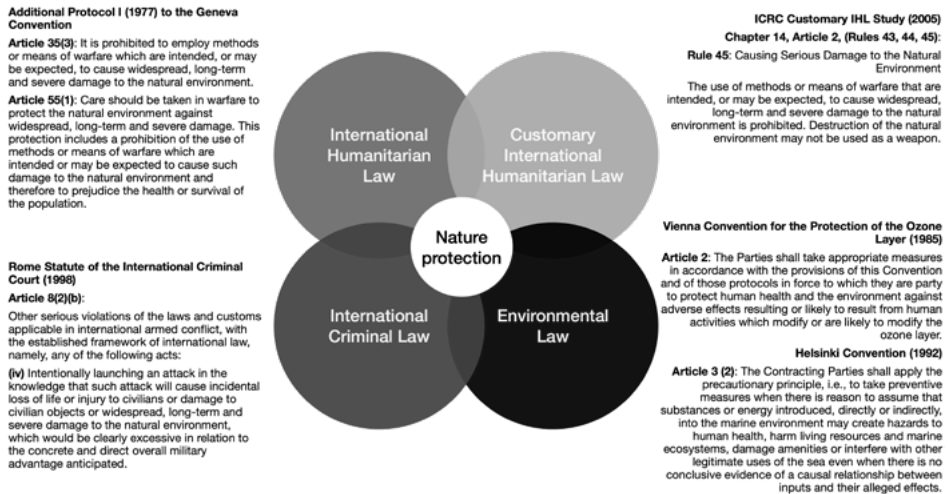


Figure 4. Example of the legal framework of nature protection during military conflicts

Source: Author, a summary from the online open sources.

It's clear that in our daily life, nature is seen through the anthropocentric point of view - through the rights humanity has for a clean environment and its habitat protection. Depending on whether we talk about peacetime (Figure 3) or wartime (law *in war*) (Figure 4), the nature protection provisions are already included in different fields of law.

But, as the law is a *human* concept, it's always responsive to human needs. For example, if the state manages to prove that environmental destruction of the river was done for greater human or economic good, it won't be prosecuted the same as negligent environmental destruction during peacetime. The same goes for the environmental destruction during the wars - if a state proves that the act of destruction was done in order to have a military advance, it won't be treated as severely as a direct violation of the laws in war. In both cases, human *intention* matters. But since the intention is hard to prove, some law provisions may simply not apply.

This drives us to the conclusion that though there are laws and treaties in place to regulate human behaviour *in* its environment, it doesn't mean that there is a robust system of nature protection *against* humanity. This led scientists worldwide to ask a question: how to protect the environment from human influence? Some propose the laws to be incorporated into countries' legal bodies, which leads to the question: how to prosecute the crimes that transgress a country's border? Some suggest signing more international treaties to safeguard the environment, but seeing issues accompanying the battle against climate change and relative 'failure' of the Paris agreement<sup>3</sup>, we see an example of how every treaty depends on every single country's commitment and goodwill. One of the more radically determined suggestions is to introduce a new international crime to safeguard nature - *the crime of ecocide*.

### 3. Human Crimes Against Nature and Ecocide

It's important to mention that there is no legal definition of ecocide as of now. This gives us the liberty to review human interaction with nature

<sup>3</sup> Paris Agreement (2015) is a legally binding international treaty on climate change, adopted by 195 Parties at UN Climate Change Conference (COP21). It aims to limit the increase of global average temperature to  $\leq 2$  C to pre-industrial levels at worst, and to 1,5 C at best. Since 2020, countries have submitted their nationally determined contributions (NDC) with actions they will take to reduce their GHG emissions to reach goal. Each NDC is meant to be showing higher aspiration than previous one, they're mandatory for signatories of the treaty (UNFCCC 2015). But despite the control system in place, not achieving NDC is not punishable, as they are set voluntarily. By this day, there are still no formal sanctions, fines or legal consequences for countries for not meeting their set NDCs plans.

and come to certain conclusions regarding the key features of ecocide or ecocidal behaviour from the real-world examples. This part of the review summarises the main aspects of the environmentally damaging human behaviours present daily.

### 3.1 Anthropocentric Crimes Against Nature and Emergence of the Crime of Ecocide

First of all, human economic activity and politics have solely *human interest* (individuals, groups of people, nations) *at their core level*, aiming to acquire more money, more power, and more influence. For example, during modern wars, we see that politically or religiously fuelled hate towards the population of the country affected is often accompanied by extensive natural destruction and total dismissal of the right of other species to exist. Even though nature is not directly involved in warfare, and is, in fact, *essential* for human survival. This represents a typical anthropocentric lens through which humanity treats nature. Same for peacetime - human daily economic activity is based on resource extraction and appropriation. Some examples of extreme appropriation could be land grabbing, settler colonialism, or even resource extraction from other parts of the world under business pretence, with a license received in collaboration with local corrupt governments. Lack of recognition of the destructive nature of human activity and normalisation of certain business behaviours ultimately pose a significant threat to the environment and planet.

In fact, some researchers believe that even our form of organisation and internal struggle for power present in society is a danger to nature. Contributors of the book 'Enforcing Ecocide' mention in their foreword that 'the state uses violence - that of the police, military, private mercenaries and vigilante auxiliaries - to seize land, control resources, guard extractive industries and repress environmental movement' (Dunlap and Brock 2022, viii). Not only in cases of wars, but systematically, in order to *stay* in power. This way, according to the authors, state violence regularly contributes to environmental destruction locally and abroad; in some cases applied deliberately to preserve extractive policies and cooperation with industries that support the current economic system of the countries. Therefore, authors define 'ecocide' as an act of '*deliberate* destruction and degradation of ecosystems, which has cumulative climate effects', highlighting that '*ecological degradation*' includes 'deforestation, mining, dredge fishing, loss of land, pollution and emissions' that ultimately accumulate and have an impact worldwide, accelerating climate catastrophe and threatening mass extinc-

tion (Dunlap and Brock 2022, 2). Reflecting on modern challenges, such as the Russian full-scale invasion of Ukraine (2022-)<sup>4</sup>, they added that ‘biological annihilation’ is yet another tool to cause total ecological destruction (Dunlap and Brock 2022, 3). Dunlap and Brock (2022) call for governments worldwide to reflect on how current policies favouring extractivism, and political decisions towards ‘colonising’ territories for resource extraction, reinforce the policing of the state against its own population and subsequently threaten its nature. Ultimately, authors hope that ‘since ecocide is the product of human actions, embedded in human-made political and economic structures, it can be stopped and changed’ (Dunlap and Brock 2022, 6).

The second driver of human ecocidal behaviour comes from the *notion of property and responsibility for the green areas*, or rather, lack of it. Dunlap and Brock (2022) argue that by using the anthropocentric idea that humans are the centre of the natural world, governments can change the narrative of ‘violation of nature’s rights for existence’ into the ‘national resource’ narrative, where nature is a commodity, an object and a resource belonging to the state, something to be *owned*. This enforces the privatisation of the land and green spaces by those with resources, and marginalises the poor, limiting their access to the natural territories<sup>5</sup>. It results in detachment and a lack of responsibility for the natural areas by the general public<sup>6 7</sup>. This also degrades the sense of ‘community’ within society.

Lastly, we need to address the *issue of liability*, which evolves from notions of property and responsibility. In a review by Branch and Minkova (2023), they raise similar concerns. With an anthropocentric system of values in place, how are we to ensure that the existing human systems won’t

<sup>4</sup> On 24 February 2022, Russia has launched an illegal and unjustified full-scale invasion of Ukraine, a devastating war, which is still ongoing. As Ukrainian people are fighting for their independence and freedom, as well as liberation of temporarily occupied territories and their inhabitants under occupation, Russian government repeatedly threatens Ukraine and its allies with the possibility of the nuclear explosion.

<sup>5</sup> EEA (2022) concludes: ‘Overall, people of lower socio-economic status reap greater benefit from urban green space than more privileged groups, especially in terms of reducing stress and improving mental health.’ Children, young people, elderly, migrants and asylum seekers have an extra benefit from green spaces.

<sup>6</sup> ‘Green space in neighbourhoods of lower socio-economic status is often of lower quality than that in wealthier neighbourhoods, reducing people’s motivation to use it’ (EEA 2022). ‘In Porto, Portugal, in addition to offering fewer amenities, green space accessible to populations of lower socio-economic status has more signs of damage and gives rise to more safety concerns than green space in neighbourhoods of higher socio-economic status’ (EEA 2022).

<sup>7</sup> ‘Evidence from across Europe shows that green space is available less in lower income urban neighbourhoods than in higher income ones’ (EEA 2022).

jeopardise the efforts of nature protection by creating a 'comfortable' need to prove the in-depth *knowledge of the actor related to the consequences of their actions* preceding the environmental destruction? Their article provides a legal review of the IEP (2021) proposal of the establishment of ecocide as a crime against humanity, and discusses important gaps in the current legal system that complicate the introduction of ecocide into the law.

Branch and Minkova (2023) evoke key issues with translating environmental harm into international criminal law and launching the prosecutions of such by the International Criminal Court (ICC):

As Anthropocene is composed of intense human impacts on the environment, including climate change, biodiversity loss, and pollution of the water sources, ICC will have to do a deeper investigation into the cause of any given environmental change (Branch and Minkova 2023, 58). And it may be difficult to deduce which exact actions of which government or organisation have contributed to the destruction of certain natural areas, or if it was a cumulative effect of climate change.

Proving an intention and knowledge behind the causation of the damage by the actor in question, or otherwise called a person's '*mens rea*', is difficult. The current provision of the ICC requires evidence that the accused actor was 'virtually certain' that the actions would result in the commission of the crimes. Moreover, having to demonstrate that there has been an intention to destroy nature is quite a challenging requirement per se, as the common peacetime 'environmental damage is most often a side effect of actions undertaken for economic, social, or political reasons, and so it is the lack of a clear link between intention, action, and harmful outcome' (Branch and Minkova 2023, 54). That complicates the incorporation of ecocide into international criminal law prosecutions. Choosing the liability standards to guide the judgment of the presented cases could also prove to be difficult. The outcome of choosing between the strict liability, negligence standard, and the precautionary principle<sup>8</sup> could make a big difference in the prosecution under the law of ecocide and in the ways of enforcing it.

State responsibility vs individual responsibility. Branch and Minkova (2023) stress that introducing ecocide as a crime against humanity needs a

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<sup>8</sup> Negligence standard would convict actors who should have known that their actions would result in ecocide, strict/absolute liability would convict without concern for what the actors knew or should have known (Branch and Minkova 2023, 55) Precautionary principle would mean taking preventative action when there's a suspected risk of harm to the public or environment, even if complete scientific proof of the risk is lacking.

revised individual liability dimension. It proves very difficult to define every actor's role in the crimes against nature and ensuring that this 'grey' area of law is not abused by the states to avoid responsibility.

The complexity of the human vs nature trade-off of benefits. The world's anthropocentric system prioritises benefits to humans and not to nature. There is no clear guidance on how states and courts will balance the loss-benefit of situations where the interests of humans and nature are conflicting. It's also hard to represent the interests of non-human entities such as 'nature' and 'environment' in the court. The current legal system protects human rights and not the rights of nature, which means that the priority is given to the benefits that projects or actions will bring to the local/international society, rather than to the prevention of natural losses. There is also a temporal aspect to consider: choosing one development project may provide benefits to current generations, while choosing to preserve nature gives benefits to future generations. Changing this would require a switch from the Anthropocentric system of the world we live in now and the adoption of more instruments of representation for the interests of non-human entities than those currently existing.

Determining the baseline of what is 'nature' and 'environment' that is to be protected. There is no widespread, out-of-academia, common knowledge of how to define those terms in the first place. Then comes the challenge of defining the 'pristine environmental state' that is to be preserved by the law. Authors argue that in ecology, 'the complexity of ecological systems is now recognised, involving frequent disturbance, no single equilibrium', that systems are in 'constant interaction and characterised by non-linear dynamics and interactions with human activity', and that 'scale mismatches mean that the ecological impact of the act could vary significantly at different temporal and spatial scales' (Branch and Minkova 2023, 58).

ICC, being the main institution charged with prosecuting crimes against humanity, may not have the administrative, monetary and technical capacity to review and prosecute all cases that may be coming in under the crime of ecocide. Sole introduction of individual responsibility may require a gradation of the severity of the crime, which means that the ICC will only be able to take care of the most severe cases, instead of tackling the systematic problem of environmental destruction. It will also face difficulties enforcing its decisions worldwide. Overall, there doesn't seem to be an institution or network of institutions that could be enforcing the law of ecocide at this moment in time.

Those are a few of the issues that the current legislative system faces for the adoption of the law of ecocide. There appears to be a need to re-

think how existing legal systems assign liability to humans, the value nature should hold, and to define how nature should be represented in our legal system with a set of rights that can protect it in a just manner.

### 3.2 Ecocide During the Wars

As previously discussed, human business activity ‘as usual’ already has an ecocidal character. But the common idea about when alleged ecocide occurs is usually during wars or other man-made conflicts. In 2025, we have several well-known wars ongoing: the Russian full-scale invasion of Ukraine that began in February 2022, the Sudanese Civil War since April 2023, and the Israeli war in Palestine that escalated after October 2023. But actually, at this point, it’s estimated that there are at least 45 armed conflicts currently ongoing in the Middle East and North Africa, 35 in Africa, 21 in Asia, 7 in Europe and 6 in Latin America, rounding to 110+ ongoing armed conflicts (Geneva Academy 2025).

Aside from the damage to the military and civilian infrastructure, deaths, and devastating social and economic consequences, nature is often described as a ‘silent victim’ whose integrity is being endangered. Natural areas are often used as a *battlefield* during warfare, and could be turned into a minefield to safeguard the military positions, which exposes nature to the impacts of various toxic components from the warheads, armed vehicles, infrastructure destroyed, mine explosions, etc. For Ukraine’s context, examples of the studies on the impacts of war equipment and weapons on nature can be found in the articles by Kuzmenko et al. (2024) focusing on the projectiles, Solokha et al. (2023) focusing on remote sensing techniques, and even in the conclusions of a High-level Working Group on the Environmental Consequences of War (2024).

It has always been difficult to monitor the development of environmental warfare and assess the impacts of the war on nature. It’s also hard to prove which damage was a ‘necessary’ part of the warfare for the military advancement, and which was excessive. A good example is the application of the Scorched Earth technique<sup>9</sup>, which represents this dissonance: it allows severe destruction for the sake of military advancement if it’s in balance with the ‘military objectives’ required to achieve, despite the significant environmental destruction this implies. In his article, Leebaw (2014) provides compelling arguments that this duality comes out of the

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<sup>9</sup> Scorched Earth – ‘relating to or being a military policy involving deliberate and usually widespread destruction of property and resources (such as housing and factories) so that an invading enemy cannot use them’ (Merriam-Webster Dictionary 2025).

4 interchangeable narratives that define the significance of nature during wartime, constituting ‘humaneness’ in times of war by: nature as *property*, nature as *combatant*, nature as *Pandora’s Box* and nature as the *victim*.

Very often, as in the case of the Vietnam War (which is often referred to as the first time when the word ‘ecocide’ was ever used), we discovered the damaging consequences on nature *after* the war. Nowadays, we are observing a new development of the environmental damage registers *during* the war, as in the case of the Russian full-scale invasion of Ukraine (2022-). Ukrainian government has developed a way to collect information from the citizens in real time, with the help of the application called ‘EcoZagroza’. By June 2025, they have collected 8910 reports on the consequences of military actions and their impact on the environment. This latest development is very important for setting a precedent for direct accountability for environmental damages caused during the war, even as a stand-alone cost.

That’s how the idea of ‘ecocide’ as something to be addressed aside from the direct consequences of the warfare arises, due to the *severe, long-term consequences* and *disproportionate* damage that warfare causes to the environment.

### 3.2.1 First Emergence of the Ecocide - Vietnam War

There are several historical cases that scholars and researchers attribute to a description of an ‘ecocide’. The first one that usually comes to mind as an example is the case of the American army’s tactics during the Vietnam War, which lasted between 1954 and 1975, with USA entering the war in 1965. This case became one of the *key* arguments for scholars lobbying for including ecocide in international legislation. This claim is supported by the wide range of evidence we have now, in the form of official documents and witness testimonies, reports from international actors, as well as visible, long-lasting environmental and health-related consequences experienced by the local population to this day.

In the historically important article by Falk (1973), he talks about Indochina<sup>10</sup>, where the ‘environment has been selected as a “military” target appropriate for comprehensive and environmental destruction’ (Falk 1973, 80). He argues that the destruction was caused as part of the ‘demonic logic of counterinsurgency warfare’, implying that ‘the only way to defeat the insurgent is to deny him cover, the food, and the life-support of the countryside’ (Falk 1973, 80). He describes US military tactics to destroy the

<sup>10</sup> Former name of territories lying within the borders of Cambodia, Laos and Vietnam.

forest land (using Agent Orange and Agent White), 'crop-denial' programs (Agent Blue against rice and other crops), usage of Rome Plows<sup>11</sup>, application of chemical herbicides and chemical defoliation programs even on the civilian-populated areas - all aimed to force civilians out of the warfare territory and move them into the 'secure' areas. With this, he introduced the statement that could arguably be the *core* ideological reason why ecocide should be considered as a crime, and this thought is widely echoed by researchers across the world and throughout time:

'It may be more than coincidental that at the historical moment when we are in the process of discovering the extent to which man's *normal* activities are destroying the ecological basis of life on the planet, we should also be confronted by this extraordinary enterprise of *deliberate* environmental destruction...' (Falk 1973, 80).

Though speaking about Indochina, Falk's words of concern can easily be applied to any of the historical cases of environmental warfare that happened after, including those occurring nowadays.

In Vietnam's case, Falk describes environmental warfare as one that includes 'all those weapons and tactics which either intend to destroy the environment *per se* or disrupt normal relationships between man and nature on a sustained basis', mentioning that ecocide can be described as a '*persistent patterns of warfare that produce cumulative effects on ecosystems*' (Falk 1973, 84-85). Here is one of the reasons to suspect the 'ecocidal' nature of that warfare: it's believed that approximately '72 million litres of herbicide were sprayed between 1961 and 1971 to defoliate forests and destroy food crops', which not only destroyed a lot of species of plants after even one application, but significantly affected soils, water sources and even human tissue by 'causing cancer even 30 years after the end of the war' (Do 2009, 2-3). The military gain of this action was temporary at best, and is without a doubt, disproportionate to the severity of the consequences suffered.

One of the earlier works on this subject was by Weisberg (1970), who also argued for the application of the term ecocide in relation to the Vietnam War, stating the gravity of the consequences of this war. He provides the following comparison:

'With Guernica for the first time, aircraft were employed in a conscious manner to completely demolish an urban population. With Auschwitz, and what it symbolises, we see the efforts of one culture to exterminate

<sup>11</sup> The Rome Plow - 'large, specially modified armoured bulldozer, that was able to cut down entire trees, which were then burned', developed specifically for use in Vietnam (South Carolina Confederate Relic Room and Military Museum 2024).

another. But Hiroshima completely distinguishes itself from all previous human experience. There, in Asia, instruments of war were employed against a civilian population with the capacity not only of destroying a city, a people, and a local environment, but the planet, earth. With Hiroshima, and its sister city, Nagasaki, the image of destruction is clearly emblazoned in the memory of most every person on earth – a mushroom cloud. But with Viet Nam, there is no such image, no such date, by which to mark or measure what has happened, what continues to happen. There is no mushroom cloud, no stench from the gas chambers. While the weapons being employed in Viet Nam appear, in a sense, to be of a more “limited” nature, they are every bit as profound in their impact as were the devices dropped on Hiroshima or the “final solution” selected to deal with the “Jewish problem” (Weisberg 1970, 2).

He argues that the US army has never truly verified if the application of chemicals used causes any other health damages aside from the environmental destruction for warfare purposes. He also argues that international law and treaties didn't seem to be binding enough to prevent the damages caused, which eventually led to the proposal of a ‘new international agreement to ban ecocide’ by Professor Galston at the Conference on War and National Responsibility in 1970 (Weisberg 1970, 4). Professor Galston is believed to be the first person ever to ‘coin’ the term ecocide.

### 3.3 Proposed Definitions of Ecocide

As mentioned before, the first appearance of the word ‘ecocide’ was in 1970 by Professor Galston, when he proposed a new international agreement to ban ‘ecocide’ – that he defined as ‘wilful destruction of the environment’ (New York Times 1970). It was his response to the destruction experienced in Vietnam during the Vietnam War, mentioned earlier.

Later, in 1973, Falk published an article, quoted in Chapter 3.2.1, where he discussed in greater detail the difference between environmental warfare and ecocide:

‘It is important legally to distinguish between weapons and tactics that are designed to damage the environment and those that, like bombs, are designed to strike human or societal targets but which may also, as a side effect, damage the environment... Therefore, we define *environmental warfare* as including all those weapons and tactics which either intend to destroy the environment per se or disrupt normal relationships between man and nature on a sustained basis’ (Falk 1973, 84-85).

And he defined ecocide as ‘persistent patterns of warfare that produce cumulative effects on ecosystems’ (Falk 1973, 84). And in Appendix I, he elaborates that ecocide, whether at time of peace or war, means any of

the 'acts committed with intent to disrupt or destroy, in whole or in part, a human ecosystem' (Falk 1973, 93).

His draft law on ecocide includes prohibitions to:

- a) The use of weapons of mass destruction, whether nuclear, bacteriological, chemical, or other;
- b) The use of chemical herbicides to defoliate and deforest natural forests for military purposes;
- c) The use of bombs and artillery in such a quantity, density, or size as to impair the quality of the soil or to enhance the prospect of diseases dangerous to human beings, animals or crops;
- d) The use of bulldozing equipment to destroy large tracts of forest or cropland for military purposes;
- e) The use of techniques designed to increase or decrease rainfall or otherwise modify weather as a weapon of war;
- f) The forcible removal of human beings or animals from their habitual places of habitation to expedite the pursuit of military or industrial objectives' (Falk 1973, 93).

He concludes with a statement that, as the potential ecocide laws' implementation seemed to be avoided by the states intentionally, especially when addressing potential prohibition of counterinsurgency warfare techniques, 'the state system is inherently incapable of organising the defence of the planet against ecological destruction' (Falk 1973, 92). He suggests that the only way to overcome this obstacle is to 'initiate world population movement that can incorporate the ecological imperative at the same time as it works to secure equity for all people on earth' (Falk 1973, 92).

Later, as discussed in Gauger et al. (2012), there were extensive talks about ecocide inclusion, and in 1993, ecocide was even 'listed as a Crime Against Peace in the draft Codes of Crimes Against the Peace and Security of Mankind, which was a precursor to the 1998 Rome Statute' (Gauger et al. 2012, 2). But eventually, it was excluded from the final document, and the proposal of ecocide seemed to disappear from the record seemingly 'overnight'. The Rome Statute of the International Criminal Court (1998) eventually adopted a version of a prohibition related to environmental damages applied *only* in wartime, despite the active lobbying held in favour of adding an explicit crime of ecocide (Gauger et al. 2012, 11). Currently, this is the provision that mentions the environment:

'Article 8 – War Crimes (2) (iv) 'Intentionally launching an attack in the knowledge that such attack will cause incidental loss of life or injury to civilians or damage to civilian objects or widespread, long-term and severe

damage to the natural environment which would be clearly excessive in relation to the concrete and direct overall military advantage anticipated' (Rome Statute of the International Criminal Court 1998, 6).

It's no wonder that more direct examples of the ecocide definition can be seen in the Criminal Penal codes of countries that have themselves suffered intense environmental destruction, which could have been classified as ecocide. For example, in Vietnam's Penal Code of 1990, Article 278 states that ecocide is 'destroying the natural environment, whether committed in time of peace or war, constitutes a crime against humanity' (Ecocide Law 2025). And Ukraine's Criminal Penal Code (2001) has the following provision:

'Article 441. Ecocide. Mass destruction of flora and fauna, poisoning of air or water resources, and also any other actions that may cause an environmental disaster, shall be punishable by imprisonment for a term of eight to fifteen years' (Criminal Penal Code of Ukraine 2001).

The latest development in efforts to unify the definitions and propose an amendment to the Rome Statute was the 2021 conclusion of the Independent Expert Panel (IEP) for the Legal Definition of Ecocide:

'Ecocide means unlawful or wanton acts committed with knowledge that there is a substantial likelihood of severe and either widespread or long-term damage to the environment being caused by those acts' (IEP 2021, 5).

By this day, IEP's definition is the most embraced by the lobbyists worldwide.

Later, in 2024, the EU adopted a new direction as well, by putting in place the EU 2024 Environmental Directive:

'(13) Some criminal offences defined in this Directive include a qualitative threshold for the conduct to constitute a criminal offence, namely that such conduct causes the death of, or serious injury to, a person or substantial damage to the quality of air, water or soil, or to an ecosystem, animals or plants. In order to protect the environment in full, that qualitative threshold should be understood in a broad sense, including, where relevant, substantial damage to fauna and flora, habitats, to services provided by natural resources and by ecosystems, as well as to ecosystem functions. The term 'ecosystem' should be understood as a dynamic complex of plant, animal, fungi and microorganism communities and their non-living environment, interacting as a functional unit, and should include habitat types, habitats of species and species populations. An ecosystem should also include ecosystem services, through which an ecosystem contributes directly or indirectly to human wellbeing, and ecosystem functions, which refer to natural processes in an ecosystem' (EU Directive 2024/1203 2024, 2).

Nowadays, there are more and more countries worldwide that propose laws to criminalise ecocide (Stop Ecocide International 2025), and it may be just a matter of time before a bigger legislative step is taken on a global level.

#### 4. Giving back to Nature

In light of the significant damage caused to the ecosystems by humanity, it's only natural to wonder what the good examples of human relations with nature are. Currently, there are several global initiatives in place that aim to achieve exactly what is necessary – to give back to nature and restore what was destroyed, for the well-being of all.

For the ecosystems themselves, more recently, reflecting on the global challenges faced by nature worldwide, and aligned with Kunming-Montreal Global Biodiversity framework (2022) goals and global Convention on Biological Diversity (1992), the UN and FAO have issued one of the key documents in the field of ecosystem restoration – a publication called ‘Standards of Practice to Guide Ecosystem Restoration’ (FAO et al. 2023). It reflects how ecosystem restoration is *essential* to achieve climate goals and necessary biodiversity preservation levels, calling for an integrated approach towards ecosystem restoration across all levels of territorial governance.

More concrete examples of successful ecosystem restoration projects are being showcased within the framework of the UN Decade of Ecosystem Restoration (2021), where the best initiatives are being published regularly. To support achieving the 2030 goals, GIZ (2024) conducted a technical assessment of the tools currently available to monitor ecosystem restoration progress.

Lastly, FAO et al. (2023) emphasise:

‘Need to consider cultural, spiritual, educational, recreational and historical values of the ecosystem in setting restoration targets, goals and objectives, and defining restoration activities. This is important to enhance socioeconomic, cultural and spiritual, and ecological values, recognising that *people attach meaning to place*’ (FAO et al. 2023).

This connection between how human beings treat the place and the meaning they attach to it could be the key to ensuring systematic ecosystem restoration efforts in the long run.

Governments worldwide are also expected to comply with the global initiatives on nature restoration, both in the framework of climate change

and biodiversity preservation. Examples could be compliance with the legal obligations of Nature Restoration Law in the EU (2024) or establishing stricter national-level legislation when it comes to environmental protection. Or even criminalisation of environmental destruction, like in the provisions that we can see in cases of Vietnam and Ukraine. The establishment of the crime of ecocide that falls between national legislation and criminal law could hypothetically become a threshold for the extent of damage human activity could cause to nature.

There are also several legislative ways to preserve nature and form a basis for lobbying for its interests: legal personhood of nature or the establishment of Rights of Nature. For example, in 2008, Ecuador established constitutional Rights of Nature and Rivers, framing those rights as a 'threshold right, necessary to the realisation of a variety of human rights' (Tănăsescu et al. 2024). But Tănăsescu (2024) warns that this doesn't signify an ecocentric legal logic behind; those rights of nature are rather a way to accommodate Indigenous Rights. Another example is in New Zealand, where Te Urewera National Park in 2014, the Whanganui River in 2017 and Taranaki Mountain in 2017 obtained legal personhood. Though this case seems to fall under an Indigenous Law rather than the Rights of Nature (Cribb et al. 2024).

It seems that indigenous people are usually seen as the 'main' caregivers to nature on the territory they inhabit in those laws, but their ancestral worldviews align with the ecocentric logic, focusing on the harmonious co-existence of humans and nature. And this ultimately supports nature preservation and restoration, allowing the provision of rights of nature through indigenous and human rights. Even if it once again comes from an anthropocentric vision of the law.

## Conclusions

All in all, there seem to be a lot of ways in which humanity can start recovering nature and the planet destroyed by our daily ecocidal actions. But it requires *systematic* reshaping of the way we live and make our business, the way we think about nature, how we govern the territories we inhabit and how we prosecute human crimes in relation to nature.

Though there seem to be multiple pathways that could be taken for nature preservation on a global scale, there is a need to rethink human capacity to self-regulate our economic activities during peacetime by considering implementing the crime of ecocide for prevention. And there have

to be stricter provisions set during the time of war, to ensure that the environment is not being destroyed to the point of no return for the temporary military gains. Though ecocide seems inherent to human presence on the planet, there is an urgent need to keep on looking for solutions other than those we have now to prevent it.

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# The Energy Transition Available for Use: A Review of How It is Used in Research

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**Abstract:** This review observes how the energy transition is deployed across academic, political, and financial contexts. Constructs such as energy justice, energy poverty, and energy democracy are routinely presented as social issues emerging from an energetic shift, positioned to evidence the social imprint of a physical process. Similarly, financial and policy actors mobilize the energy transition to legitimize capital flows and regulatory frameworks, thereby generating the very scenario that requires their intervention. However, by adopting the physical definition of energy (E), energy is neither produced nor consumed, therefore 'energy production systems' or 'renewable/non-renewable energy', as commonly described, make no sense in those terms. This point is far from marginal. If energy does not transition, then what, exactly, is supposed to be shifting? Accordingly, the central question shifts from 'How can the energy transition be achieved' to 'How is the term energy transition used, and for what'. This may be the only transition to be addressed.

*Keywords: Energy Transition, Social Impacts, Environmental Sociology, Sustainability, Renewable Energy.*

## Introduction

This review opens with a seemingly naïve question: what does 'energy transition' mean? A thorough analysis of the literature has not yielded a satisfactory answer — nor has it revealed any prior studies posing the same

question so directly. The issue at hand is not what the energy transition is, but rather what it is made to mean.

Today, the term circulates with remarkable authority. It is invoked in policy frameworks, scientific programmes and media narratives alike, each accompanied by alarms, deadlines and the insistence on urgency – all designed to underline its importance. Yet, this rhetorical intensity stabilises its conceptual opacity. Every attempt to produce a purely descriptive account – free from argumentative leaps – ultimately returns to the same question. Something essential remains elusive.

Nevertheless, the purpose of this introduction is not to remain in suspension. Instead, it aims to confront the issue directly by addressing the conceptual ambiguities often overlooked in research on the energy transition. This requires taking a deliberate distance from ordinary narrative and developing a supervised discourse.

Accordingly, the following contribution proceeds in three directions: first, it considers the role assigned to the social sciences in the energy transition; second, it examines the financial, economic, and political uses of the topic; and finally, it turns to the concept of energy in physics, reflecting on its complete absence from global energy transition literature – an absence that, in fact, already partly replies to the opening question.

## **1. The Energy Social Sciences**

A review of the most prominent contributions in the social-science literature on the energy transition reveals a striking inversion: it is not the energy transition that draws on the social sciences. Rather, it is the social sciences that employ the energy transition to secure new forms of institutional recognition – thereby maintaining their presence within contemporary academic discourse.

Before illustrating how this unfolds across the literature, it is important to briefly restate the purpose of this review. What follows is not intended as a critique of existing research, but rather an effort to clarify what the energy transition means.

Sovacool et al.'s (2015) article 'Integrating Social Science in Energy Research' was among the first to argue that the knowledge produced by the social sciences would be a necessary condition for governing the energy transition. Their goal, therefore, was not to insert the energy transition into the social sciences, but to position the social sciences within the energy transition discourse – as explicitly stated in the abstract: 'This article

reflects on the state of the energy studies field, and it proposes recommendations for better integrating social science into energy research.' This distinction is substantial. Inserting the energy transition into the social sciences would mean using them to study the energy transition as a process. Integrating the social sciences into energy research, instead, turns the energy transition into a discursive space in which they can be situated. In the article 'What are we doing here?' (Sovacool 2014), the research question is made explicit: by searching for the rationale for including the social sciences in this emerging field, the so-called Energy Social Sciences are constructed.

Within this framework, the volume 'Energy Poverty and Vulnerability' (Bouzarovski et al. 2018) presents 'a global perspective' on the issue of 'energy poverty'. Importantly, it does not study energy poverty per se, but rather reviews the extensive academic production devoted to it. In doing so, it frames energy poverty as a global academic discourse, one that calls for contributions from multiple disciplinary domains.

Alongside 'energy poverty', one of the most widely cited constructs in the Energy Social Sciences is 'energy justice'. It features in recent works such as 'Energy Justice and Equity' (Ren et al. 2023), 'Metrics for Decision Making in Energy Justice' (Baker et al. 2023) and 'Towards a Pragmatic and Pluralist Framework for Energy Justice' (Vallor 2023), as well as in highly cited studies like 'Energy justice: A conceptual review' (Jenkins et al. 2016). Research under this label often claims that everyone should have equal access to energy systems and services. To examine this more closely: in the phrase 'energy justice', the noun 'justice' indicates the actual focus of these studies. By appending 'energy', the social sciences aim to situate longstanding social concerns within a contemporary topical field. They essentially operate within normative debates about justice and not about energy, since energy cannot be fair or unfair.

In this sense, it also underscores a methodological caution: 'energy justice' is defined as 'a global energy system that fairly distributes the benefits and costs of energy services and has representative and impartial energy decision-making' (Sovacool & Dworkin 2015). A closer look at this definition shows that it assumes benefits and costs can be distributed fairly, as long as decision-making process is representative and impartial. This implies that justice is assumed to depend on the representativeness and impartiality of the decision-making process. Therefore, the definition should be reversed: *a representative and impartial energy decision-making process that shapes a global energy system in which benefits and costs are distributed fairly*. Such a shift would fundamentally refocus research on the deci-

sion-making process itself – attributing fairness or injustice to the decisions that shape the energy system. Anyhow, this would narrow the focus on the construct of energy justice so drastically that it would challenge the current aims of social sciences in the energy field. Indeed, that wide and vague framing is what enables them to maintain their presence within the energy transition discourse.

Once these social constructs are established within the field, further research broadens their scope by introducing another construct: the anthropos. This addition shifts inquiry toward the human species, thereby defining the so-called ‘energy anthropology’ field. In their 2024 special issue *Contesting Transitions*, published in ‘Critique of Anthropology’, Ögüz and Goodale emphasise ‘the indispensable role of a critical anthropology in energy debates’. By doing so, as with ‘energy justice’, the issue lies in re-locating pre-existing anthropological debates within the domain of energy.

This anthropological framing of the energy transition soon extends into the ethical domain with the introduction of the construct of ‘energy ethics’ (Smith & High 2017). This construct lends legitimacy to the ordinary claim that there is an ethical way to use energy, therefore also ‘the relationship between energy usage and environmental degradation’ (Fay & Golomb 2012). Yet, while ethical debate is proper in everyday discourse, research requires a different level of observation – one that distinguishes the discourse on ethics from the study of ethics. Following this distinction, the social sciences successfully situate within the discourse on ethics, but do not study anything. Their recognised institutional role is, in fact, to participate in the debate, but not to lead it.

The same happens with the construct of ‘energy sovereignty’ (Angel 2016), which has been employed to discuss how the human species can and should exercise control over energy, thereby framing it as a domain of self-determination. This framing gives rise to the sociopolitical discourse on ‘energy democracy’ (Burke & Stephens 2017), a discourse that turns access to energy in political rights terms. In both cases, energy becomes the stage on which ideals of autonomy, participation and control are projected, while further distancing inquiry from the energy transition itself.

To guide this research beyond the rhetorical gravity of the works discussed above, it is essential to note that poverty, inequality, democracy, justice and ethics are neither intrinsic properties nor analytical variables of the energy transition process. Were they so, they would arise exclusively during the energy transition itself. Instead, they independently originate within discursive fields already concerned with them – leaving unclear what, if anything, the social sciences are actually studying when address-

ing energy. This observation is crucial. Treating a social construct as part of the energy transition – merely by affixing the term ‘energy’ to it – may grant contemporary relevance to the social science research, but does not substantiate its epistemic position within the energy research field.

This also occurs in ‘Participation in Energy Transitions’ (Jörg & Renn 2024), which compares five governance models with the stated aim of ‘linking the requirements for a sustainable energy transition to governance processes and structures.’ Much like the formula ‘integrating the social sciences into energy research’, the authors address the ‘democratic challenge’ by using the energy transition as a discursive entry point to explore old questions of legitimacy, inclusion and institutional design. Unsurprisingly, the research concludes that no single governance model is superior and that balancing different models is necessary to meet the democratic challenge. In essence, the argument reaffirms a familiar view that governance should be an open and contestable process – one capable of challenging established power structures.

A similar operation is performed by ‘Community-based energy governance and the political’ (Koga et al. 2024) which advocates for a ‘post-foundational energy democracy’. Here again, research could study the community decision-making process – if its central aim were to study energy democracy itself – yet its primary concern is not to observe how communities come to decisions, but to reaffirm the role of community as a political actor by maintaining the governance as an open, contestable space where no authority holds a definitive mandate over energy decisions.

‘Assessing the social acceptance of key technologies for the German energy transition’ (Baur et al. 2022) investigates public acceptance of specific energy technologies in Germany, such as energy storage batteries, hydrogen refuelling stations and biofuel plants. The study concludes that new technologies tend to be accepted when there is trust in political institutions and a perception of tangible benefits. As in much of the literature, such findings only legitimise further social research on public acceptance of political decisions. What appears to be a study of technological changes is, in fact, an investigation into public attitudes toward institutional decision-making on everyday habits. Likewise, ‘Media and partisanship in energy transition: towards a new synthesis’ (Chapman 2024) concludes that acceptance of energy initiatives largely depends on trust in institutions and alignment with partisan preferences. While this appears to investigate the energy transition, the focus is actually on political communication and public responses. The authors advocate for ‘more explicit and accurate’ research that jointly considers media, political actors and public perception.

The same logic extends to quantitative methods. In statistical modeling, social constructs are conventionally treated as datasets with predefined variables. These data are then incorporated into correlation models to assert that one construct correlates with – or does not correlate with – another, depending on the research needs. For example, ‘Exploring the interplay between green energy transition and energy poverty in the EU’ (Streimikiene et al. 2024) claims that the expansion of renewables can reduce energy poverty, provided it is accompanied by social policies addressing inequality and unemployment. Crucially, this does not indicate that renewables can reduce energy poverty; rather, the observed correlation is generated by the way social policies are framed within the study. In other terms, it does not discover a correlation: it produces one, since correlation is never inherent in the data but always arises from the research question itself (Turchi et al. 2013b). Similarly, ‘Impact of energy transitions on energy poverty in the European Union’ (Śmiech et al. 2025) claims that the energy transition can reduce energy poverty, precisely because the study is implicitly designed to establish that relationship. Conversely, ‘Value-rent-finance in Spain’s solar transition’ (Purcell et al. 2023) reaches the opposite conclusion, because it is structured to demonstrate that.

Policymakers and international organizations often rely on empirical data not because they contain the energy transition, but because they provide a credible narrative to mobilize political and social support. For example, ‘Energy investment needs for fulfilling the Paris Agreement and achieving the Sustainable Development Goals’ (McCollum et al. 2022) claims that the energy transition requires ‘immediate and systemic’ investments in energy infrastructure – globally estimated a certain volume of investment, amounting to billions of US dollars from 2020 to 2050. This figure does not describe a financial necessity; it generates a shared horizon that frames such investments as a legitimate priority. Overall, empirical data are not ‘pieces of’ the energy transition, but instruments for shaping specific social and policy narratives. Consequently, it is not the energy transition that emerges from the data, but the data that are employed to configure the energy transition as a statistically and politically sanctioned plan.

Finally, the volume ‘Modelling the Energy Transition: Cultures, Visions, Narratives’ (Erdbeer et al. 2025) states that the energy transition is (nothing but) a global discourse.

Finally, it must be emphasised that the core of the energy transition is the concept of energy (E) itself. Research on energy transition that shifts focus elsewhere can only become recursive and self-referential, drawing academic legitimacy from prior studies of the same kind and distinguishing

itself only through particular selections of data. In these cases, common constructs — such as energy justice — merely operate as discursive spaces in which research situates itself *de facto*, circumventing any requirement for epistemological coherence. Within these spaces, studies differentiate themselves solely based on the content they choose to emphasise. As a result, the Energy Social Sciences are able to perpetually recycle the same arguments on the same issues, within a shared project that aims to affirm their own institutional legitimacy.

## **2. The Green Finance**

After describing the role of the social sciences within the energy transition domain, the next section addresses the economic and political use of energy transition.

The 'World Energy Transitions Outlook 2023' (International Renewable Energy Agency, IRENA) states that the transition process can be accelerated by following an agenda of technical, financial and regulatory actions (IRENA's project). The report employs terms such as 'must', 'need to act now' and 'transformative actions', which serve to distinguish between acceptable and unacceptable forms of action. Within this framework, the energy transition is a device authorising public and private actors to operate across multiple domains, provided they present themselves as aligned with IRENA's project. In this sense, saying 'energy transition' is equivalent to saying 'global resource governance'. Similarly, the European Commission's 'Strategic Foresight Report 2023' employs the energy transition to politically redefine Europe, rendering nearly all social, political and economic activities acceptable only within that strategic transition framework. Expressions such as 'open strategic autonomy', 'critical levers for sustainability' or 'resilience through transformation' do not pertain to the transition process itself, but rather serve as a socio-political strategy aimed at framing the identity of the European Union. In all these cases, the energy transition is used to justify action, financing, planning, foresight, coordination, innovation, evaluation and transformation. The underlying assumption is always that the energy transition is either realised or not realised by human agency and that such realisation or failure depends on political strategies, economic actions or technical decisions.

Within this anthropomorphic framework, the energy transition becomes a normative tool. It authorises financing, justifies incentives, assigns priorities and determines which projects may or may not access interna-

tional funds. This, in turn, enables finance to impose itself as the governing principle of the energy transition – not because finance provides the resources for its realisation, but because it defines the conditions of its existence. In other words, finance does not operate within the energy transition; it generates the very possibility of defining what does and does not count as an energy transition.

The work ‘Financing and Investing in Sustainable Infrastructure’ (Meng et al. 2024) provides a detailed review of the literature on so-called ‘green investments’, where *green* is the chromatic marker of the environment in which the investment is said to occur. The authors state that ‘research aimed at the infrastructure sector remains insufficient’ and that ‘more focused empirical investigations are needed in the future to validate the theories and effectively leverage green finance strategies’ (Meng et al. 2024). The specific theories requiring validation are not detailed in the article; thus, it can be inferred that the authors refer to the reasons why an investor today decides to allocate resources to what is termed ‘green infrastructure’. The issue, therefore, is not the verification of any specific theory of finance, but the confirmation that green investments deliver competitive returns while being presented as environmentally beneficial.

Similarly, the work ‘Green Debt’ (Flottmann et al. 2025) reviews studies claiming that green debt instruments exhibit significant and advantageous differences compared to conventional ones. It must be said that if such differences are significant, it is because they have been defined as such. The distinction between investment instruments does not explore an advantage – it constitutes the advantage. So-called ‘sustainable finance’ products serve to frame the energy transition as a more profitable and enduring investment portfolio, thereby generating the very conditions ‘for achieving the necessary investment levels’ (Financing the Future, Rabbani et al. 2025).

To extend and deepen the debate on how the energy transition is used, it is necessary to recall the role of the European Commission – specifically, the Directorate-General for Financial Stability, Financial Services and the Capital Markets Union (DG FISMA). In 2018, it launched an operation known as the ‘EU Taxonomy’, which established the possibility of adopting parameters to qualify a company as environmentally sustainable. This initiative forms part of the ‘Action Plan for Sustainable Finance’, whose outcome is, in substance, an authorisation to link an investment to the Union’s climate and environmental objectives. The adoption of these European parameters remains optional for companies, yet it becomes a disclosure obligation for so-called ‘green investors’. This operation effectively redefines

the grammar of financial value and intensifies the urgency for companies to enter the discursive space of the energy transition.

In this regard, the academic literature shows a plurality of ways to operationalise such authorisation and to certify that a company is 'green'. With a sectoral research logic, the work 'Taxonomy and Indicators for ESG Investments' (Sica et al. 2023) aims to provide a further 'reference taxonomy', more specific than the general framework developed by the European Commission, seeking a 'rational systematisation of sustainability criteria and indicators'. Unfortunately, to this classificatory precision opposes the epistemological impossibility of defining a taxonomic unit of economic activity (unit of product?) from which the entire 'reference system' can be derived. For this reason, research on sustainability parameters can only result in a discursive reformulation of the parameters themselves, which in this case is grouping elements 'by resonance or thematic affinity' (Sica et al. 2023). This occurs because what is called a 'parameter, 'criterion' or 'indicator' is nothing but a discursive formula defined through its use. The link to the sustainability construct is rhetorical-argumentative: when the link is strong, the parameter is said to be objective and measurable; when the link is loose, the parameter is said to be subjective and interpretable. Using the term 'taxonomy' does not equate to constructing a taxonomy. The term 'taxonomy' is financially used to figure out the existence of a certain stability in the 'green market', enabling investors to identify the investment and thus to invest. This also applies to the Singapore-Asia Taxonomy, published in 2023 by the Monetary Authority of Singapore; the ASEAN Taxonomy for Sustainable Finance, published in 2021 by the Association of Southeast Asian Nations; the Sustainable Finance Taxonomy Roadmap of the Australian Sustainable Finance Institute, which foresees a future national taxonomy; and the Green Finance Taxonomy launched in 2022 by the South African National Treasury.

If the above is useful, then it can be said that the energy transition is not what is financed, but what enables financing, just as the construct of sustainability is not an indicator of the transition underway, but an attempt to define what counts as energy transition, which is, in fact, constantly reformulated.

### **3. Energy Process, Technological Conversion, Ecological Reconfiguration**

Classically, energy ( $E$ ) is defined as the capacity of a physical system to perform work — a conserved scalar quantity that 'can neither be created

nor destroyed, it transforms from one form to another' (Principles of Mechanics and Thermodynamics). In contemporary discourse, however, the term 'energy transition' typically refers to the shift from depletable fossil fuels to alternative sources, often described as 'renewable energies'. This formulation implicitly assumes that the *form* of energy corresponds to its *source*: for example, 'solar energy' is understood as energy produced or derived from sunlight. Yet, from the standpoint of physics, energy is neither produced nor derived; it is not contained within matter but attributed to the physical system that employs matter to describe work (W) through the laws of mechanics, thermodynamics, and electromagnetism. To claim that energy is *produced by a source* merely serves to make matter available for extraction and measurement of its properties.

When a mass-bearing body is described as a source of energy – whether oil, sunlight, coal or a food expressed in calories – this represents a rhetorical simplification that reduces the physical system to a small component. Such phrasing reflects *the widespread misconception that energy is the final product of a system*. In physics, the system is a configuration (not a producer) through which energy is described in a certain form.

To remove these linguistic and conceptual distortions from the research field, the following definition provides a useful point of reference:

Energy: a constant process of mass generation  
( $E = mc^2$ )

Accordingly, once detached from groundless qualifiers such as 'solar' or 'renewable', actual forms of energy are as follows:

kinetic, potential, mechanical, chemical, electrical, thermal, magnetic (in classical systems);

bond, transition, rotational, vibrational, electromagnetic, weak nuclear, and strong nuclear (in quantum systems).

As Bhushan (2024) observes, 'from the smallest quantum events to the vast structure of the universe, all are driven by the fundamental process of energy transformation'. From mechanical to electrical, from electromagnetic to thermal, energy necessarily changes form – not because its sources vary, but because transformation itself defines what energy is. In classical systems, energy is ongoing; in quantum systems, energy is possible. Therefore, energy does not transfer from one source to another, is neither produced nor consumed, neither exhaustible nor renewable – it solely exists.

At this stage, it becomes clear that what is universally called an 'energy transition' is, in fact, a technological conversion. Technological conversion can be defined as the shift from one set of technologies (e.g., combustion

engines, coal plants, pipelines) to another (e.g., photovoltaic panels, wind turbines, lithium batteries, heat pumps). This shift consists of an operation of substitution, updating or decommissioning of devices — governed by finance, implemented by engineering and employed in politics.

However, technological conversion does not entail a change in the production of energy, since *energy is not a product of technology*. For example, electromagnetic energy takes the form of electrical energy within a physical system that includes photovoltaic modules in the process: it is therefore not the photovoltaic panels that produce energy, but rather the energy process itself (*E*) that employs panels to generate mass (*m*), which is the flow of electrons we call electric current. Likewise, when it is said that a heat pump ‘consumes little’, this does not indicate a virtue of the technology, but a property of the physical system — one that is labelled ‘energy efficiency’ according to an economic logic of performance.

Therefore, *there is no energy transition* except as a formalisation of the concept of energy. What actually occurs is the transition of a physical system toward a higher level of rigour in the generation of mass — consequently requiring the implementation of a technological conversion.

Although the common use of ‘energy transition’ rests on a misconception, it nonetheless triggers an ecological reconfiguration. More precisely, it suggests that the ongoing shift concerns environmental care and the safeguarding of planet Earth. Declaring an environmental crisis is, in this sense, an act that initiates a global reconfiguration — one aimed at ‘identifying what must be transformed’ (Görg et al. 2017): a planet to save, animals to protect, waste to manage, habits to modify.

Within this framework, it becomes clear that the expression ‘saving the planet’ does not denote an act of rescue, but rather makes it possible to say that one of the planets in the solar system is in imminent danger — a danger for which responsibility is attributed to the human species, both for its creation (before) and for its potential avoidance (after). In this sense, climate change is referred to as ‘anthropogenic’, precisely to emphasise that it is generated by human activity. Yet, it is evident that the Earth, as a celestial body, is not at risk of collapse — no scientific publication describes the planet itself as facing extinction. What is actually under discussion, and what remains the focus of the scientific community, are the biological, chemical and physical conditions that make life possible for humans and other species — or, more broadly, the conditions that enable life as currently known. To date, research on the possible causes of possible life extinction provides uncertain results, particularly with respect to the role

of human activities: ‘it is unclear how plausible they are as causes of Homo sapiens extinction’ (ÓhÉigeartaigh 2025).

This ecological reconfiguration raises many open questions about life on the planet. Earth continues to be narrated as an anthropocentric ecosystem – one that the human species alone is presumed capable of regulating, deciding how to restore an order for which it also assumes responsibility for disruption. In common usage, saying ‘planet Earth’ is almost synonymous with saying ‘the habitat of living beings’ and extinction from one’s habitat is therefore regarded as a human failure. Yet it is worth recalling that over a period of 450 million years, five mass extinction events occurred on Earth (Kaiho 2025) – all preceding any form of hominid. Consequently, it becomes necessary to reconfigure the concept of ecology: not as the care of the human habitat or the study of human-environment interaction, but as the study of what makes life possible on the planet – in biochemical, physical, and ultimately ecological terms.

## Conclusion

From the observations above, a broader conclusion emerges: transition – whatever adjective is attached to it – serves to move in the direction required by the domain that employs it as a topic. Specifically:

a) when research focuses on matters *other* than the concept of energy (E), the transition becomes a discursive formula that enables scholars to enter a shared space of legitimacy and debate. The research may concern social constructs such as justice, poverty or ethics, as well as anthropological, ecological, political, economic or financial constructs;

b) when research focuses on *energy* (E), the transition marks a move toward a higher level of rigour in observing the concept itself;

c) when research focuses on the *use* of the energy transition, the transition in question is the one generated through that very use – namely, all of the above.

From this standpoint, it is not possible to define what transition *means*, except by situating oneself within one of the domains above – a), b) or c) – and following the rules that define that domain. What began as a naïve question concludes as a methodological certainty: ‘energy transition’ means whatever it needs to mean in order for research to move forward.

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# Towards a Pluralistic and Psychologically Grounded Framework of Social Justice for the Eco-social-political Development of the Younger Generations

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**Abstract:** The literature review examines social justice from a psychological perspective and aims to clarify how this perspective can help better understand and respond to the eco-social-political challenges. It places social justice within the context of the global polycrisis of armed conflicts, democratic erosion, climate crisis, and inequality. The review argues that these interconnected crises demand a multidimensional understanding of justice. It first traces historical, institutional, and theoretical definitions of social justice to have a clear understanding of the concept. Building on this, the review examines the relationship between social justice and unchosen 'lotteries' in terms of creating systematic injustices. Building on these conceptual understandings, psychology is positioned as a discipline that cannot remain limited to individual-level processes but is more of a transformative discipline in relation to social justice, given the robust evidence that social injustice shapes mental health, subjective well-being, meaning-making, and prosocial or defensive responses to uncertainty. The review then argues that pluralism, complexity, and critical consciousness are key psychological and epistemic capacities for confronting these conditions, especially in youth, by supporting perspective-taking, tolerance of ambiguity, analysis of structural causes, and engagement in collective action for eco-social justice.

*Keywords: social justice, lotteries of inequality, youth development, eco-social justice, human rights and psychology.*

## Introduction

As a planet and society, we face a global 'polycrisis', which is defined by environmental, political, economic, and social disruptions interacting and amplifying one another (Adamson et al. 2024). Rising armed conflicts and wars, deterioration of democracy and human rights, accelerating climate crisis, and widening socioeconomic inequalities show how these contemporary global challenges are increasingly interacting and amplifying one another (United Nations 2025a). These intersecting crises raise critical questions for the psychology and human rights fields. Especially, how social justice is needed to understand and respond to such complexity. United Nations agencies and international research institutes documented that the negative rise in global issues, such as the climate crisis, armed conflicts, democratic erosion, and economic instability (United Nations 2025a; PRIO 2025; International IDEA 2025). According to the Uppsala Conflict Data Program and the Peace Research Institute Oslo, the number of armed conflicts has reached its highest point since World War II. The data also shows that there is an increased violence against civilians because of wars and conflicts in Ukraine, Palestine, and the Democratic Republic of the Congo (UCDP 2025; PRIO 2025). Democratic backsliding continues to worsen, with 54% of countries declining in democratic performance relative to 2024 (International IDEA 2025). Climate data indicate that 2025 is already on track to become the hottest year ever recorded, resulting in widespread droughts, fires, and flooding (WMO 2025; United Nations 2025b; United Nations 2025c). Meanwhile, the global economy also experiences some challenges. The global economy shows some signs of resilience. However, on the other hand, government decisions such as potential tariffs, geopolitical tensions, and policy uncertainty are pushing the global economy toward uncertainty (IMF 2025). This situation is defined as 'new uncertainty complex' (UNDP 2022). All these challenges we face as a society are also the reason behind the need for a multidimensional understanding of social justice. This perspective might help people and organisations to find alternative ways of responding when they experience these challenges. It also provides means to promote a fair and sustainable future. This literature review considers the role of contemporary psychological research on social justice and examines how psychological frameworks can enhance understanding of global challenges in the context of multiple crises. Building on this, it focuses on the points where psychological knowledge intersects with the fundamental dimensions of social justice.

## **1. Definitions of Social Justice**

Social justice is widely recognised as an important principle for building just societies. It has become a central concept in academic, institutional, and public discourse. However, discussions of social justice have a long history and did not begin only in recent years. Even though they did not use the phrase 'social justice', we can find its philosophical roots in the work of ancient and medieval philosophers like Plato and Kant (Taylor & Francis 2025). We see that Platonic thought frames justice as a form of harmony within both the individual and the polis (city-state). While he didn't name it social justice, he defined it as a state in which every part of society contributes to the collective good. When we continue from Plato and look at Kantian philosophy, we can see the idea of equal moral value was laid, based on the principles of justice, autonomy, universal moral law, and the inherent dignity of every human being. (Hill 2000). The social justice as a term was used 1840 for the first time by Luigi Taparelli, who was an advisor to the Vatican. Scholars think that he used the word to argue that poor and marginalised individuals should be treated the same as everyone else in society (Collinge 2022; Moroni & De Franco 2024). His contemporary vision was for institutions to fulfil their duties for the collective good and take constructive steps to address the structural inequalities. In contemporary discourse and at the institutional level, the United Nations (2006) defined social justice as the equitable distribution of the benefits of economic growth. Following the increased attention from the UN, the International Labour Organisation (ILO 2008) linked social justice to the principles of fair globalisation and dignity at work. Over time, the concept has gained increasing global and institutional significance. The United Nations General Assembly established the 20th of February as the World Day of Social Justice in 2007 to underscore its relevance for the international community (United Nations General Assembly 2007; UN 2025d). At the academic level and in the field of social sciences, social justice is considered a multidimensional construct. Well-known academics of the social justice field, including Fraser (2009), Honneth (2003), and Young (1990), have discussed the three dimensions of social justice that are linked and work together in most situations. Specifically, the dimensions of redistribution, recognition, and participation. The dimension of redistribution tries to address unfairness in terms of the allocation of resources, opportunities, and material conditions of life. The dimension of recognition refers to respect, dignity, and the recognition of marginalised identities, cultures, and ways of life. The dimension of participation (procedural) refers to the capacity of in-

dividuals and communities regarding their exercise of agency; how they can express their perspectives; and what is the impact of the decisions that affect their lives. These dimensions do not compete with each other. Instead, they work together to offer a framework to recognise, understand, and transform injustices.

In the field of psychology, research shows an upward trend in psychological publications addressing social justice since the 1980s (Thrift & Sugarman 2024). This trend has also been supported quantitatively across multiple scientific fields (Rozado 2022). Furthermore, this increase is also confirmed by a study conducted by Nota (2025). The results showed 3991 Scopus records, 277 book records from the University of Padova's Galileo Discovery Platform, 99 APA PsycNet article records, and 25100 Google Scholar records for 'social justice' in 2025 alone. Psychological research seems to converge on the idea that social justice is commonly understood as the fair distribution of wealth, resources, opportunities, and privileges, aimed at guaranteeing that all individuals can fully participate in social, political, and economic life (Diemer et al. 2016). Building on this psychological understanding of social justice, studies on social justice are becoming increasingly relevant in psychology in consideration of their relationship with levels of well-being (Prilleltensky 2013; Prilleltensky et al. 2022).

## **2. Social Justice and Attention to Lotteries**

A topic that remains central to studies on social justice is that of the persistence of inequalities rooted in unchosen circumstances, what theorists describe as 'lotteries' or factors that individuals cannot control. Rawls (1999) first theorised the idea that many of the unfair situations people face are 'morally arbitrary', which means they are caused by things people cannot change or control. These situations were called natural and social lotteries by Rawls. Academic discussions later focused on different forms of lotteries in relation to equality and fairness, and the psychological consequences of them. Following this, social justice scholars extended the scope to include geographical, temporal, and ecological lotteries to understand structural inequalities across various dimensions (Benadusi 2021; Nota et al. in press).

The first form is natural lotteries. It refers to the inequalities people face in relation to their health, genetics, and ability (Rawls 1999). Children who are born with disabilities or chronic conditions are a prime example of this lottery. They often face developmental disadvantages that are affect-

ed by family income, environmental context, and educational opportunities, leading to cumulative and intergenerational inequalities (Malik 2013; Kovacevic et al. 2018; UNDP 2019).

Social lotteries refer to the problems people can face and experience related to their family background, education, and socioeconomic status. They are powerful predictors of cognitive development, academic achievement, and long-term well-being. Research in developmental psychology has clearly demonstrated the role of parental education, home environment, and socioeconomic conditions. They shape emotional climate, learning opportunities, and developmental paths of a person while growing up (Bornstein et al. 2025; Hilário et al. 2025; Selman & Dilworth-Bart 2024). The scientific data on these inequalities show that they have remained stable for many years (Bruns & Luque 2015; Rözer & Van de Werfhorst 2017).

People cannot change the circumstances they are born into, but these circumstances affect their lives in many aspects. Geographical lotteries refer to the importance of birthplace and residence (Dávalos & Monroy 2025). The geographical aspect of our life influences our access to safe drinking water, energy, health care, quality of education, decent and dignified employment, and other objectives outlined in the 2030 Agenda (UN DESA 2020). An example of this is the climate crisis. Climate vulnerability is unequally distributed in our society. Individuals and communities in the Global South are at greater risk than those in the Global North due to the combination of social and geographical lotteries. (Parsons et al. 2024; UNDP 2019). Unfortunately, these people have fewer resources to adapt to these challenging conditions. As a result, they are more likely to be affected by disasters caused by the climate crisis. In addition to these, exposure to geographical lotteries can result in some psychological outcomes. Eco-anxiety is linked to worse mental health and problems in daily life. People reported higher levels of anxiety, stress, insomnia, and depression. On top of these mental issues, people experience a mixture of emotional and cognitive symptoms. Fear, grief, worry, despair, doubts about the future, and reluctance to become a parent are some of the examples of this mixture of emotional and cognitive symptoms (Orrù & Mannarini 2024).

Temporal or generational lotteries start with the historical context of an individual's birth. They are also shaped by the intergenerational conditions transmitted from the individual's family. The environment and early life circumstances of birth influence lifelong outcomes in health, education, and income (UNDP 2019). These outcomes are affected by parents' socioeconomic status and structural inequalities in society due to the status of an individual's family. Crises such as climate change also negatively

affect intergenerational injustices by reducing social mobility and widening socioeconomic gaps (Narayan et al. 2018; OECD 2018). These inequalities are highly affected by the life conditions people are born into. As a result, inequality remains beyond generations and times.

The idea of interspecies lotteries moves beyond the inequalities faced by humans and looks at the inequalities created by humans. Human activities such as deforestation, habitat fragmentation, and carbon-intensive production generate biodiversity loss, ecosystem degradation. These human activities pose a threat to the survival of non-human species (Edo et al. 2025; Pfenning-Butterworth et al. 2024; WHO 2025). Current trendy models of sustainable development have been criticised because they failed to recognise the moral, ecological, and justice claims of non-human life (Bossert 2024).

These different lotteries clearly show how circumstances beyond people's control and choice profoundly affect their life chances and produce intersecting forms of inequality. Structural disadvantages and injustices should be considered through the multidimensional framework of redistribution, recognition, and participation aspects of social justice. For example, procedural participation matters. The people most affected by injustice often lack a voice in decisions affecting their environment and future because of geographic and generational lotteries. In addition, the recognition aspect of justice is important for understanding how different lotteries shape stigmatisation, marginalisation, and differential treatment of human and non-human species. Taken together, all these three aspects of justice (recognition, redistribution, and participation) highlight the need for a multidimensional eco-social understanding of justice that links these dimensions to unequal outcomes produced by lotteries. For instance, social and geographical lotteries influence who bears environmental burdens and who enjoys benefits; this reflects the redistributive dimension of justice. Whose identities, knowledge, and forms of life are valued or devalued also shape the recognition dimension. Finally, they affect who can participate meaningfully in decisions that shape shared social-ecological futures, including those of future generations, which concerns the procedural dimension of justice. Therefore, this multidimensional perspective calls for psychology (and other fields) to move beyond individual-level processes and engage more explicitly with systemic inequalities.

### **3. Social Justice and Psychology**

The psychology field deals with the individual and society. Attention to social justice, therefore, calls for psychology to move beyond individual-level processes and engage more explicitly with systemic inequalities. In fact, since the 2000s, the European Federation of Psychologists' Associations (EFPA) and the American Psychological Association (APA), as leading organisations in the field, have expressed that psychology should be a discipline that addresses issues of power, privilege, and inequality. Therefore, they place dignity, autonomy, fairness, and equitable access to psychological resources at the core of professional practice in their ethical frameworks (EFPA 2005; EFPA 2025; APA 2017). These responsibilities and commitments, which are defined by the EFPA and APA's ethical frameworks, can be understood as expressions of social justice in the psychology field. Placing human dignity, fairness, and equal access to care at the centre of professional practice embeds social justice in psychologists' daily work. These ethical commitments emphasise psychology's role in broader struggles for social justice and are always situated within social systems that can either perpetuate or challenge injustice.

Psychological studies have focused their attention on the relationship between social justice and mental health issues, social justice and well-being, social justice and ways of dealing with uncertainty, and prosocial behaviour. The connection between social justice and mental health issues is reinforced by extensive evidence showing that mental health is deeply intertwined with social conditions. Socioeconomic inequality functions as a structural stressor that shapes psychological status: communities marked by greater income inequality exhibit lower life satisfaction and heightened vulnerability to mental and physical health problems (Buttrick et al. 2017). Mental health burdens consistently fall along social gradients, disproportionately affecting younger people, women, individuals in precarious or low-income work, residents of deprived areas, and sexual minority groups (Gibson et al. 2021). These disparities illustrate that injustice is not only a moral or political problem but also a determinant of mental health, echoing public health frameworks that conceptualise health equity as a matter of social justice (Braveman et al. 2011).

Given these patterned inequalities in mental health, it becomes important to understand the connection between social justice and well-being. Scholars increasingly argued that meaningful improvements in collective well-being need actions related to conditions caused by structural injustices (Tibber et al. 2022; Kirkbride et al. 2024). Community psychology

expands this view by considering well-being not only as an individual construct but as a social justice outcome influenced by power, agency, and equitable access to opportunities. (García-Ramírez et al. 2014). Viewing mental health through redistributive, recognitional, and procedural dimensions, therefore, allows psychologists to look not only at symptoms individually and clinically, but also as structural determinants of suffering and resilience.

This focus on well-being opens up questions about how people make sense and cope with situations created by injustice. Justice is not only a structural condition but also a psychological process. People construct a sense of justice through motives, cognitions, and emotions that guide behaviour and provide social meaning. (Gollwitzer & van Prooijen 2016). Because of this psychological construction, they develop a basic need for justice to cope with uncertainty, preserve meaning, and interpret social events (Ellard et al. 2016). A good example of this is the belief in a just world (BJW). It can lead individuals to blame victims or legitimise existing inequalities to maintain a sense of order and predictability (Lerner 1980; Hafer & Sutton 2016).

These ways of coping with uncertainty are closely linked to whether people remain passive in the face of injustice or engage in prosocial efforts to challenge it. Justice motives can also support prosocial behaviour: when individuals believe that change is possible, they are more likely to experience moral outrage, to support corrective actions, and to help those harmed by injustice. Emotions such as anger, guilt, empathy, and compassion play a powerful role in shaping whether individual's actions. They shape if individuals enforce norms, punish violators, or offer support, even at personal cost (Gollwitzer & van Prooijen 2016). Justice perceptions are affected by ideological views. People with a liberal worldview tend to interpret inequalities as unjust and remediable situations. Meanwhile, conservative perspectives often normalise inequalities as outcomes of effort or merit (Oishi et al. 2022). Thus, psychological processes about justice can either keep unfair systems in place or push them to stand up for change and support others in prosocial ways.

Building on previous findings, these areas of research and practice also demonstrate that psychology is not a science based just on individual behaviours and emotions from a clinical point of view. They also highlight its potential of how this field can help with changing the structural and relational conditions that keep inequalities persisting. Psychological research shows that justice functions simultaneously as a structural reality, an ethical requirement, and a psychological process. It affects well-being,

social relationships, and community life through material distributions and meaning-making systems. Therefore, psychology can help build fairer and long-lasting societies by combining the dimensions of justice. It can achieve this not only by working on the symptoms of distress but by transforming the conditions that produce it and strengthening the capacities needed for collective action, dignity, and flourishing. Psychology demonstrates how justice is experienced, interpreted, and enacted by individuals and societies.

#### **4. Pluralism, Complexity, and Critical Consciousness for a Deep Social Justice Knowledge**

Pluralism, complexity, and critical consciousness can provide broader epistemic and social frameworks. These psychological concepts can foster structural transformation. In psychology, increasing attention is being paid to pluralism, complexity, and critical consciousness as ways of gaining a deeper and more articulated understanding of fundamental concepts such as social justice, but also freedom, peace, nature, etc. These concepts often have cultural traditions that are not only long-standing but also belong to different ways of understanding the same construct (Nota et al 2025). Therefore, understanding and placing these perspectives is important and needed for developing a comprehensive and context-sensitive understanding of social justice. Pluralism, complexity, and critical consciousness provide this expansion in knowledge. They can illuminate the structural, cultural, and epistemological conditions in a better way and shape these psychological experiences and enable a capacity for transformation. When taken together, they could provide an alternative perspective for understanding social justice as both a psychological phenomenon and a collective, systemic initiative.

Pluralism can be defined as both an ethic and a cognitive capacity that affirms the value of multiplicity. It can be understood as a way of living and thinking about society in which differences in culture, beliefs, and ways of life are not only accepted but genuinely respected, and where diversity is actively recognised and valued across the entire society (Oxford University Press n.d.; Nota et al. 2025). It demands the active recognition of multiple cultural traditions, worldviews, and lived experiences as legitimate perspectives on social life (Nicholls 2025). Novis-Deutsch (2018) defines pluralistic thinking as a skill that can be learned. It enables individuals to tolerate ambiguity, hold contradictory ideas, revise their assumptions, and

engage in dialogue across differences. It helps to use multiple perspectives, manage tension, and question one's own assumptions as key abilities for recognising injustice and imagining alternatives. In this view, pluralism is neither symbolic nor superficial. It is a practice that places importance on awareness of privilege, power, and voice (Spanu and Gill 2024). It needs to confront discrimination, address historical silencing, and accept the discomfort inherent in challenging dominant narratives. Nota and colleagues (2025) similarly emphasise that promoting pluralistic and complex thinking requires time, relational environments, critical reflection, and openness to diverse sources of knowledge.

While the concept of pluralism addresses issues of multiplicity and power, complexity adds another level. Complexity can be described as a condition indicating that a singular perspective is insufficient. This understanding comes from the interrelated elements of our lives that influence one another in non-linear ways, producing complex patterns and outcomes (Beaumont and de Coning 2022; Nota et al. 2025). It offers ontological and epistemological reasons why pluralistic perspectives are necessary. Therefore, the Complexity Theory, grounded in pluralism, demonstrates that modern systems of injustice cannot be understood through linear or simplified reasoning. Beaumont and de Coning (2022) argue that reciprocal interactions between human societies and their social, political, and natural environments are ontologically complex, multifaceted, and deeply context-dependent. Such systems resist oversimplified or centralised governance models. They require epistemic humility, adaptability, and a fundamental acceptance of uncertainty. Thereby, it creates the basis for a broader advocacy of epistemological pluralism. It is important to understand that there is no 'best' or 'correct' method or perspective. Instead, what is needed is a genuine appreciation of different ways of knowing and an effort to bring them into dialogue. This can be achieved by including scientific, indigenous, feminist, experiential, and decolonial approaches (Beaumont and de Coning 2022; Nota et al. 2025; Uдах 2024). Psychological research supports this view by showing that individuals' perceptions of justice, responsibility, and causality are influenced by systems of meaning-making. These psychological concepts intersect with overarching political and cultural frameworks (Hafer and Sutton 2016; Oishi et al. 2022). However, having an epistemological monoculture is a threat. It can narrow the definition of knowledge, suppress marginalised perspectives, and embed systems of domination that perpetuate inequality. From this perspective, complexity strengthens pluralism as a normative commitment

to justice and transformation. It becomes essential for developing a deep and context-sensitive understanding of social justice.

Building on pluralism and complexity, recent psychological research emphasises the need to cultivate critical consciousness to develop a deeper understanding of contemporary social problems (Gonzalez et al. 2020; Nota et al. 2025). Critical consciousness can be defined as having a framework to understand the social threats and challenges we experience. It is the ability to think and imagine ways of change, the ability to 'read the world' based on the famous views of Paulo Freire (1970). It requires cognitive analysis, identifying the underlying factors of inequality, and uncovering the deep roots of oppression and violence. It also emphasises that it must be part of processes of change and transformation aimed at resolving structural problems (Freire 1970; Nota et al. 2025). In psychological terms, critical consciousness is the process of recognising, analysing, and challenging systemic inequities and oppressive social conditions, coupled with a belief in one's ability to act for change and the actual pursuit of such action. It involves three interrelated components: (1) critical reflection which is defined as the awareness and questioning of social, political, and economic contradictions that sustain oppression; (2) critical motivation or political efficacy which refers to the conviction that one can effectively influence and transform those conditions; and (3) critical action is the capacity of engaging in individual or collective efforts to address and dismantle injustice (Diemer et al. 2016). From this perspective, critical consciousness is an important concept when talking about human growth, the themes of cultural complexity, and pluralism. It can help people, especially younger generations, break free from the worn-out and stale notion that 'there's no alternative' to what we experience. In doing so, it can help people imagine and act for alternative, just, and sustainable futures. (Nota et al. 2025).

The importance of pluralism, complexity, and critical consciousness for social justice can be seen in youth development research. Within this field, there is a shift to the Critical Positive Youth Development (CPYD) from the traditional models of youth development. This critical shift places Freirean critical consciousness on emphasising young people's capacity to analyse structural inequalities and engage in collective action (Gonzalez et al. 2020). Pluralism is considered important because it enables youth to recognise and value diverse perspectives and to engage in dialogue across differences. It also supports them in developing reflexivity about their own position within systems of power, rather than dominant narratives (Freire 1970; Nota et al. 2025). Complexity is considered important because it helps young people make sense of non-linear, rapidly changing, and often

contradictory environments they inhabit. In these contexts, social justice issues intersect in ways that cannot be reduced to single causes or simple solutions (Gonzalez et al. 2020; Nota et al. 2025). Critical consciousness is considered important because it links this pluralistic and complex understanding of the world to agency. It fosters critical reflection, emotional engagement with discomfort, political efficacy, and participation in individual and collective actions that challenge injustice and envision alternative futures (Freire 1970; Diemer et al. 2016; Nota et al. 2025). Psychological research reinforces this insight by showing that critical consciousness, agency, and perspective-taking flourish in settings that deliberately cultivate plural perspectives, acknowledge complexity, and support youth in the process of social transformation (Gonzalez et al. 2020).

## **Conclusion**

This review has discussed contemporary global challenges together with the historical roots and definitions of social justice. It explored how different forms of 'lotteries' can produce structural injustices with consequences for mental health. It has also analysed the relationship between psychology and social justice in terms of ethical responsibility, mental health, well-being, meaning-making, and prosocial efforts. It finally focused on the role of pluralism, complexity, and critical consciousness as key capacities for the eco-socio-political development of younger generations. From this perspective, social justice can no longer be regarded as a fixed concept or a purely normative slogan in the context of a global polycrisis. It must be understood as a multidimensional construct. It must be based on redistributive, recognitive, and procedural dimensions, and must be a dynamic process that takes place across social, ecological, and psychological systems. Contemporary inequalities defined also as 'lotteries', illustrate how conditions out of our control can shape chances in life and affect our well-being and mental health. Therefore, social justice should become a central object of empirical inquiry in psychology, studied through both quantitative and qualitative methods. Quantitative methods are needed to explore the concept in a pluralistic and complex way and to model the relationships between social justice and other psychological variables from a critical perspective. These variables can be mental health, subjective well-being, empathy, critical consciousness, belief in a just world, agency, and political efficacy, as well as human rights indicators at local, national, and global levels. On the other hand, qualitative and mixed-methods designs are needed

for exploring how individuals and communities experience justice and injustice, how they interpret structural conditions, and how they construct narratives of resistance and hope. A pluralistic methodological agenda that combines surveys, experiments, longitudinal studies, in-depth interviews, participatory action research, and community-based approaches can offer a richer picture of social justice. Together, these methods make it possible to develop a more context-sensitive understanding of social justice as lived and negotiated in everyday life.

A complex and pluralistic framework of social justice is crucial for guiding concrete interventions aimed at building fairer societies. This way, we can prevent interventions from focusing solely on individual distress or responsibilities. Instead, we can achieve preventive, multi-level, and transformative approaches that foster critical consciousness and strengthen the agency of marginalised groups. The psychology field can contribute by helping to design and implement practices in schools, communities, services, and policy settings. These practices should promote participation, value diverse voices, and address structural inequalities in line with human rights principles.

In summary, despite all the adversity and injustice we experience, change is possible, and hope always exists. We can move in this direction by examining social justice from a pluralistic, complex, and transformative perspective and by integrating qualitative and quantitative methods. It is also important to study how social justice relates to fundamental psychological processes and human rights requirements, and then, using this knowledge to guide future research and practice. Such an approach positions psychology not only as a descriptive discipline but as a discipline for transformation and action. It is an active contributor to the preventive, structural, and cultural changes required to build more equitable and sustainable societies.

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# The Role of Future Thinking in Supporting Adolescents in Planning Their Future Career Paths

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**Abstract:** This literature review examines the role of future thinking in advancing social and environmental justice, with a focus on supporting adolescents (aged 14–18) in planning their future career paths within the complex context of climate change, social inequality, and environmental degradation. It first explores the current landscape of the “Anthropocene Age” and the social and ecological challenges faced by young people, highlighting the need for proactive and transformative responses. In this regard, the review introduces the theoretical framework of the “Life Design” linked to the conceptualisation of future thinking inside the “Anticipatory Design Paradigm”. After, it emphasises the important relationships between future thinking and other variables in the Career Guidance fields and its connections to the themes of social justice and human rights. Building on this theoretical foundation, the review presents a selection of validated questionnaires assessing future thinking in adolescents, followed by an overview of programmes that could be considered for developing an intervention on future-oriented thinking, focusing on environmental and social justice. Since interventions on future thinking are not present in the Career Guidance field, the review concludes by underscoring the importance of developing an ad hoc Career Guidance intervention to implement this construct in adolescents.

*Keywords: future thinking, social and environmental justice, human rights, adolescents, Career Guidance.*

## Introduction

Nowadays, young people find themselves designing their personal and professional future within a context permeated by extreme social inequalities and ecological crises, in the so-called “Anthropocene Age”: an era of human-caused planetary transformations – from climate change to biodiversity loss, plastic pollution, heatwaves, droughts, and much more – that deeply affect our world (Ellis 2023). The term “Anthropocene” was coined at the beginning of the 21st century to describe the increasing alteration of natural rhythms, ecosystems, and the climate on a planetary scale (Crutzen 2002). Indeed, it is an era characterised by intertwined social, ethical, and geological changes caused by human activity (Chernilo 2021).

Concerning social challenges, the latest annual inequality report, “Takers Not Makers” by OXFAM International (2025), highlights that we are currently living in a historical period marked by extreme social inequalities. Just to give an example, in 2024 the wealth of billionaires grew three times faster than it did in 2023. We can, therefore, affirm that inequality is out of control. A few privileged individuals hold enormous wealth, while a vast number of people live in conditions of unemployment, poverty, and insecurity (Hoyt et al. 2025). Supporting this perspective, the Global Wealth Report (2025) points out that, over the years, the World’s wealth has continued to grow, but in an increasingly unequal way. We are witnessing the rise of the EMILLI, also known as the Everyday Millionaire – a small group of individuals who capture most of the money circulating in the market.

To make matters worse, there is also a significant imbalance in the global distribution of wealth, which is mostly concentrated in North America and Oceania, thereby increasing the gap between the Global North and the Global South. According to the World Inequality Database (WID), between 2022 and 2023, the richest 10% of the global population earned around 52% of global income, while the poorest 50% earned about 8%. The top 10% also own roughly 76% of all global wealth, whereas the bottom half of the world’s population holds only around 2%. This alarming phenomenon is the result of several contextual factors, such as globalisation and the financialisation of the economy, technological change, the shift towards a service-based economy, tax systems increasingly favouring the wealthy, and the weakening of workers’ influence and collective solidarity (Stiglitz 2019).

Aggravating this situation is the ecological crisis, which makes it clear that humanity has long been consuming far more natural resources and producing more waste than the planet can regenerate within the same

time frame. This leads to global warming, increasing pollution, and world-wide catastrophes – from extreme weather events to biodiversity loss – that have become ever more frequent in recent years (Ellis 2023).

The close relationship between these global challenges is well recognised within the scientific community. Indeed, researchers such as Islam and Winkel (2017), in their theoretical framework “Multidimensional Inequality”, underline that this relationship is characterised by a vicious cycle: initial social inequality causes disadvantaged groups to be more exposed to the negative effects of climate change, which, in turn, amplifies the inequality they experience. Similarly, recent research by UNICEF (2021) stresses that the climate crisis is also a “child rights crisis”: around half of the world’s children and adolescents live in countries severely threatened by climate-related risks, which may hinder their access to essential services such as food and education.

Although young people are not primarily responsible for the social and environmental challenges we have outlined, they are the ones who hold the greatest potential to take an active role in actions, as well as in educational and professional choices, that can contribute to addressing these phenomena (Thomaes et al. 2023). However, despite the widespread activism and engagement of adolescents in tackling these contextual challenges, there appears to be significant variability in how they approach these issues. Some young people are proactive and promote transformative actions to counter these problems, while others experience strong emotional responses such as psychological distress related to climate change – a condition referred to as eco-anxiety (Brophy et al. 2023) – which particularly affects adolescents and young adults, as they are chronologically more exposed to long-term effects of climate change (Burke et al. 2018). Moreover, similarly to those who experience psychological distress, there are other young individuals who, possibly to avoid worry and concern about climate change, tend to distance themselves from these topics, showing lower levels of sustainable and climate-relevant behaviours and seeming not to reflect on the social and environmental challenges connected to their own future (Guichard 2022; Kurth & Pihkala 2022; Otto et al. 2019).

In light of this, examining how young people anticipate the future – how they perceive and imagine it – becomes essential to understanding how they position themselves in relation to social and environmental challenges (Wittmann & Sircova 2018), intending to stimulate their awareness and sense of responsibility towards these global issues, both in their educational choices and professional decisions. In line with this, the present literature review aims to explore the construct of future thinking, under-

stood as a key capability of new generations that enables them to imagine futures attentive to social and environmental sustainability and to translate those visions into present action (Brassett & O'Reilly 2021; Light 2021; Poli 2017; Poli 2010). Building on this, it intends to underline its relevance for young people's life and career design. Furthermore, this review responds to recent calls within the Career Guidance field to place greater emphasis on social and environmental challenges when analysing how young generations reflect on their professional futures, to design their future within an equitable and sustainable society (Guichard 2022; Soresi et al. 2024). Particular attention will, therefore, be given to the importance of developing interventions within Career Guidance, aimed at supporting adolescents in cultivating their future thinking through an inclusive and sustainable lens.

## **1. Life Design Framework**

Among the recent paradigms in the field of Career Guidance, Life Design has increasingly emphasised the need to prepare young people to reflect on the design of a professional life that can actively contribute to fair and sustainable development (Guichard 2022; Valbusa et al. 2025). Therefore, the Life Design Framework (Savickas et al. 2009; Savickas 2012), as the world becomes more vulnerable from climate, social, and environmental points of view, focuses on a set of skills, attitudes, and variables for designing the future in young people, to support them in shaping a professional life capable of contributing to the protection and well-being of the environment and society in which they live (Varas et al. 2023).

The Life Design paradigm emerged in the 2000s to address the challenges posed by instability, unpredictability, and the increasing individualisation of work and personal life in the twenty-first century (Savickas 2012). In contrast to traditional models, such as Career Guidance based on trait-factor matching (Holland 1997) or stage-based developmental tasks (Super 1983), Life Design adopts a social constructivist and narrative approach (Young & Collin 2004), supporting individuals in actively constructing their identities and careers (Savickas 2012). It highlights the close interconnection between different areas of life, suggesting that within the field of Career Guidance it is no longer appropriate to refer to the concept of "career development" or "career guidance", but rather to adopt the idea of "life trajectories" through which individuals plan their own futures, including the professional one (Nota & Rossier 2015). In this sense, the paradigm reflects a shift from viewing individuals as passive subjects to

perceiving them as active authors of their career narratives, making meaning from their experiences and shaping future action accordingly (Savickas 2012). People are therefore regarded as “authors” rather than “actors” in their careers, requiring tools that foster meaning-making, adaptability, and identity coherence (Savickas 2012).

Savickas and colleagues (2009) defined five guiding principles on which the Life Design paradigm is based. First of all, it moves from traits and states to context. Considering both work-related and non-work-related challenges of our time, “objective” normative measures and profiles should no longer be used, as they fail to capture the dynamic nature of individuals and their multiple life contexts. Moreover, Life Design shifts from prescription to process; it is important to move away from counselling approaches that focus on giving advice or directions, and instead promote coping strategies that help individuals manage both uncertainty and the complexity of the labour market. The third aspect concerns the change from linear causality to non-linear dynamics: the current working context is complex and cannot be understood through reductionist or linear perspectives that aim to predict the future. In addition to this, the Life Design paradigm passes from scientific facts to narrative realities. Rather than referring to standardised norms, individuals should be engaged in activities that help them make sense of their experiences and identify desirable trajectories for their futures. Finally, the paradigm focuses on the assessment of effectiveness rather than on the description of “modelling”. In this respect, it is necessary to treat individuals in a highly personalised manner and to use non-linear approaches to support them (Savickas 2012).

Considering these guidelines, the Life Design approach emphasises that career interventions should be present throughout the lifespan, not only during specific transition phases (e.g., from high school to university or to the labour market). Furthermore, the approach to working and personal domains should be holistic, as all aspects of a person’s life are closely intertwined. Accordingly, individuals cannot be understood without considering the environments in which they are embedded.

More recently, within the Life Design framework, increasing attention has been devoted to themes such as inclusion, sustainability, and social and environmental justice. This perspective differs from traditional approaches to Career Guidance that encourage individuals to make career decisions based solely on their personal aspirations and on the opportunities and constraints offered by their environments. On the contrary, the Life Design Framework explicitly encourages young people to consider global environmental and social challenges—such as those outlined in the United Nations

2030 Sustainable Development Goals (United Nations 2015) – in their professional choices (Guichard 2022). It clearly emerges, therefore, that this paradigm aims to raise awareness, particularly among younger generations, of global challenges; to educate them to imagine, choose, and design future scenarios that are alternative and preferable to current ones; and to promote the acquisition of multiple skills and resources that are useful for facing the future (Guichard 2022; McWhirter & McWha-Hermann 2021; Nota et al. 2020).

In line with this, specific attention is given to the cognitive and non-cognitive processes involved in selecting and designing future educational and occupational scenarios, characterised by complex conceptual frameworks that support people in imagining alternative, inclusive, sustainable, and equitable futures through long-term educational and preventive processes (Santilli et al. 2025). Particular attention in this sense can be given to the construct of future thinking, which can be defined as a key human capacity—particularly relevant among younger generations—that enables individuals to imagine futures attentive to issues of social and environmental sustainability and to translate and enact such visions within the present reality (Brassett & O'Reilly 2021; Light 2021; Poli 2017; Poli 2010).

## **2. Future Thinking and the Anticipatory Design Paradigm**

As anticipated, future thinking has emerged as a crucial capacity for enabling young people to imagine alternative futures and reflect on critical topics such as inclusion, sustainability, and social and environmental justice (Brassett & O'Reilly 2021; Light 2021; Poli 2017; Poli 2010). The construct of future thinking was first conceptualised by Strathman and colleagues (1994) to describe individual differences in focusing on long- versus short-term consequences of potential behaviours. It can be defined as a key capability of the new generations, which enables them to consider multiple possibilities, imagine plausible and alternative outcomes, and implement strategic actions to shape desired futures into present reality (Brassett & O'Reilly 2021; Panth & Maclean 2020; Weick 1995). In fact, research indicates that the capacity to mentally project oneself into the future not only supports adolescents' goal attainment but also enhances their psychological well-being and resilience (Carvalho 2015; Seginer 2009).

The Anticipatory Design Paradigm developed by Zamenopoulos and Alexiou (2007) defines the construct of future thinking as a distributed and socially embedded human capacity, which tends to emerge through

collaborative future-oriented design activities. This theoretical model is grounded in Rosen's (1985) theory of anticipatory systems, according to which systems adapt their present behaviour based on models of potential future states. The paradigm, therefore, reintroduces the Aristotelian notion of final causation, placing purpose at the core of shaping a person's future behaviour. The Anticipatory Design Paradigm also draws on Dubois' (1998; 2000) distinction between weak and strong anticipation. Zamenopoulos and Alexiou (2020) emphasise that future thinking goes beyond reactive or predictive approaches to design and problem-solving. Rather, it entails generative and speculative reasoning, in which the act of anticipating operates simultaneously on both temporal and semantic levels, through a continuous interplay between theories—that is, principles, values, and conditions of a desired future—and models, meaning their specific implementations and concrete actions. In this sense, future thinking is grounded in abductive reasoning, namely the formulation of hypotheses or design proposals based on desired effects (March 1976; Roozenburg 1993). This marks a shift from the search for solutions within existing structures towards the construction of new conceptual and material models capable of aligning desired and actual futures. From this perspective, future thinking is not an individual cognitive competence but rather a collective anticipatory capacity that takes shape within shared spaces of meaning-making and design action (Zamenopoulos & Alexiou 2020). Starting from this framework, cognitive research emphasises that meta-reasoning—the ability to monitor and regulate one's own reasoning and problem-solving processes—is closely linked to future thinking (Ackerman & Thompson 2017; Amos-Binks & Dannenhauer 2019). Unlike mere prediction, future thinking is practical: it involves preparing for complex situations and considering not only the most probable outcomes but also less likely possibilities (Klein et al. 2011). In this sense, future thinking is particularly relevant in the Career Guidance field, where adolescents are called to anticipate and plan personal and professional trajectories, constructing, through imagination, future scenarios attentive to environmental and social sustainability and translating them into present actions (Brassett & O'Reilly 2021; Light 2021; Poli 2017; Poli 2010).

Recent research underlines the necessity to analyse the relationships between the construct of future thinking and other variables. What first emerges from the scientific literature is a strong connection between future thinking and imagination, particularly from a collective and collaborative perspective (Finn & Wylie 2021). Imagination is considered a primary cognitive methodology for anticipating and reflecting on the future, an

innate faculty that can be developed through specific methods and collaborative practices (Asma 2017; Pelaprat & Cole 2011; Seligman et al. 2016). Even if traditionally imagination was studied as an individual activity (Schacter et al. 2012), more recent studies show that future-oriented thinking often involves others, and sharing experiences strengthens social bonds by promoting consideration of others' mental states (D'Argembeau & Mathy 2011; Mildner & Tamir 2021). This highlights the social dimension of imagination, no longer negligible, and suggests that shared envisioning of the future is an essential technique for promoting social justice and human rights (Finn & Wylie 2021).

Empirical evidence supports the relevance of future thinking in adolescents' career development. Rinaldi and Ginevra (2025) conducted a study involving 227 adolescents ( $M = 17$ ;  $SD = 1.09$ ) from high schools in Padova to test the relationships between the construct of future thinking and key variables in the field of Career Guidance: career adapt-ability, time perspective and decisionality. A confirmatory factor analysis first confirmed the bifactorial model of future thinking: urgency (short-term decisions) and future (long-term decisions), proposed by Strathman and colleagues (1994). Subsequently, structural equation modelling showed, in line with the literature, that future thinking predicts career adapt-ability, which in turn predicts time perspective (secondary mediator) and finally, decisionality (outcome) (Joireman et al. 2006; Rudolph et al. 2017; Santilli et al. 2017). These results suggest that the capacity to anticipate and imagine one's long-term future positively influences adolescents' decisionality as well as their personal and professional projects. Future thinking also seems to play a key role in relation to career adapt-ability, which consists of a set of self-regulatory strategies embedded in future design—namely concern, that is, attention or worry towards the future; curiosity, meaning exploration; control; and, lastly, confidence, which represents the self-efficacy. Furthermore, future thinking affects time perspective both directly and indirectly through career adapt-ability. In this framework, time perspective refers to the set of ideas and positive thoughts regarding one's professional future. Overall, these findings illustrate how integrating future thinking within meta-reasoning can enhance Career Guidance interventions, fostering adolescents' capacity to imagine and act on desirable futures (Csikszentmihalyi 1997; Finn & Wylie 2021).

In addition to that, future thinking seems to be positively associated with individuals' ability to manage uncertainty and ambiguity, enabling complex reflection that includes both imagination and anticipation of probable and less probable outcomes (Geden et al. 2019; Klein et al. 2011;

Urueña et al. 2021). From a Career Guidance perspective, future thinking is essential for constructing meaningful life and career pathways, helping adolescents connect present actions with long-term goals while promoting motivation, planning, and decision-making (McInerney 2004; Shell & Husman 2001). Furthermore, the emotional dimension of future thinking has been extensively documented: imagining positive personal future scenarios reliably increases positive affect and life satisfaction (King 2001; Markus & Nurius 1986), whereas imagining negative personal future scenarios, which can cause worry or anticipation of failure, is associated with heightened negative affect and anxiety (Borkovec et al. 2004; Hirsch & Mathews 2012; Schubert et al. 2020). Scientific literature underlines that imagining the future generates stronger emotional responses than recalling past events (Caruso et al. 2008; Rasmussen & Berntsen 2013). This aspect underscores the central role of future thinking in the self-regulation of people, in particular the youth, and underlines also the necessity to support adolescents to be mostly focused on the positive imagination of the future, to avoid negative affect and implement self-regulation and planning for the future (Schubert et al. 2020).

To conclude, recent studies have highlighted the importance of future thinking in fostering inclusive and sustainable futures. Research by La Rosa and Zammitti (2025) shows that future thinking supports adolescents in addressing global challenges. In fact, justice-oriented approaches to future thinking help young people become more aware of the emerging opportunities and risks in our society and reflect on how to act accordingly (Butz 2016). Overall, future thinking emerges as a multidimensional construct that integrates cognitive anticipation, emotional engagement, and motivational regulation. By cultivating future thinking, through imagination techniques and Career Guidance interventions, adolescents can develop key skills such as career adapt-ability, resilience, and critical thinking, enabling them to navigate complex social and professional environments and act to transform the status quo (Mason 2019).

### **3. Instruments for Analysing Future Thinking**

Based on the theoretical premises discussed above, the central role of future thinking in adolescence clearly emerges. However, only a few studies have explored this construct within the field of Career Guidance. In this regard, to gain a comprehensive understanding, it is essential to examine the tools and questionnaires on future thinking that are already available

in the scientific literature. One of the most frequently cited instruments in the international literature for examining the construct of future thinking is the Consideration of Future Consequences Scale, developed by Strathman and colleagues (1994). The questionnaire was designed to assess the extent to which people emphasise short-term (7 items) or long-term consequences (5 items) and is composed of 12 items rated on a 5-point Likert scale (1 = extremely uncharacteristic to 5 = extremely characteristic). An example of an item focused on short-term consequences is *"I only act to satisfy immediate concerns, figuring the future will take care of itself"* (item n°3). Conversely, an example of a question concerning long-term consequences is *"I consider how things might be in the future, and try to influence those things with my day-to-day behaviour"* (item n°1).

Another useful tool for examining the construct of future thinking was developed by Dian and Framtidsbygget (2009) with the aim of investigating six different styles of future thinking: futurist, activist, opportunist, flexist, equilibrist, and reactionist. Each of these styles reflects a different approach to considering and preparing for the future, such as openness or resistance to change. The most recent and revised version of the instrument, the Foresight Style Assessment (Gary 2009), is composed of 26 items using a 6-point Likert scale (0 = does not describe me; 3 = describes me a little bit; 6 = describes me; 9 = describes me very well; 12 = describes me extremely well; 15 = describes me perfectly), which saturate into four of the six original future thinking styles: adapter, tester, framer, and reactor. The first factor, adapter, includes 12 items and represents someone who can adjust to new situations when they see it as necessary for the future (Yukl & Lepsinger 2004). An example of an adapter item is *"Quickly adjust to new situations"* (item n°30). The second factor, tester, consists of 5 items and describes a person who tries out new trends and seeks to be among the first to adopt them (Dann 2005). An example of these items is *"Test new products/trends very early"* (item n°2). The third factor, framer, contains 4 items and characterises a person who asks important questions about the future (Dian, 2003), such as *"Focus on future questions"* (item n°6). Finally, the fourth factor, reactor, includes 5 items and represents someone who prefers to maintain their position when faced with threats or imposed changes (Dian 2003). One example of these items is *"Don't like changes that disrupt opportunity"* (item n°10).

Starting from these two questionnaires, the importance and necessity of employing them within the context of Career Guidance clearly emerge, as tools to assess and foster adolescents' future thinking. In fact, the use of these instruments has several potential applications in both research

and practice within the field of Career Guidance. Firstly, these questionnaires could be used in Career Guidance activities not only to investigate different tendencies in thinking about the future but also as stimuli within workshop settings, encouraging young people to imagine transformative personal and professional actions aimed at community well-being, and to support them in navigating an increasingly complex and uncertain world.

These instruments, particularly the Consideration of Future Consequences Scale by Strathman and colleagues (1994)—already validated in the Italian context with good psychometric indices—could be effectively employed in the pre- and post-test phases of Career Guidance programmes aimed at enhancing future thinking and young people's ability to reflect on their own future, taking into account their potential contribution to addressing the major global challenges that characterise our historical era (Guichard 2022). Finally, this instrument may also prove valuable in research activities involving young people, to examine the relationships between future thinking and other psychosocial constructs within the field of Career Guidance—such as the study mentioned in the previous paragraph, which investigates the relationships among future thinking, career adapt-abilities, time perspective, and decisionality.

#### **4. Interventions for Developing Future Thinking for Young People**

Although currently there are no specific studies in the Career Guidance field aimed at enhancing the development of future thinking in young people, focused on the design of their educational and professional future, research on future thinking nevertheless provides useful insights into how this construct may be strengthened, particularly through the use of imagination, in the creation of inclusive and sustainable contexts.

Uribe (2024), for example, proposed an intervention for the development of future thinking through critical imagination and participatory processes. The study centres on the Re-Imagatorium, an initiative promoted by Malmö University as part of the UNIC alliance, which aims to create spaces for imagining sustainable and equitable futures. Drawing on concepts such as playfulness, ambiguity, and materiality, Uribe examines how interactive materials and iterative co-design sessions can stimulate future thinking focused on alternatives to the current situation. The main findings underline that the use of ambiguity in materials facilitates creative appropriation and stimulates critical imagination (Gaver et al. 2003; Malpass 2013). Moreover, the introduction of playful elements encourages

interaction and critical reflection on futures (Fullerton et al. 2008; Sicart et al. 2014). Finally, materials that engage multiple senses (visual, tactile, auditory, olfactory) enhance participatory experience and the co-creation of alternative futures (Smith et al. 2021). Based on these insights, a dedicated toolkit has been proposed to facilitate training on future thinking through ambiguous and playful materials.

Focusing on young participants, Hajisoteriou, Panaou, and Angelides (2022) implemented an educational programme using traditional tales and collaborative storytelling to stimulate children and adolescents' imagination and critical future thinking about social justice. The primary goal of this programme is to transform children and adolescents into agents of change by developing their critical future thinking capacities and promoting their active participation in addressing injustices (Hajisoteriou et al. 2022). In fact, the use of imagination seems to allow the youth to reflect deeply on stereotypes and social injustices (Magos 2018). Moreover, when collaborative storytelling is adopted alongside the reading of fairy tales, it enables the creation of alternative future stories to challenge dominant narratives and foster critical future thinking about inequalities (Bell 2010). The project, specifically, was implemented in four primary schools in Cyprus with 11-year-old pupils, through nine weekly workshops based on fairy tales and collaborative storytelling. The research team observed the workshops and conducted interviews with a sample of students after the intervention. The method adopted for collaborative storytelling was structured into five phases: idea collection, orchestration (structuring a collective story), storytelling, publication, and evaluation (Liu et al. 2010). From the analyses carried out following the implementation of this training, and based on the thematic analysis of the adolescents' responses, three main conceptions of social justice emerged: "We are all different", "We are all equal", and "We must see injustice to fight it" (Hajisoteriou et al. 2022). The analysis, therefore, revealed that the use of collaborative imagination in storytelling fostered a change in the youths' perceptions, helping them move from a moralistic view of social justice to a more critical and active understanding and future thinking on this issue. Overall, these studies point to the importance of designing educational environments that stimulate future thinking using imagination, storytelling, design-based tools, and playful materials as strategic methodologies.

To conclude, it seems clear that the use of educational projects, workshops, and accessible publications, developed through a network of imaginative collaborations, is a promising starting point for addressing the challenges of the 21st century. The ultimate aim is a shift in perception

and the promotion of practices that support the imagining of inclusive and sustainable futures (Csikszentmihalyi 1997; Osborn 1953; Peters-Lazaro & Shresthova 2020). In fact, these programmes illustrate how imagination and future thinking can become a powerful resource for both personal development and the collective transformation of the future (Uribe 2024; Hajisoteriou et al. 2022).

## **Conclusion**

This literature review has examined, from a psychosocial perspective, several key aspects that must be considered to understand the role of future thinking in facing social and environmental challenges, particularly in supporting young people in planning their future career paths. Starting from these premises and from the fact that, as mentioned in the previous paragraph, there are no studies in the field of Career Guidance that propose the design of training aimed at implementing future thinking in adolescents, the importance of designing specific workshop-based activities clearly emerges, intending to support adolescents' ability to imagine desirable futures (Csikszentmihalyi 1997; Finn & Wylie 2021). In fact, several studies have shown that creating shared spaces to envision fair and sustainable futures can help young people enhance their future thinking and future orientation, which in turn supports more effective career design (Lai et al. 2024; Uribe 2024). Reflecting on and sharing with others both utopian and dystopian aspects of potential future realities—through imagination and the stimulation of future thinking—has proven to be a meaningful way to promote awareness of existing inequalities. It also represents a method for fostering young people's interest and willingness to take on an active role in driving change (Bell 2010; Hajisoteriou et al. 2022; Nussbaum 1997).

Rinaldi and Ginevra (2025) highlight the importance of developing a Career Guidance intervention aimed at enhancing adolescents' future thinking through the use of imagination. The suggested intervention comprises five sessions, each lasting approximately ninety minutes, designed to foster future thinking focused on the contextual socio-environmental challenges. Initially, participants are introduced to some of the global and local issues affecting the current context, with particular attention to their concerns and uncertainties about the future. Subsequently, the intervention looks for activating adolescents' imaginative capacities by encouraging the creation of a utopian scenario, which can be defined as visions of desirable and

attainable futures. The overarching goal is to promote a broader and more critical reflection on the present and to stimulate awareness of the ways in which individuals can contribute to social transformation through both personal and collective actions oriented towards inclusion and sustainability. In this perspective, the design of Career Guidance interventions following such an approach appears crucial, as it may foster systemic change extending from the micro- to the macro-level, coherently aligned with the principles of inclusion, sustainability, and human rights for all.

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# Beyond Theatre: Structural Barriers & Practical Pathways to Post-colonial Reform in UN Human Rights Mechanisms

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**Abstract:** This review critically examines the UN Human Rights Council (HRC) and Universal Periodic Review (UPR) within broader debates on postcolonialism, universality and reform. Both were designed to improve credibility, participation and accountability in the UN human rights system. However, scholarly analyses indicate that their structures continue to reflect colonial legacies and hierarchies. Postcolonial scholars (e.g. Mutua, Kapur, Spivak, Fanon and Santos) argue that claims of universality often conceal Eurocentric biases, rendering Global South participation largely symbolic. Analyses show that the UN's founding excluded colonised peoples, creating institutions that sustain double standards and dependency. Critical reviews point to ongoing politicisation, bloc politics, selective scrutiny, and barriers to civil society. Evaluations from 2011, 2016, and 2021 support these mechanisms' legitimacy but overlook underlying inequalities. Reform discussions range from technical improvements to radical calls for decolonisation. This study argues that reforms limited to procedural changes are insufficient to address the deeper hierarchies in international human rights governance. Instead, a decolonial approach is imperative to confront the historical hierarchies that determine whose voices, traditions and knowledge are acknowledged in the system, and to question how these are legitimised.

*Keywords: human rights; postcolonial theory; decolonisation; United Nations; human rights council; universal periodic review.*

## Introduction

The Human Rights Council (HRC) and the Universal Periodic Review (UPR) are central pillars of the United Nations human rights architecture, created to promote dialogue, monitor compliance, and strengthen accountability. Established in 2006 to replace the Commission on Human Rights, the HRC was presented as a more credible institution intended to overcome the politicisation and selectivity that had undermined its predecessor (Short 2008, 151). The UPR was designed as a peer-review mechanism to ensure all UN member states undergo regular examination of their human rights records. Together, these mechanisms aim to embody 'universality, impartiality, and objectivity' (UNGA 2006, 2). However, as the past two decades have shown, formal commitments often mask deep structural, geopolitical, and epistemic inequalities<sup>1</sup>.

This literature review examines how power asymmetries manifest in the functioning of the HRC and the UPR and explores proposals for structural reform. It examines how participation, often presented as inherently beneficial, can serve as a tool of legitimisation rather than empowerment, especially when Global South engagement occurs under conditions set by a system they did not design. This analysis draws on a postcolonial theoretical framework because it provides the conceptual tools to examine both the historical continuities of colonialism in institutional structures, and how reform discourse may perpetuate existing inequalities.

Three overarching questions guide the review. First, how have post-colonial critiques engaged with the structures and practices of the HRC and UPR? Second, how do geopolitical and epistemic inequalities persist despite formal inclusivity? Third, what reforms have been proposed, and to what extent do these proposals address the structural and normative barriers identified by critical scholarship? These questions are not pursued in isolation. Instead, they are interlinked, as structural critiques inevitably inform the assessment of reform proposals, and reform debates reveal the contours of the structural problems.

This study identifies the central issue as a *participation-power gap*, a disjunction between inclusion and influence within international human rights governance. While Global South states and civil society actors are formally included in mechanisms such as the Human Rights Council and

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<sup>1</sup> See Mutua (2002) *Human Rights: A Political and Cultural Critique*, where he discusses the selective application of human rights standards and how geopolitical interests shape enforcement practices; and Moyn (2019) *Not Enough: Human Rights in an Unequal World*, on the influence of geopolitical interests in human rights enforcement.

the Universal Periodic Review, their participation rarely translates into meaningful influence. These institutions, shaped by colonial legacies and geopolitical hierarchies, often privilege certain voices while marginalising others. The study argues that this symbolic inclusion sustains inequality and that genuine reform must address the deeper structural imbalances that prevent equitable participation and shared authority within the global human rights system.

It prioritises Global South voices and critical scholars questioning the universalist claims of the human rights system. Sources include peer-reviewed studies, civil society reports, UN documents and milestone reviews (e.g. the HRC's 10th anniversary assessment). Combining these sources captures both institutional narratives and counter-narratives from those most affected by the system's flaws. The selection emphasises works directly relevant to the Council and UPR, while incorporating broader theories from decolonial, postcolonial, and critical legal studies.

The review begins with a historical and theoretical context, then critically examines practice, reform debates, and future directions. It situates the HRC and UPR within the UN human rights evolution and postcolonial critiques, analysing their institutional design and participation patterns to see how they reproduce or challenge hierarchies. It also assesses participation and legitimacy, questioning to what extent formal equality translates into real influence. It analyses internal and external evaluations, including those from civil society, and then explores reform proposals, ranging from minor adjustments to significant changes. It will conclude by synthesising findings, suggesting further research areas, and reflecting on reform implications within a system still influenced by colonial history.

The first section outlines the theoretical basis underpinning this analysis. By framing the HRC and UPR as products and instruments of a broader geopolitical order, this literature review will move beyond technical critiques to explore the legitimacy, power, and representation associated with these institutions. It builds on scholarship highlighting these mechanisms' promise, but argues that their transformative potential will not be realised without addressing their underlying structural and epistemic foundations.

## **1. Theoretical Foundations of Postcolonialism and Human Rights**

As a basis for the discussion that follows, postcolonial theory provides a robust framework for examining the foundations of the international human rights system, challenging the assumption that human rights are

universal and impartial. It argues instead that these rights are shaped by colonial histories and Western epistemologies. Having emerged from the experience of colonialism and the struggles for liberation, it aims to challenge colonial legacies that shape knowledge, power, and identity in the postcolonial world. The relationship between postcolonial thought and human rights is particularly fraught. While both are concerned with justice and dignity, theorists have long questioned the universalist assumptions of human rights discourse and its role in reproducing imperial hierarchies.

An early influential postcolonial voice was Aimé Césaire's *Discourse on Colonialism*, first published in 1950. Césaire (2000) linked colonialism to fascism, arguing that the dehumanisation of colonised peoples laid the groundwork for later European atrocities. He wrote that colonisation works to decivilise the coloniser, to brutalise and 'degrade' him:

'At the end of all these treaties that have been violated, all these lies that have been propagated, all these punitive expeditions that have been tolerated, all these prisoners who have been tied up and "interrogated", these patriots who have been tortured, at the end of all the racial pride that has been encouraged, all the boastfulness that has been displayed, a poison has been instilled into the veins of Europe and, slowly but surely, the continent proceeds toward savagery' (Césaire 2000, 13).

This early critique positioned colonialism as central to modern political violence, anticipating later postcolonial evaluations of the international order. Césaire's work foreshadowed later critiques of Western civilisation's claimed moral superiority and its human rights assertions.

Frantz Fanon's *The Wretched of the Earth* (1961) argued that colonial domination inflicts both material exploitation and deep psychological wounds. Fanon insisted that structural violence could not be addressed without confronting these legacies; 'decolonisation is always a violent event' (Fanon 1961, 27), meaning that dismantling colonial systems often required a radical rupture. His analysis of alienation and dehumanisation remains central to critiques of international human rights institutions, which frequently proclaim universality while ignoring the historical scars of colonialism. This diagnosis of structural violence continues to resonate in assessments of post-colonial power relations within global governance.

'At whatever level we study it ... decolonisation is quite simply the substitution of one "species" of mankind by another. The substitution is unconditional, absolute, total, and seamless. We could go on to portray the rise of a new nation, the establishment of a new state, its diplomatic relations and its economic and political orientation' (Fanon 1961, 27).

In the following decades, postcolonial theory shifted more explicitly towards cultural and discursive analysis. Edward Said's *Orientalism* (1978) showed how Western knowledge production constructed the East as inferior and dependent, a place of 'exotic beings', legitimising domination (Said 1978, 1). Said's insights into the relationship between power and representation influenced subsequent analysis of how international law and human rights define universal values, while excluding alternative perspectives.

Following Said, the 1980s deepened postcolonial theory's focus on language, representation, and knowledge. Gayatri Spivak's (1988) essay 'Can the Subaltern Speak?' introduced her theory of epistemic violence, showing how dominant frameworks erase or distort subaltern voices. The subaltern often cannot genuinely speak, as their words are reframed or dismissed by dominant discourses. Her example was the project to define the colonial subject as the Other (Spivak 1988, 24). This silencing persists in international fora, where marginalised voices must conform to institutional idioms. In the 1990s, Homi Bhabha (1994) added complexity through concepts such as hybridity and mimicry. In *The Location of Culture*, he described hybridity as 'the revaluation of the assumption of colonial identity through the repetition of discriminatory identity effects' (Bhabha, 1994, 112).

Makau Mutua (2002, 11) developed a critique specifically in relation to human rights through his 'savages-victims-saviours' metaphor. He argued that human rights discourse frames the Global South as sites of savagery and abuse, casts their populations as helpless victims, and positions the West as the saviour. This framework denies agency to non-Western societies and legitimises Western intervention in the name of rights. Ratna Kapur (2006) has similarly criticised human rights universalism as a regulatory discourse. She argues that rights are deployed not only for liberation but also for disciplining non-Western societies, especially in the domains of sexuality and gender. Her analysis highlights how international human rights practices can constrain cultural diversity, while claiming to promote inclusivity. The current system feigns reform while maintaining control, offers access while preserving hierarchy, and performs universality while enacting selectivity (Kapur 2006, 666).

Boaventura de Sousa Santos (2014) advances these arguments by calling for 'epistemologies of the South'. He contends that global justice is impossible without cognitive justice, meaning the recognition of diverse ways of knowing that Western frameworks have marginalised. Santos describes the erasure of such knowledge as 'epistemicide', a process by which dominant institutions suppress alternative epistemologies (Santos 2014,

149). This concept is crucial for understanding how the HRC and UPR, despite their formal inclusivity, continue to privilege certain forms of expertise, often those aligned with Northern NGOs and diplomatic actors, while marginalising knowledge rooted in local struggles.

These contributions converge on a central critique: human rights institutions reflect historical hierarchies even as they claim neutrality and universality. Participation by Global South states and NGOs may be celebrated in Geneva, but it does not necessarily translate into influence. Recommendations and interventions are often diluted, reframed, or sidelined to preserve institutional consensus. This review introduces this concept as the *participation-power gap*, which refers to the structural disjuncture between formal inclusion and substantive influence.

The most ambitious postcolonial critiques demand a more fundamental rethinking of how rights are conceived and whose histories are recognised. Scholars question whether a truly universal system can emerge from institutions still shaped by colonial legacies and geopolitical power<sup>2</sup>. Their work invites us to imagine reform not as correction, but as transformation - not bringing more people into the room, but questioning who *built* the room, who framed its walls, and whether alternative spaces are possible.

For those seeking change, the challenge is to strategically utilise these existing mechanisms while critically interrogating their colonial foundations.

## 2. Colonial Legacies in the International Human Rights Regime

Building on these theoretical perspectives, any discussion of the contemporary human rights system must consider the colonial legacies embedded in its structures and practices. The United Nations was founded in 1945, when much of the world remained under European colonial rule; its legal and institutional frameworks reflected the priorities of the victorious powers. While the Charter proclaimed faith in fundamental rights and the equal dignity of all nations, its drafting took place in a world order in which Britain and France still presided over vast empires, and the United States, the Soviet Union, and China played leading roles in shaping global govern-

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<sup>2</sup> Third World Approaches to International Law (TWAIL) scholars illustrate the link between critique and practice, by exposing the colonial foundations of international law and advocating for reforms like increased Global South participation in international institutions and a redefined concept of sovereignty (Anghie and Chimni 2003). Gathii (2011) traces the contemporary origins of TWAIL, highlighting its decentralised, evolving nature and its critical engagement with power, identity, colonial legacies and international legal reform.

ance. These conditions produced a system that enshrined universality in principle but compromised it in practice.

Scholars of international law have long highlighted the discipline's colonial origins. Anghie (2005) argues that international law developed through Europe's encounters with the non-European world, establishing hierarchies that positioned non-Western peoples as uncivilised and subject to external authority. This history directly influenced the emergence of human rights norms, which were layered onto an international legal order already marked by inequality, and shows 'how these origins create a set of structures that continually repeat themselves at various stages in the history of international law' (Anghie 2005, 3). He demonstrates how the doctrines of sovereignty and civilisation entrenched distinctions that later shaped how human rights were understood and applied.

B.S. Chimni (2006) similarly challenges liberal accounts of international law as a universal project. In his 2006 manifesto on *Third World Approaches to International Law (TWAAIL)*, Chimni argues that international law has served as an ideological tool for globalising European norms: 'The dismal experience of the vast majority of third world peoples and states in recasting colonial international law as universal international law in the last six decades has compelled a new generation of scholars to revisit the history of international law in a bid to find answers' (Chimni 2006, 4).

The adoption of the Universal Declaration of Human Rights (UDHR) (United Nations 1948) is often portrayed as the birth of universality, but postcolonial scholars highlight the exclusions that marked its drafting<sup>3</sup>. At the time, large swathes of Africa and Asia were still under colonial rule and thus absent from the debates. The result was a document that reflected the liberal values of the states present, particularly Western democracies, rather than the perspectives of colonised peoples (Mutua 2001; Kapur 2006). The lack of representation meant that demands for economic justice, collective rights, and recognition of diverse cultural traditions were muted. This noble endeavour masked a deeper regulatory impulse, presenting Western liberal norms as the global standard. These exclusions had long-term implications for the legitimacy of human rights institutions. When newly independent states joined the UN in the 1950s and 1960s, they brought critiques of double standards and Western domination; post-

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<sup>3</sup> During the UDHR's drafting, several non-Western delegates, such as Carlos Romulo of the Philippines, raised concerns that the document reflected predominantly Western conceptions of rights. Romulo warned that the Declaration risked ignoring the experiences and traditions of Asian and African peoples, yet these concerns were largely sidelined as the final text centred on liberal individualist values (Morsink 1999, 21).

colonial critiques stress that structural inequalities persist (Abebe 2009; McMahon and Ascherio 2012).

Within the HRC and the UPR, colonial patterns are reproduced in several ways. Firstly, access and participation remain unequal: accreditation systems, visa regimes and financial barriers make it far easier for Geneva-based and Northern NGOs to engage than for organisations from the Global South (McMahon 2013; Charlesworth 2015). Spivak's notion of epistemic violence resonates here: non-Western voices may be present, but their perspectives are often reframed to fit acceptable institutional narratives. Secondly, scrutiny is selective: while the UPR subjects all states to review, the intensity of questioning and the seriousness with which recommendations are pursued often vary according to geopolitical alignments. Studies of the first cycle found that recommendations were not evenly distributed and that implementation was uneven, with powerful states avoiding the more intrusive forms of monitoring (Abebe 2009; McMahon and Ascherio 2012).

Civil society reporting further substantiates these critiques, illustrating their continued relevance within contemporary UN mechanisms. Human Rights Watch (2010) noted that bloc politics and double standards undermine the Council's credibility, while ISHR (2021) documented that NGOs continue to face reprisals and restrictions in engaging with the system. These accounts echo Mutua's (2002) observation that participation is permitted but is often managed in ways that preserve the dominance of powerful actors. The symbolic visibility of Global South states and NGOs does not necessarily translate into substantive influence over outcomes. These critiques highlight the persistence of what Nkrumah (1965) described as neocolonialism: the continuation of colonial domination through economic and institutional mechanisms rather than direct rule. The HRC and UPR, while formally universal, operate within these structures of inequality. Their promise of equal participation often translates into symbolic inclusion, where Global South actors can speak but rarely set the agenda<sup>4</sup>.

The colonial legacies of international law and human rights are not just historical curiosities, but active components of the system. From the origins of the UN Charter and the UDHR to the daily operations of the mechanisms in question, patterns of exclusion, hierarchy, and selectivity remain

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<sup>4</sup> 'What should one, then, make of social movements during this moment? Do they present an opportunity for a creative way to build a local-global nexus that somehow transcends the imperialistic purposes of "globobabble", or will they prove to be the Trojan horses that would reinvoke the colonizer inside Third World societies?' (Rajagopal 2003, 269).

clearly evident. It is, therefore, vitally important to explore how these continuities are reflected in the current functioning of the HRC and the UPR.

### **3. Human Rights Mechanisms in Practice**

The Human Rights Council was created in 2006 to replace the discredited Commission on Human Rights<sup>5</sup>. Its establishment was intended to overcome the politicisation, selectivity and loss of legitimacy plaguing its predecessor. Central to this new architecture was the Universal Periodic Review, a peer-review mechanism through which all UN member states would be regularly examined on their human rights record (UNGA 2006). The Council and the UPR were heralded as innovations that would ensure universality, impartiality, objectivity and cooperation. However, contemporary scholarship and civil society commentary highlight the persistent shortcomings of these mechanisms and the structural constraints that limit their effectiveness.

As Jane Cowan and Julie Billaud (2015) observe, the participation of Global South states and civil society within the UPR and Human Rights Council often serves to validate institutional legitimacy without shifting power:

‘Formerly colonised states have continued to insist upon the centrality of sovereignty within any discussion of human rights at the UN. Yet in the half century since formal independence, those states have continued to find themselves subjected to legal regimes and economic policies in which, somehow, they are nearly always disadvantaged’ (Cowan and Billaud 2015, 1181).

As a political body, the HRC was shaped by political compromise from its inception. Membership was distributed across regional groups to avoid domination by any single bloc, and provisions were introduced to suspend members guilty of gross violations. Yet questions about legitimacy and credibility persist. The election of states with poor human rights records has repeatedly raised concerns, with NGOs warning that the Council risks replicating the flaws of its predecessor (Human Rights Watch 2010). Critics argue that bloc politics, double standards, and selectivity continue to dominate proceedings, undermining the Council’s claim to objectivity (Abebe 2009; McMahon and Ascherio 2012).

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<sup>5</sup> ‘We have reached a point at which the Commission’s declining credibility has cast a shadow on the reputation of the United Nations system as a whole, and where piecemeal reforms will not be enough’ - Kofi Annan, UN Secretary-General, 2005: <https://news.un.org/en/story/2005/04/134122>

This tension is evident in the Council's selectivity. While some states are subject to repeated scrutiny – often those outside dominant blocs or with limited geopolitical clout – others escape meaningful examination altogether. Allegations of double standards are common. The Council's contrasting responses to Syria and to Israel illustrate this pattern. While the body created a Commission of Inquiry on Syria in 2011 and has repeatedly renewed its mandate<sup>6</sup>, efforts to establish comparable accountability mechanisms for alleged violations by Israel have faced consistent obstruction from Western states, despite longstanding NGO advocacy and extensive documentation<sup>7</sup>.

The Council's inability to address systemic racism in Western countries illustrates the limits of its agenda. After George Floyd's killing in May 2020, African Group states (led by Burkina Faso on behalf of 54 African countries) requested a special HRC session to examine systemic racism and police violence. However, Western and allied states resisted efforts to authorise an independent commission of inquiry into systemic racism and police brutality in the USA. The final resolution (OHCHR 2020) was significantly diluted: it established a broader report by the High Commissioner for Human Rights rather than the targeted commission that African states initially sought.

Its resolutions tend to focus on individual state behaviour, framed through liberal legal categories, while avoiding deeper questions of global justice. Former colonies are particularly vulnerable due to enduring structural economic dependencies and the institutional legacies of colonial rule (Anghie 2005). As Achiume (2019) reiterates:

'Today, international law repudiates colonialism, but colonialism remains essential to sustaining the political and economic dominance of the First World. Modern international law – including the United Nations Charter itself – preserves colonial advantage for colonising powers even as it professes the formal political independence of former colonies and the equality of all sovereign states, including these former colonies' (Achiume 2019, 1543).

The United States' political posture has also shaped the Council's credibility. In 2018, under the first Trump administration, the US formally with-

<sup>6</sup> OHCHR - Pillage and Plunder: Unlawful appropriation and destruction of properties of refugees and IDPs in Syria: <https://www.ohchr.org/en/hr-bodies/hrc/iici-syria/pillageandplunder>

<sup>7</sup> OHCHR - The Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel: <https://www.ohchr.org/en/hr-bodies/hrc/co-israel/index>

drew from the Council, citing chronic bias and politicisation<sup>8</sup>. While the Biden administration rejoined in 2021, the second Trump administration again announced withdrawal in early 2025<sup>9</sup>. These repeated exits highlight both the instrumental view that major powers hold of the Council, and the limiting consequences of their disengagement. The United States operates as an imperial rather than colonial power, unlike former European colonial powers such as Britain and France, which continue to influence contemporary human rights practices. However, the fact that the US can withdraw without incurring significant costs, while retaining substantial global influence, underscores the structural imbalances that define the institution. For many Global South states, this only confirms that participation in the Council does not guarantee a voice, let alone power<sup>10</sup>.

In this context, participation functions as procedural legitimisation rather than substantive empowerment. Ndlovu-Gatsheni (2020) conceptualises this as a historical phenomenon in which Global South states are incorporated into UN mechanisms to signal inclusivity, while their interventions into historical injustice or neocolonial structures are systematically erased through diplomatic processes.

‘Eventually, the signs and symbols of being decolonised included invitation and accommodation of the so-called “independent African states” into the lowest echelons of the United Nations Organisation (UNO), in which they had no veto power ... In the resilient Western tradition, being invited into the UNO was nothing but accommodation into a modern system of power that emerged in 1492 ... The system gave itself a new lease on life by including the previously excluded non-Europeans into a modern sovereignty system’ (Ndlovu-Gatsheni 2020, 27).

In contrast to the Council’s politicisation, the UPR has been praised for its universality – all states are reviewed without exception – and for its broad participation, which includes NGOs and national human rights institutions. Scholars note that this innovation addressed long-standing concerns about selectivity (McMahon and Ascherio 2012). However, the review process has also been criticised for its limitations. States often use the UPR to shield themselves and their allies from scrutiny, offering praise

<sup>8</sup> US Mission to Geneva (June 19, 2018): <https://geneva.usmission.gov/2018/06/21/remarks-on-the-un-human-rights-council/>

<sup>9</sup> The White House (February 4, 2025): <https://www.whitehouse.gov/presidential-actions/2025/02/withdrawing-the-united-states-from-and-ending-funding-to-certain-united-nations-organizations-and-reviewing-united-states-support-to-all-international-organizations/>

<sup>10</sup> The U.S. Withdrawal from International Organisations: What it means for Global Order?: <https://moderndiplomacy.eu/2025/02/10/the-u-s-withdrawal-from-international-organisations-what-it-means-for-global-order/>

rather than substantive critique (Abebe 2009). Recommendations are sometimes vague, repetitive, or politically motivated, which reduces their impact; implementation remains uneven, with many recommendations accepted in principle but ignored in practice (McMahon 2013).

Civil society participation has been a significant feature of the UPR, but it too reflects structural inequalities. Charlesworth (2015) notes that the ritual of NGO consultation risks becoming more symbolic than substantive, reinforcing legitimacy without empowering those most affected. Anthropologists observing it 'almost certainly would agree that a UPR meeting is 'a solemn ceremony consisting of a series of actions performed according to a prescribed order' and thus has clear traits of a ritual as defined by the Oxford Dictionary' (Charlesworth 2015, 26). Well-resourced international NGOs dominate proceedings, while smaller organisations from the Global South struggle with accreditation, travel and financial barriers (ISHR 2021).

The Council's political character also constrains its impact. As a body composed of state representatives, it is inevitably influenced by geopolitical interests. Regional alliances, such as the African Group, the Organisation of Islamic Cooperation, and the Non-Aligned Movement, provide procedural influence to Global South states, but this often reproduces rather than resists structural limitations<sup>11</sup>. Solidarity between states can translate into silence on abuses, while sovereignty is prioritised over accountability. The persistence of double standards further undermines the system's credibility. Abebe (2009) and Human Rights Watch (2010) both document how powerful states and their allies often escape meaningful scrutiny, while weaker states are subjected to intense criticism.

Despite these shortcomings, NGOs and civil society actors continue to engage strategically with the Universal Periodic Review. UPR Info (2012, 2016) has documented how recommendations can serve as advocacy tools, helping local actors to internationalise their struggles and pressure their governments. Gains are often modest and uneven, but they demonstrate that opportunities exist for visibility and influence even within constrained structures. As Gready and Robins (2014) argue regarding transitional justice, engagement with imperfect institutions can still open space for transformative agendas, provided that participation is accompanied by persistent critique.

The literature suggests that the HRC and UPR may embody a paradox. They are formally universal and inclusive, yet their practices are shaped by

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<sup>11</sup> The Human Rights Council as a Political Space: <https://academy.ishr.ch/learn/un-human-rights-council/political-and-informal-groups>

structural inequalities, political alliances, and selective enforcement. Participation is celebrated, but it often reinforces legitimacy without redistributing power<sup>12</sup>.

The subtext of human rights is a grand narrative hidden in the seemingly neutral and universal language of the corpus. ... These fictions of neutrality and universality, like so much else in a lopsided world, undergird the human rights corpus and belie its true identity and purposes. This international rhetoric of goodwill reveals, just beneath the surface, intentions and realities that stand in great tension and contradiction with it. (Mutua 2001, 12–13)

The critiques converge on a central point: without addressing these imbalances, the Council and UPR risk remaining sites of performance rather than transformation. This participation-power gap emphasises the importance of postcolonial analysis in evaluating whether international human rights institutions can deliver on their promise of universality and equality, and whether they can evaluate and reform themselves.

#### **4. Milestone Reviews and Critical Evaluations**

Since their formation, the Council and UPR have undergone a series of milestone reviews. These moments were intended to provide opportunities for stocktaking, reflection, and course correction. In practice, however, they reveal the extent to which international institutions manage their own legitimacy through carefully framed evaluations. While states and the Office of the High Commissioner for Human Rights (OHCHR) have used these anniversaries to highlight achievements, critical assessments from scholars and civil society highlight persistent structural limitations. Together, these reviews demonstrate how the HRC and UPR negotiate their image as credible institutions while deflecting deeper critiques of power and inequality.

The first major review of the Council took place in 2011, five years after its establishment, in accordance with General Assembly Resolution 60/251 (UNGA 2006). The process was framed as an opportunity to strengthen the institution by reflecting on its performance. In practice, the review was cautious. The General Assembly confirmed the Council's status as a subsidiary body of the Assembly rather than elevating it to a principal organ, as some states and observers had proposed (UNGA 2006, 2). This

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<sup>12</sup> ISHR - Reforming the UN human rights system: defenders' voices matter: <https://ishr.ch/campaign/reforming-the-un-human-rights-system-defenders-voices-matter/>

decision reflected the reluctance of major powers to enhance the Council's independence.

The review led to several procedural changes: the UPR cycle was extended from 4 years to 4.5 years, allowing for more manageable scheduling; time limits for speakers were adjusted; and technical improvements were made to the documentation. Many delegations welcomed these reforms as signs of consolidation, but critics noted that substantive issues – such as double standards, bloc politics, and the election of abusive states – were left untouched (Human Rights Watch 2010; McMahon and Ascherio 2012). The 2011 review thus marked a moment of institutional entrenchment rather than transformation. States reaffirmed the mechanism's value as a universal and cooperative forum, though they avoided discussing its limitations. Recommendations concerning the politicisation of peer reviews, mutual praise practices, and strategic silences were largely sidelined. Many states used the review to shield themselves and allies from scrutiny rather than to strengthen accountability<sup>13</sup>.

The Council's tenth anniversary in 2016 marked another milestone, albeit in the form of commemoration rather than a formal review. Events were held in Geneva, including a high-level panel where representatives from states and the UN reflected on their achievements. The High Commissioner for Human Rights at the time, Zeid Ra'ad Al Hussein, praised the Council's role in expanding thematic mandates and ensuring universal participation in the UPR. He also acknowledged persistent challenges, including the uneven implementation of recommendations and the problem of non-cooperating states<sup>14</sup>. However, the overall emphasis was celebratory. The anniversary served as a performance of legitimacy, highlighting achievements while sidestepping deeper critiques. Commentators noted that the absence of a formal evaluation suggested a preference for consolidating the institution's image over addressing its structural shortcomings (ISHR 2021).

The UPR's fifteenth anniversary in 2021 coincided with the disruptions of the COVID-19 pandemic, shaping both the form and content of its commemoration. The OHCHR issued statements celebrating the mechanism as a 'success story' of the UN human rights system, citing universal participation and cooperation as evidence of its legitimacy (OHCHR 2022).

<sup>13</sup> HRC Res 16/21; Decision 17/119: <https://docs.un.org/en/A/HRC/DEC/17/119>

<sup>14</sup> Statement by Zeid Ra'ad Al Hussein, United Nations High Commissioner for Human Rights, at the High-Level Panel discussion on the occasion of the 10th anniversary of the Human Rights Council: achievements and challenges: <https://www.ohchr.org/en/statements-and-speeches/2016/06/statement-zeid-raad-al-hussein-united-nations-high-commissioner-2>

Side events and thematic discussions marked the anniversary, with many of them held virtually, yet observers noted that such celebrations masked unresolved issues. Critics had previously flagged the continued dominance of state-led narratives, the performative nature of many reviews, and the lack of meaningful follow-up to recommendations (UPR Info 2016; ISHR 2021). These concerns remain current, as the UPR Info Annual Reports continue to document uneven implementation, limited civil society access, and persistent gaps between commitment and practice (UPR Info 2023). The pandemic itself exposed inequalities in access, with smaller delegations and NGOs from the Global South facing greater obstacles to participation in online formats. As a result, the anniversary revealed both the resilience and fragility of the system: the UPR persisted, but its claim to universality was undercut by structural exclusions.

This observation leads directly to a consideration of how official and critical evaluations frame progress and legitimacy. Milestone reviews have also taken the form of thematic panels and OHCHR-led evaluations. High-level discussions bring together diplomats, UN officials, and selected civil society representatives to reflect on progress, with the panels often framed as spaces for dialogue and knowledge-sharing. They address topics such as reprisals against human rights defenders, the integration of the 2030 Agenda for Sustainable Development, and the Council's response to global crises<sup>15</sup> such as climate change and pandemics<sup>15</sup>.

While they can provide moments of visibility for marginalised concerns, these panels rarely lead to structural change or binding commitments. These events are framed as inclusive, yet critics argue that they operate as elaborate theatrical productions of legitimation, rather than spaces for substantive critique. Charlesworth (2015) has described the ritualism of such processes, noting that they generate an appearance of engagement while leaving core hierarchies intact. Panels often highlight best practices and share success stories, but they rarely systematically analyse failures or structural reforms. The result is an institutional narrative that emphasises continuity and progress, while sidelining voices that demand deeper change.

Civil society organisations have consistently provided more critical evaluations. Human Rights Watch (2010) assessed the first years of the Council as a period of lost opportunity, pointing to the persistence of selectivity and politicisation. UPR Info (2012, 2016) produced detailed reports

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<sup>15</sup> 59<sup>th</sup> Session of the UN HRC, 2025: <https://www.ohchr.org/en/hr-bodies/hrc/regular-sessions/session59/regular-session>

on the implementation of recommendations, showing that while some progress has been made, many commitments remain unfulfilled. These external evaluations contrast sharply with official narratives, underlining the gap between institutional self-assessment and the lived experiences of those who seek to use the mechanisms for accountability.

The formalism of civil society hides the broader dynamics of silencing. States often object to NGO activities they see as politically sensitive, using procedural tactics to stifle or discredit critical voices. This creates a culture of containment that limits dissent. Kapur (2006) showed how participation mirrors a broader strategy of liberal institutions: to domesticate opposition through procedures. The Council and its predecessors accept critique but manage it, viewing voices challenging human rights frameworks as disruptive rather than constructive:

‘The equation of critique with pessimism, and progress with optimism, is quite mistaken. To question human rights is not to side with the inhuman, the anti-human and evil. What is required at this moment is neither an arrogant triumphalism nor hopeless despair, but rather, thoughtful reflection. What happens when the faith in human rights is eroded? Where does that leave us? It is much better to confront these difficult questions than to cling to old tattered frameworks or a project that now exists in its broken form’ (Kapur 2006, 683).

This pattern of managed dissent reflects the deeper structure of the international human rights system. The contemporary HRC serves as a platform where states and civil society actors fulfil their roles in a choreographed routine, affirming the institution’s legitimacy even as it forecloses substantive transformation. The pattern that emerges from these milestone reviews is one of consolidation rather than transformation. Official assessments emphasise efficiency, access, and universality, presenting the Council and UPR as success stories of international cooperation. Critics, however, highlight exclusion, selectivity, and the reproduction of global inequalities; while they serve as opportunities for reflection, they also reveal the limits of reform within structures shaped by power and inequality.

Critical evaluations from scholars and civil society remain essential in challenging the predominant narratives, and insisting that legitimacy must rest not only on procedure but also on substantive change. Without addressing the structural imbalances highlighted in these critiques, milestone reviews risk remaining performances of legitimacy rather than drivers of legitimate reform.

## 5. Pathways to Structural Reform

Drawing on insights from past evaluations, debates on reforming the Council and the UPR reflect the tension between the aspirations for universality and cooperation, and the structural inequalities that continue to shape both mechanisms. As earlier critiques and milestone reviews have shown, the Council and the UPR face persistent challenges of politicisation, selectivity, double standards and limited implementation<sup>16</sup>. The literature on reform is divided between proposals that seek to improve procedure and participation, and more radical arguments that call for structural and epistemic transformation. This section traces these debates across three strands: normative pathways, procedural reforms, and epistemic critiques.

One set of proposals concerns the normative foundations of the HRC. An-Na'im (1992) proposed that cross-cultural consensus should underpin universal human rights norms, a historical position that would challenge today's Council to create space for cultural diversity. Mutua (2002) argued that the international human rights system is marked by structural hierarchies that cannot be overcome simply through procedural adjustments. Abebe (2009) highlights how the UPR has been used by states to shield themselves and their allies from scrutiny, raising questions about whether universality can ever be more than symbolic. Santos (2014) extends this critique to the epistemic level, contending that global justice requires cognitive justice, and that current human rights institutions fail to account for diverse traditions of knowledge and practice.

Contemporary scholars and non-governmental organisations question the credibility of the Council's membership, its claim to universality, and its ability to apply standards consistently. These critiques converge on the argument that without a re-examination of the Council's mandate and universality claims, reforms risk remaining superficial. Commentators and practitioners, such as Piccone (2011), have suggested elevating the HRC to principal organ status to strengthen its authority, while others, like Tistounet (2020), emphasise practical improvements to the Council's functioning, arguing that credibility depends on both institutional efficiency and political legitimacy.

'No one, including the author, can be led to the conclusion that major Council reviews should not be contemplated in future simply because previous ones were not entirely successful. There is virtue in repetition

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<sup>16</sup> Eliminating 'selectivity' at the Council as a contribution to effective prevention: <https://www.universal-rights.org/eliminating-selectivity-at-the-council-as-a-contribution-to-effective-prevention/>

and courage in initiating processes of such a Sisyphean nature even in the most dire and hostile set of circumstances. However, realism and a good sense of timing should never be disregarded' (Tistounet 2020, 307).

A second strand of literature focuses on procedural and participatory reforms. Scholars and NGOs have examined how access, voice and influence are distributed within the Council and UPR, highlighting the gap between participation and power. ISHR (2021) notes that civil society engagement remains constrained by reprisals, accreditation barriers, and financial limitations, particularly for organisations in the Global South. These obstacles mean that while NGOs may formally participate, their influence is curtailed by structural disadvantages. UPR Info (2012, 2016) has documented both the strengths and limitations of the review process, noting that while states often accept a high proportion of recommendations, implementation remains inconsistent. Reform proposals include stronger follow-up mechanisms, clearer benchmarks for assessing progress, and improved protection for civil society actors. These suggestions aim to close the participation-power gap by ensuring that a presence in Geneva translates into real influence on state behaviour.

A third strand of critique is based on the epistemic foundations of the system; postcolonial and decolonial scholars have long argued that reforms must go beyond institutional design to confront how knowledge and authority are produced. An-Na'im (1992) and Baxi (2002) emphasised the need for pluralist approaches that respect different cultural and political contexts. Rajagopal (2003) highlights the role of grassroots movements in challenging the dominance of international institutions, while Escobar (2008) argues for alternative visions of development and rights rooted in local knowledge systems. Santos (2014) calls for epistemologies of the South, arguing that universality must be redefined through recognition of diverse traditions rather than imposed as a singular framework.

This is not simply theoretical: the UPR and the Council's thematic work reflect these hierarchies. Civil and political rights dominate the agenda and resolutions, while issues tied to global inequality, land dispossession, or historical injustice appear infrequently and are often couched in weak language. Abebe (2009) has shown how African states engaging in Council debates are met with resistance, procedural deflection or diplomatic avoidance:

'Preferring a more simplified and state-driven procedure, the African Group and African member countries opposed a stringent procedure requiring the participation of a broad spectrum of stakeholders. Such a procedure would, it was argued, open an opportunity for others to attack the report

on account of procedural failings' (Abebe 2009, 10).

These epistemic critiques point to the limits of reform understood narrowly as technical adjustment. They contend that unless the foundations of universality, legitimacy, and authority are rethought, reforms risk reproducing existing hierarchies. The emphasis on consultation, efficiency, and access may improve the Council's image. However, it does not address deeper questions of whose knowledge is recognised, whose voices are legitimised, and whose priorities shape outcomes.

The literature, therefore, reveals two competing visions of reform. On one side are proposals that aim to make the HRC and UPR more efficient, inclusive, and credible through incremental changes to procedures, membership, and monitoring. On the other hand, some critics demand structural and epistemic transformation, arguing that only by addressing colonial legacies and power asymmetries can the system achieve true universality. The tension between these visions reflects broader debates about the future of international human rights governance. When mapping these pathways, the goal is not to prescribe a specific reform agenda but to illustrate how the literature reflects divergent understandings of what is at stake.

The debates on reform and decolonisation pathways emphasise the importance of distinguishing between superficial adjustments and profound structural transformation. Collectively, these perspectives demonstrate that the future of the mechanisms depends not only on technical reforms, but also on whether they can confront the legacies of inequality that continue to influence their operations. Without such transformation, the HRC and UPR risk remaining spaces of managed inclusion rather than catalysts for genuine accountability.

## **Conclusion**

This analysis demonstrates that the HRC and UPR continue to face persistent structural challenges. The existing scholarship questions whether the system can truly reduce global inequalities or uphold existing hierarchies as universal. Examining it reveals how critics approach structural reform, encompassing both procedural changes and the system's underlying normative foundations. It reveals how international human rights mechanisms respond to postcolonial critiques, noting that the idea of universality often reflects Eurocentric views – views that shape whose voices matter and how legitimacy is granted.

The literature indicates that reform is not limited to formal redesign; at the same time, ongoing engagement from states, NGOs, regional networks and activists is shaping the Council's practices. Even in a constrained system, actors can highlight harsh truths, disrupt consensus, and forge coalitions. While these micro-struggles may not always lead to policy changes, they maintain the demand for justice and challenge authority. As Santos (2014) notes, this represents the insurgent dimension of rights – the ability to unsettle from within and push for reinvention.

This review suggests that geopolitical and epistemic hierarchies have a profound influence on the Council and the UPR. Reform efforts that focus solely on access or process are insufficient; it is essential to recognise that power operates through both exclusion and managed inclusion. A decolonial approach to reform must consider whose languages, histories, and stories are acknowledged, translated, or overlooked. Future research will also address key questions about the interaction of regional bodies with the global system, emerging forms of resistance outside Geneva that offer alternative accountability models, and how Global South actors strategically mobilise human rights without perpetuating existing hierarchies.

The literature reviewed does not call for abandoning the human rights project, but urges confronting its exclusions and blind spots. These inquiries go beyond simple analysis; they are inherently political and shape our understanding of international law and global justice. Imagining an alternative future requires not only different policies, but also new questions and a different kind of courage. As Kapur (2006, 666) asked, 'What happened to the dissidence and rebellious spirit of human rights? How has a project that held out the promise of a grand spicy fete mutated into an insipid appetiser?'

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# Political Culture, International Democracy, and Human Rights. A Literature Review

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**Abstract:** The present contribution seeks to retrace the theoretical foundations necessary for the development of research that uses the Italian case study of the Perugia-Assisi March for Peace and Fraternity as an opportunity to understand how the spread of a political culture of peace among the local authorities of a nation can contribute to the development of global peace. In order to comprehend the notions of a political culture and a political culture of peace, an analysis of extant literature on the subject is conducted, with a particular focus on Galtung's contributions to the study of positive peace. Furthermore, the theories of international relations that have been most influenced by Galtung's studies and that can most strongly answer the research question are analysed. In order to this end, we analyse Papisca's theory of International Democracy and Falks and Kaldor's theory of Global Civil Society, as well as the theories of City Diplomacy and the use that can be made of peace policies in a system of Multilevel Governance by applying the principle of subsidiarity, also with a view to the responsibility to protect one's citizens.

*Keywords: city diplomacy, political culture, peacebuilding, international democracy, human rights.*

## Introduction

The objective of this literature review is to identify the theoretical tools necessary for research into the local authorities that have participated for

more than sixty years in the Perugia-Assisi March for Peace and Fraternity. Founded by Aldo Capitini in 1961, this march follows the route from Perugia to Assisi, bringing together citizens, local administrators, political parties, trade unions, workers, and young people to demonstrate the collective power of the people against war and in favour of a world of peace. Through this participation and the commitment of the Italian pacifist movement, a culture of “positive peace” has been built over time. This culture stands in opposition to the common definition of peace as the merely the absence of war; instead, it is based on the promotion of human rights, social justice, inclusion, and cooperation. To understand the potential for local authorities and citizens to become active subjects and agents of change within a democratic international system, it is necessary to analyse and define the boundaries of this culture, including its symbols, values, and objectives.

The international affirmation of human rights law and the Right to Peace is a focal point for recognising the fundamental role of grassroots activism in the defence and development of a new global governance system. Theories of International Democracy, Global Civil Society, and City Diplomacy provide a theoretical framework for the international role of local authorities in a world of upheaval regarding global governance and international relations. The prevailing fragmentation of the system, compounded by the expansion of multilevel governance and the principle of subsidiarity, signifies an opportunity for citizens and local authorities that have cultivated a culture of positive peace to assume the role of agents of change. These entities possess the capacity to expand the scope of international political participation and are equipped with the necessary instruments to address global challenges.

## **1. Political Culture**

In order to develop this research, it is necessary to commence with the definition of political culture, a central concept in political science, which designates the set of subjective ‘attitudes and orientations’ towards politics, shared by a community.

To provide a more thorough elucidation of the notion of political culture, it is imperative to conceptualise it as a medium through which human beings are socialised politically. Prior to the development of an explicit and conscious ideological vision, individuals ‘come into contact with the political system through political culture’ (Segatori 2012, 128). Consequently, to understand the notion of political culture, it is first necessary to define the

concept of culture itself. Culture may be defined as a 'product' of human activity, as well as a framework for the orientation of social meaning. A macro-to-micro analysis of culture reveals its division into three levels: the general culture of a society, spanning generations; the subcultures of more or less homogeneous classes and groups; and finally, personal cultures, which consist of the re-elaboration of values, norms, and behavioural models. Segatori (2012, 130) asserts that culture has the effect of providing a nation, a class, a group, or an individual with a precise 'identity', or a sense of shared belonging to a common social entity.

Consequently, a more precise definition of political culture can be proposed: as a general category, shared by all members of a society, and as an individual heritage, possessed by each individual. For Almond and Powell (1966), it embodies the cognitive, affective, and evaluative dimensions through which citizens engage with the political system. As Almond and Powell (1970, 91) argue, it is 'the subjective work that is the basis of political actions and gives them meaning'. It can thus be concluded that while general culture provides the tools for having a social identity, it is political culture that generates the political identity of individuals. In order to define the concept of political culture, Easton (1965) provides a valuable contribution to the field. Following the theoretical framework of systems theory, Easton interprets political culture as a vital component of diffuse support for the political system. This support is considered to be functional in terms of legitimising the system and ensuring its survival over time.

All contemporary studies on political cultures are fundamentally indebted to the seminal comparative work of Almond and Verba (1963), whose research culminated in *The Civic Culture*, developing the first modern definitions of political culture. Through conducting over a thousand interviews across five countries, the two scholars concluded that civic culture is synonymous with the political culture associated with democratic values. Informed by their data, the scholars identified three distinct types of political culture: parochial, subject, and participant. The parochial type is typically found in small localities, detached from the national reality and focused on the village or small group. The subject culture demonstrates an understanding and respect for political authority but is characterised by a passive political disposition, lacking active participation or the expectation of having a political impact. Conversely, the participant culture involves citizens who feel they are an active part of the political system, engaging through petitions, demonstrations, and organising pressure groups. The scholars initiated their analysis by investigating the extent of citizens' commitment to local governments, arguing that an effective democratic

system is predicated upon the individual's capacity to participate at this local level.

Despite contemporary critiques, *The Civic Culture* is recognised as foundational and methodologically necessary for developing key concepts in the field (Segatori 2012). The concept of political culture serves as an interpretive lens for understanding the interplay between citizens and institutions, particularly concerning the conditions that determine the development or fragility of democratic systems. By analysing the speeches, writings, and public statements of a social group, political culture facilitates a shift from the micro-level study of the political individual to the macro-level complexity of the political system, connecting individual attitudes to system characteristics (Almond and Powell 1966). Sartori (1969) proposed that political culture functions as an intervening variable, a mediating factor between institutional structures and individual behaviour. This means the functionality of institutions is not automatic, but rather contingent upon the subjective and collective attitudes (the political culture) of the actors who experience and interpret them. Finally, Parsons (1969) emphasised that political culture is never homogeneous; instead, it comprises political subcultures (social groups with divergent political views). These subcultures represent a potential risk of conflict or, alternatively, a valuable resource for democratic pluralism.

Whilst the classics of political culture focus on the relationship between the individual and the political system, more recent approaches emphasise the erosion of ideological affiliations and the centrality of emotions, communication, and non-conventional forms of participation.

Inglehart and Welzel (2005) have emphasised that such trends are conducive to democratisation in authoritarian societies, and to a form of democracy that is more oriented towards specific issues, more critical of elites, and more direct in societies that are already democratic. Notwithstanding this fact, the increasing prevalence of values pertaining to individual expression is propelling the development of a more authentic democratic system. The values associated with self-expression are inherently emancipatory and people-centred, thereby giving rise to a novel form of humanistic society that promotes human freedom and autonomy in multiple domains (2005, 43). In contrast, Norris (2002) posits that a robust political culture remains indispensable for the effective functioning of democracies. However, he observes that contemporary democracies are grappling with a pronounced deficit in this regard. Despite the persistence of a fundamental political culture, there is a discernible decline in trust in democratic institutions, a perception of an inadequate political offering,

and a decline in democratic participation. In their 2019 study, Norris and Inglehart (2019) conducted a comprehensive analysis of the emergence of the populist wave and the cultural response to cosmopolitanism and liberal modernisation. The authors posit that the gradual process of value transformation, precipitated by generational shifts, educational disparities, gender dynamics, and urban-rural differences, has exacerbated cultural divisions within numerous Western societies, thereby altering the relative equilibrium between liberalism and conservatism (2019, 45-46). These transformations therefore generate a reaction in a segment of the population that considers itself to be the custodian of traditional values, including social conformity, tradition, and order, and which views these as immoral and decadent.

Political scientist Ilvo Diamanti (2003) initially mapped Italy's political landscape based on three traditional prevalent cultures: the blue (liberal), the white (Catholic/Christian Democratic), and the red (socialist/communist). Over time, a 'green' culture emerged and stabilised, primarily associated with the *Lega Nord* (Northern League) and the federalist/independentist spirit of the Northeast. Following the Cold War's end, the traditional political cultural landscape further transformed, aligning substantially with Berlusconi's ideology. This shift entailed the elimination of ideological influences, leading to a newfound volatility amongst the electorate. Subsequently, Diamanti and Lazar (2018) advanced the hypothesis that the dissolution of robust political cultures in Italy has engendered the emergence of a novel dominant political culture: populocracy. It could be argued that the absence of political culture is a key factor in this phenomenon. By idealising the people and opposing them to the elites, new means of communication are exploited for the establishment of a consensus around strong leaders who no longer require intermediate bodies to govern and manage power 'emotionally'.

Pasquino (2015) elaborated on the dissolution of political cultures in Italy, building on the trajectory previously delineated by Diamanti. The author elucidated how leaders and communication have superseded political culture, while concurrently underscoring the ruling class's inability to formulate a novel political culture within the Second Republic. Pasquino consequently emphasises that the absence of elaboration is also evident in the new 'party schools'. The scholar emphasises that in order to cultivate a political culture, it is essential to have documents that serve as repositories for that political culture. These repositories, in turn, must be possessed by the teachers, who must possess the ability to elaborate and transmit this culture.

This final observation serves to redirect the focus back to the issue of the continuity and evolution of political cultures. In order to analyse this topic in an effective manner, the field of sociology, in dialogue with social psychology, has rediscovered and deepened a set of classic theoretical concepts, in which the concept of social representation plays a central role. Durkheim introduced the concept of 'collective conscience' to denote a form of shared thought within a human group that is capable of expressing the collective perception of reality and its elements (1923). When applied to the study of political knowledge and orientations, this concept enables a more precise analysis of the political culture (or subculture) of a given social group (Segatori 2012). Ambrogio Santambrogio (2006) has proposed the delineation of the contents of the social representations of the political sphere into three categories: symbols, values, and options.

«Symbols constitute the symbolic, and less reflective, dimension of politics, made up of slogans, flags, myths, songs, demonstrations, etc. The values dimension is more reflective in nature, with reference to that normative sphere which is of such significance for every political culture. In this dimension, the values of equality, freedom, solidarity and meritocracy, amongst others, are to be found. Finally, the concept of options refers to those cultural models that are more operative, and therefore more reflective, more immediately close to political practice and that influence it more. [...]. It can thus be posited that symbols serve as the medium through which the most fundamental 'reasons' are expressed, representing the nexus where identity manifests as mere belonging; values the 'reasons' of the heart; and options those of the mind» (2006, 258).

This classification already provides a useful indication of the manner in which the components of political culture may vary at different rates, thus facilitating a more profound comprehension of the actual mechanisms through which change occurs. However, it is also necessary to take into account certain psychological factors. In 2005, Serge Moscovici identified anchoring and objectification as the two main processes through which social representations are formed. Anchoring is defined as the process of associating a novel concept with an existing category, thereby rendering it more accessible and less unfamiliar. Objectification, in contrast, involves the transformation of a novel element into an autonomous representation that possesses inherent meaning, which gradually tends to stabilise. In this dual dynamic, it is possible to grasp both the aspects of continuity and the elements of discontinuity, which are always possible thanks to the facilitating role of anchoring.

It is therefore evident that the theoretical focal point of the research is political culture. The establishment and, most importantly, the affirmation of a distinct political culture, conceptualised as a series of symbols, values, and principles, is imperative for the substantiation of the pacifist movement and the realisation of the objectives of democratising the international system and the right to peace and respect for human rights.

## **2. Galtung's Reflection on Political Culture and Peace**

The necessity to cultivate a political culture to effect societal change is established, and the concept of a political culture of peace and human rights is introduced, understood as a set of practices, narratives, and values that promote non-violence, dialogue, and the peaceful resolution of conflicts. This culture is cultivated by social movements, educational institutions, and transnational networks, and has been analysed in particular in the tradition of peace research (Galtung 1996; Richmond 2008), which emphasises the importance of cultural infrastructures for peace at both local and global levels.

It is therefore necessary to commence with Galtung's inaugural theory (1969), namely that of positive peace, which contrasts with peace understood as the absence of war, and broadens the concept to include the absence of structural violence: the systemic condition that limits individual and collective life opportunities. In Galtung's model, violence is defined as encompassing not only physical manifestations, but also structural and cultural dimensions.

The concept of structural violence encompasses economic inequality, political oppression, and limitations in access to education and healthcare. Galtung attributes equal significance to the efforts required to overcome both personal and structural violence. Regarding the latter, he employs the pivotal concept of social justice, which is characterised in a positive sense as the equitable distribution of power and resources. This suggests a close interconnection between the theory of peace, the theory of conflict, and the theory of development. Peace research, understood as the study of the conditions that are necessary for the establishment of peace, will be in close relation to conflict research and development research. The former is frequently more pertinent to negative peace, while the latter is more relevant to positive peace, although there are significant overlaps between the two. Consequently, positive peace may be defined as the non-utopian pursuit of a society where personal violence simultaneously disappears

and social justice is built. The concept of social justice is not perceived as an embellishment of peace as the absence of personal violence, nor is the absence of personal violence regarded as an embellishment of peace as social justice (Galtung 1969).

The objective of establishing positive peace within society and culture contrasts with Galtung's subsequent theorisation (1990), which asserts the presence of cultural violence. This term refers to the elements of culture, including religion, ideology, language and art, that serve to legitimise and support both structural and direct violence. From this standpoint, peace becomes a normative undertaking, necessitating the transformation of inequitable systems and the nurturing of values such as equality, solidarity, and mutual recognition. Consequently, positive peace is inherently political in nature, necessitating a transformation in both institutions and social norms. In societies where political culture promotes active citizenship and mutual respect, the transformation of conflicts becomes more sustainable. Conversely, cultures marked by apathy, exclusion, or authoritarian norms are likely to demonstrate an inability to maintain long-term positive peace, even in the absence of violent conflict.

A significant number of scholars have contrasted Galtung's theories and peace research. In consideration of cultural violence, consideration should be given to Huntington's seminal work (2000), in which he theorises the 'clash of civilisations'. The scholar emphasised that the conflict that ensued at the conclusion of the Cold War is characterised by the values of disparate civilisations, and even contrasted Western culture, which respects human rights, with non-Western cultures that do not. According to this theorisation, the conflict over the respect for human rights has increased in intensity since the 1990s, even within international organisations, such as at the United Nations World Conference on Human Rights held in Vienna in 1993. In this instance, Huntington's analysis highlighted the Western underestimation of the cultural clash with other countries, leading to a document that lacked the necessary strength to truly implement the development of human rights.

Samuel Huntington's thesis on the 'clash of civilisations' has been the subject of much criticism due to its cultural essentialism and the risk of it becoming a self-fulfilling prophecy. Amartya Sen (2006) has highlighted how this approach reduces the identity of individuals to a single dimension of civilisation, ignoring plurality and context. Said (2001) defined the theory as 'an ideological caricature' that reinforces stereotypes and justifies aggressive political interventions. Furthermore, civilisations are treated as monolithic entities, with a neglect of internal dynamics and the possibili-

ties of dialogue (Halliday 1996), contributing to a dangerous narrative of inevitable conflict.

Antonio Papisca (2011) effectively disproved Huntington's theory by demonstrating the efficacy of third-generation collective rights, such as peace, development, and the environment, resulting from the inclusion of the principle of interdependence and indivisibility amongst the general tenets of International Human Rights Law.

The affirmation of interdependence and indivisibility was the product of a sustained multilateral effort. A pivotal moment was the 1977 proposal by the Non-Aligned Movement (NAM) within the UN Commission on Human Rights, which served to reaffirm this crucial principle. This position contributed significantly to shaping the multilateral debate and foreshadowed the principles that would subsequently be formalised. The Vienna Declaration and Programme of Action of 1993 represented a significant milestone. It formally established the universality, indivisibility, and interdependence of human rights, effectively overcoming the conventional dichotomies between civil/political and economic, social, and cultural rights. In the aftermath of the Vienna World Conference, the United Nations High Commissioner for Human Rights (OHCHR) was established, reinforcing the UN's global capacity for promotion and monitoring. Papisca (2011, 76) thus emphasises how the contributions of 'cultures different from the Western one have broadened the horizon of human rights, nourishing their real universalisation'.

This integration between structure and culture is consistent with Galtung's subsequent statement that peace must be 'cultivated' through peace education, media narratives, and collective memory (Galtung 1996). Consequently, political culture is not regarded as an external variable, but rather as a fundamental mechanism that shapes peace practices and expectations.

Finally, Galtung (1980) focuses on non-state actors as agents of change in international relations, proposing that global civil society should be regarded as the framework for the constitution of a new international order, in which the nation-state is not the only actor that holds sovereignty. This theory follows the path initiated by Richard Falk and known as the 'World Order Model Project' (WOMP), which emphasises how war is the product of human fragmentation and selfishness (Mascia, 2004). In order to overcome the belligerent culture and the political structure that feeds it, it is necessary to build a global society on genuine human values. This structural linkage between international peace and security, human rights, human development, social justice, and ecological balance is of particular

significance. According to Galtung, the prevailing societal structure is a primary driver of global violence, human suffering, repression, and ecological degradation. In order to achieve structural change in a peaceful sense, it is essential that 'non-territorial' subjects be incorporated into a democratised international system.

Galtung's theorisation on positive peace (1969) and the international system (1980) are therefore taken up by Papisca (1988) for the construction of his theory on International Democracy. The dissemination and construction of a political culture that can be defined as being for peace and human rights, or positive peace, are therefore necessary components for the development of these theories.

### **3. Antonio Papisca and the Strategy for a New Democratic International Order**

As early as 1980, Galtung had theorised that the advent of technological advancement had resulted in an escalation of structural violence, with the concentration of this violence in the hands of a select group of capitalists who hold monopolistic control over technological infrastructures. For the scholar, reversing this trend is necessary to democratise the foreign policy of states in order to create a global politics. According to Galtung, this can be achieved through the medium of international non-governmental organisations, which serve to ensure that the will of citizens is communicated from the centre to the periphery and vice versa. It has been determined that the process of establishing peace through the alteration of relations between states is a complex undertaking. The development of a global policy is best achieved through the establishment of relationships between smaller entities, between organisations, between cities, and through the implementation of individual and small group policies. It is imperative that all activities are conducted through the coordinating role of transnational and international governmental and non-governmental organisations (Galtung 1980).

Subsequent scholars have built upon Galtung's work on transnational associations. For instance, Papisca (1988) incorporated it into a more normative and legal framework related to international democracy. Additionally, studies on global civil society by Kaldor (2003a) and others have emphasised the complexity of the world of non-governmental organisations. The emerging role of sub-state entities will be at the centre of European

politics, theories of multilevel governance, and today of the new role of city diplomacy.

With regard to these subjects, the studies of various authors intersect and complement each other: Papisca (1988) theorises the necessity to construct an international democracy, comprehended as popular political participation in international political decision-making processes—a participation associated with the construction of a political power that is substantiated by human values as an institutional path to peace (Papisca and Mascia 2012). For scholars of this field, the approach of the institutional path to peace focuses attention on those aspects of the construction of a world order of peace and justice that relate to the principles, structure and functioning of international bodies and the role of actors other than states (Papisca and Mascia 2012, 17). The actors of international democracy are the same actors of internal democratic processes: that is, the peoples, in whom sovereignty originally resides. Consequently, non-governmental organisations and transnational solidarity movements are regarded as the international agents of change (Papisca 1988). Actors who are capable of working to establish a positive peace are those who proactively collaborate in the establishment of an international order that encompasses a solidaristic and collective perspective. The establishment of democratic practice as a constant within the international system is imperative to ensure the dissolution of the inter-governmental monopoly and the obstruction of the top-down tendency. In the context of international relations, the term ‘democratisation’ is employed to denote the process of direct legitimation and popular political participation in the functioning of international institutions (Papisca 1988; Mascia 2012a). It is therefore necessary to guarantee representation in the bodies of civil society and the institutions most representative of citizens, the peoples in whom sovereignty resides.

The democratisation of the international system must lead to a change in the role of war itself in international relations, from a tool for creating new global orders to a disease to be eradicated. This approach identifies two distinct analytical needs that must be conducted concurrently: the identification of the agents of change (i.e. peoples, non-governmental organisations and transnational movements) and the analysis of the strategies of change, which moves from the ‘interstitial wedge’ to the ‘constituent for a new democratic international order’ (Papisca 1988). The interstices that Papisca discusses are constituted by various international guarantees, bodies and committees, as well as the nascent forms of democratised international entities, such as the European Parliament. Amongst these, the system of legal norms and international human rights guarantees is argu-

ably the one with the most potential for change, as it is the one which could lead to the creation of a new international law based on the principle that human dignity must be respected (Papisca and Mascia 2012). For the two scholars, who are agents of change working for human rights and peace, the establishment of this new international law has already initiated a non-violent cultural revolution with the potential to serve as the catalyst for structural change within the international political system. The establishment of peace is contingent upon the democratisation of the international system, which is considered an independent variable in this context.

Concurrently, studies have emerged that explore the function of global civil society in the pursuit of democratising the international system. These phenomena emerged in the context of the international activism of civil society, a period that spanned from the late 1980s to the 1990s, and have continued to the present day. In these studies, non-governmental organisations and social movements are considered to be an integral part of Global Civil Society, a term coined by Kaldor (2003b) to denote the global process through which individuals engage in debate, influence, and negotiation with centres of political and economic authority, thereby establishing an ongoing social contract or a series of such contracts. Consequently, it is the organisations that are able to exert influence over policy-making.

Attinà (1999) posits that inter-governmental international organisations possess an inherent tendency to evolve and adapt to the democratic international system, thereby deviating from the direct control of the states that initially established them. The granting of consultative status to non-governmental organisations (NGOs) and the subsequent opening of the doors to the possibility of proposal and control functions of the organisations themselves, represents a significant opportunity for growth and democratisation.

According to Archibugi (2012), the process of international democratisation, which he defines as global democracy, even in the face of non-democratic states, is a more effective process of peacebuilding than simple peace amongst democracies, understood as peace only amongst those who share democratic values. The author emphasises the potential for democratic global entities to compel even non-democratic regimes to hold free elections, thereby initiating a positive internal spiral. In the same volume, Falk (2012) advances the argument that an increasing number of scholars are convinced that global governance can lead to global peace. However, for this to occur, the issue must first be extensively socialised. Falk's position is that the establishment of a world parliament, a global tax system,

and mandatory participation in the International Criminal Court and the International Court of Justice would create the necessary framework.

According to Marchetti (2021), global governance differs fundamentally from traditional governance by not requiring the same level of centralisation, formalisation, or integration. Global governance is built upon a system of norms, rules, and procedures designed to address issues on a worldwide scale. Crucially, this system operates without necessitating a single, centralised source of power. The rising interconnectedness of the global community has increased the demand for institutions capable of regulating interactions amongst diverse international actors. The establishment of these structures is essential for fostering cooperation that would otherwise be impossible to achieve through ad hoc calculations of self-interest within the heterogeneous political arena.

In a collective work that analyses how current and future global crises can no longer be overcome by national governance, Williams (2024) recalls that it would be enough to start again from the United Nations Charter. The document in question has already imagined a future that has yet to be realised, and which 'those who believe in the promise and possibilities of a future defined by human security and a better planet for all refuse to accept that nothing can be done to realise a future like the one described by the United Nations Charter' (Williams 2024, 101). It is governments, international organisations and bodies, and civil society that, by working in collaboration, have demonstrated the feasibility of effecting change. The UN Charter itself represents the primary and most fundamental of the aforementioned 'interstices', as theorised by Papisca, which may yet enable the establishment of a positive international peace system.

#### **4. International Democracy and Human Rights**

In light of the prevailing paradigm of global change, scholars have developed a range of theories, including Papisca's International Democracy and Kaldor and Falk's Global Civil Society. These theories adopt a human-centred and socially useful perspective, emphasising the importance of influencing the behaviour of politicians to facilitate discussions on international affairs in accordance with the principles of the democratic system. The objective is to shape global society on the basis of authentic human values (Papisca and Mascia 2012) and the establishment of a sustainable statehood 'that assumes the responsibility of managing planetary interde-

pendence from a human-centred perspective and with transparency, starting from a core of universally shared values' (Papisca 1992, 14-15).

It is evident that, over time, the notion of International Democracy as a foundational principle for a new world order has undergone a process of consolidation, largely attributable to the evolution of international human rights law. The establishment of a multilevel legal system, recognised as a fundamental aspect of international law, is evidenced by the Universal Declaration of Human Rights (UN General Assembly 1948). This system acknowledges the rights of the human person as an absolute priority, superseding the concept of state sovereignty.

Human rights law has been structured around two major families of rights: individual, civil, and political rights recognised by the International Covenant on Civil and Political Rights (1966); and collective, economic, social, and cultural rights recognised by the International Covenant on Economic, Social and Cultural Rights (1966). These include the right to development (Declaration on the Right to Development 1986) and the right to self-determination of peoples (Mascia and Papisca 1991). The fundamental principle that underlies these instruments is human dignity, which is understood as a non-derogable normative basis, a legal foundation, and an engine for a structural transformation of the international system. The predominant process of change that has exerted a favourable influence on the evolution of a political culture of peace is the international legal recognition of human rights (Papisca 2008).

There is an emerging recognition amongst scholars that human rights are becoming an engine. As Attinà (1999, 64-65) asserts, 'the democratisation of the international system is therefore based on the realisation of the conditions that allow for the exercise of human rights throughout the planet, whether they are fundamental individual and collective human rights, civil and political rights, economic and social rights, cultural rights or environmental rights'. This process is part of the so-called 'institutional path to peace' advocated by Papisca (1988), through which the international community, through norms, institutions, and participatory practices, can achieve a peaceful and just order.

From this standpoint, the proscription of war is not merely a legal provision as evidenced by Article 2.4 of the UN Charter (1945), but rather an ethical-political objective that is realised through the development of human rights law and the affirmation of individual responsibility for crimes against humanity. The establishment of the International Criminal Court under the Rome Statute (1998) signifies a pivotal moment in this regard, as it enables the prosecution of individuals accused of genocide, war crimes,

crimes against humanity, and, since 2010, crimes of aggression. This development effectively legitimises the stance that warfare should not be employed as a means of political gain, thus marking a significant shift in global political discourse and international law.

In this particular context, the United Nations Commission on Human Rights, which was established in 1946, was a primary catalyst in the development of international human rights norms, contributing to the adoption of significant conventions, including those addressing torture, the rights of the child, and the rights of persons with disabilities. Despite its composition of states, the Commission has developed formal and informal channels over time for the participation of civil society organisations. The activism of these organisations has strengthened the UN's ability to respond to demands from 'the bottom' (Keck and Sikkink 1998). In 2006, the Commission was replaced by the Human Rights Council, which has maintained and expanded these spaces, consolidating forms of transnational deliberative democracy in which NGOs can influence the agenda and content of decisions (Simmons 2009). This model is clearly distinguished from other regional venues, such as the Council of Europe, where, although forms of consultation exist, the decision-making process remains predominantly state-centric and less permeable to the direct influence of civil society (Risse et al. 1999). Following the same line of reasoning, Papisca (2011) anticipates the establishment, within the UN, of an entity analogous to the European Union's Committee of the Regions. This entity would be charged with the function of articulating a series of formal opinions on UN resolutions and decisions.

Papisca's approach is further reinforced by the UN's recognition of the right to peace. As early as 1984, the General Assembly proclaimed the 'right of peoples to peace' (A/RES/39/11), yet it was not until the Declaration on the Right to Peace (A/RES/71/189, 2016) that the principle that 'every human being has the inherent right to enjoy peace' was formally recognised. This right, although not yet legally binding, is declared as interdependent and indivisible with respect to other human rights, and implies the realisation of structural conditions that guarantee security, justice, participation, and freedom. In this sense, the concept of positive peace (Galtung 1969) is strengthened, understood as the overcoming of structural causes of violence, and the idea that rights are not only a defence against external interference, but also tools for satisfying the basic needs of individuals and peoples, such as food, health, education, drinking water, and security. These needs form the basis of economic, social and cultural rights, and

are necessary conditions for democratic participation and self-realisation, both on an individual and collective level.

Human rights law has been instrumental in establishing a new global governance architecture, emphasising the centrality of the individual, recognising peoples as active subjects, and establishing international jurisdiction over systemic violence. The norms, legal footholds, and the process of approval and growth of human rights law fully represent the theory of interstices (Papisca 1988) that are fundamental for building a more just world order. For agents of change, these are opportunities to be identified and exploited in order to achieve structural change. Through these legal and institutional mechanisms, a concrete trajectory towards the democratisation of the international system is delineated, in which peace is no longer considered an abstract utopia but rather an actionable legal and political horizon. Papisca proposed a significant international political initiative that sought to enhance the protection of human rights. This initiative encompassed a substantial shift in the approach to human rights, moving from a system of complaints and reports against states to the establishment of individual appeals and jurisdiction. To summarise, the author expressed a desire for 'the establishment of an International Human Rights Court' (Papisca 1988, 119-120).

## **5. Multilevel Governance and the Principle of Subsidiarity**

Papisca (2012) emphasises how the European Union, by establishing itself with a 'secretly' federalist spirit, has laid the foundations for one of the strongest interstices amongst the supranational embryos. The principle of subsidiarity, which stipulates that competencies and decision-making responsibilities must be assigned to the level of government closest to the citizens and which is set out in the Treaty on European Union (TEU Art. 5, paragraph 3), has, in fact, resulted in the establishment of a system of multilevel governance. This system has, over time, strengthened local authorities in their efforts to promote peace. For local authorities, peace is invariably understood to be multi-dimensional and all-encompassing, with regard to both international and social peace. It can thus be concluded that local authorities naturally fall within the remit of stakeholder involvement in human security and its development, and thus contribute to the construction of positive peace (Papisca 2012).

The theoretical framework of Multilevel Governance (MLG) has evolved in conjunction with the principle of subsidiarity, as articulated within the

TEU. According to Føllesdal (1998), this interconnection has exerted an influence on the political objectives and policies of the European Union, the member states, and, by extension, local authorities. According to Mascia (2012b), MLG signifies the progression of transnational democracies—a consequence of the pressing necessity for a democracy that transcends national boundaries, a governance that is pluralistic, a law that universalises in accordance with human rights, and a citizenship that becomes multifaceted.

Multilevel governance can therefore be defined as a concept of policy-making that has the potential to reinvigorate studies in the fields of peace and human rights. There is an acknowledgement of the relevance that local and regional government authorities have assumed in the international political system. Indeed, the concentration of decision-making power has become diffuse, no longer residing exclusively with national actors but distributed amongst a multitude of entities operating at various levels: sub-national, national, international, and transnational (Jorgensen 1997). Amongst these, a sharing of power takes shape through ‘policy networks’ intended to ensure collaboration between ‘multiple layers of authority’. In summary, MLG characterises the international system as a series of interwoven competencies across multiple levels of government, in addition to the dynamic interaction of political actors within these various levels. This phenomenon has been termed a ‘tripartite escape of authority’ (Aalberts 2004), whereby authority is said to escape from national governments upwards (international organisations), downwards (empowerment of local and regional authorities), and around national power (public-private governance networks). This process involves a collective decision-making process that significantly reduces national governments’ control, gate-keeping, and representation capacities. It also involves the overcoming of the traditional distinction between domestic and international politics, especially due to the quantitative and qualitative development of transnational actors (Hooghe and Marks 2001).

In the context of the history of European integration, the ‘spillover mechanism’ has been identified as a central concept by functionalist scholars. According to Mascia (2016, 8), the spillover mechanism can be defined as ‘the automatic process that makes possible the gradual qualitative and quantitative increase of integration, through the expansion of integrative mechanisms from the original, well-defined functional sectors to other, more demanding functional sectors, up to affecting the field of politics understood also in its electoral-representative expression’.

The term 'MLG' is used to denote the overcoming of the functionalist thinking of the spillover mechanism. Today, in conjunction with International Democracy, it is 'useful to strengthen the analytical framework related to the European integrative process, also and above all to understand the complexity of the scenarios and the variety of roles and actors, both state and non-state, that operate within them' (Mascia 2016, 33).

The construction of a European 'state' is, for Piattoni (2010), a success story of the peripheries that have claimed their democratic role against the centres of power. The concepts of centre and periphery extend beyond geographical definitions, encompassing political and cultural dimensions. A substantial corpus of literature has explored the manner in which the prevailing culture has determined the centre of a state. In the European system, peripheral minorities are now protected, as evidenced by the Basque Country, Catalonia, and numerous other regions of the Union (Piattoni 2010). As Mascia (2012a) asserts, this phenomenon is intrinsically linked to the formal adoption of the principle of subsidiarity within the EU system and the legal recognition of human rights at the international level. These two elements have collectively served as a constant *leitmotiv* in the political development of the European Union.

The Committee of the Regions (CoR) defined the implementation of multilevel governance as resting on the principle of subsidiarity in 2009. The principle of subsidiarity is defined as 'the principle of avoiding unnecessary centralisation of power and ensuring that policies are developed and applied at the most appropriate level' (Committee of the Regions 2009). The principle of subsidiarity and multilevel governance are two inseparable aspects. The former concerns the competencies of the different levels of power, while the latter emphasises their interaction (CoR 2009). This gives us a sense of the importance of the bottom-up role in building European policies.

In the opinion of Piattoni (2010), who further explores the democratic and non-democratic systems of the European Union, it is precisely MLG that allows for the participation and representation of interests in decision-making power. Whilst this is not always guaranteed at the national level, the principle of subsidiarity ensures that it becomes a natural mechanism involving local authorities, civil society, and other interested parties. The European Union, as Papisca would say, is the perfect example of this; MLG is therefore the method by which local authorities can implement their policies on peace and the defence of human rights at the European level.

## 6. City Diplomacy and the Role of Local Authorities

In the contemporary global context, cities and local governments are assuming a prominent role on the international stage, providing support and, in certain instances, compensating for the function traditionally fulfilled by states and non-governmental organisations. The inaugural World Conference on City Diplomacy was convened in 2008 in The Hague, and the concluding document of the conference incorporated the definition of city diplomacy, which defined it as (2008, 1):

‘The instrument of local governments and their associations to promote social cohesion, conflict prevention, dispute resolution, and post-conflict reconstruction, with the goal of creating a stable environment in which citizens can live together in peace, democracy, and prosperity’.

As Marchetti (2023) observes, globalisation has triggered a transformation of the international system: from a rigidly state-centric structure, it is moving towards a dynamic continuum in which subnational, national, and supranational levels coexist and interact. The increasing importance of city diplomacy is indicative of this phenomenon. This is the set of activities through which urban authorities, particularly municipalities, conduct international relations outside the official channels of state diplomacy.

This phenomenon manifests in diverse forms, ranging from bilateral agreements between cities (e.g., twinning) to participation in transnational municipal networks, and even direct intervention in major international forums, such as UN climate conferences (COPs). As posited by Michele Acuto (2013), the concept of city diplomacy denotes the process through which urban entities engage in relations extending beyond their immediate boundaries, with the objective of representing themselves and pursuing their own interests. It is therefore configured as a form of subnational internationalism, capable of blurring the traditional boundaries between domestic and foreign policy, and expanding the range of actors legitimised to influence the global agenda.

The evolution of cities as diplomatic actors is a gradual process, marked by their increasing influence and contribution to redefining the contemporary diplomatic landscape. Endowed with democratically legitimised representative powers, cities are now subjects of theoretical attention, particularly within multilevel governance frameworks. The study of city diplomacy involves analysing complex decision-making systems where authority is distributed and contested across institutional levels. Tavares (2016) highlights how cities operate within governance architectures that extend beyond national borders, interacting with supranational ac-

tors while simultaneously acting as pivotal decision-making nodes. Consequently, city diplomacy challenges conventional international relations distinctions between internal or external affairs and sovereignty or interdependence. Marchetti (2021) observes that contemporary cities are both influenced by globalisation and actively involved in shaping its orientation. Given that policies from international institutions (including the UN, World Bank, and IMF) directly impact their functioning, cities have emerged as strategic locations for mediation and innovation in global relations. They act as conduits for global flows, centres for the production of goods and services, and crucial spaces for social aggregation and cultural exchange.

On this very topic, an interesting analysis of city diplomacy is found in the work of Manfredi-Sanchez (2020), who hypothesises how charismatic mayors and 'superstar cities' can concentrate the added value of international connections on themselves, thereby preventing smaller and less 'lucky' cities from developing and taking advantage of globalisation. This hypothesis, by offering a purely profit-driven interpretation of city diplomacy, imagines a future characterised by even greater disparities between 'hub cities' and 'peripheral cities'. Conversely, in response to the growing inability of national governments to reach effective agreements on a global scale, cities have begun to turn to each other, creating structured alliances to advance common interests and goals. In recent decades, these networks have evolved into authentic urban coalitions, demonstrating the capacity to collectively address a broad spectrum of challenges, ranging from climate change to public health, from security to infrastructure, and even peacebuilding (Marchetti 2021). In this sense, urban diplomacy not only engenders a sense of civic engagement in relation to global affairs, but also serves to address the democratic deficits that are characteristic of present-day international governance.

It can be regarded as an institutional platform with the capacity to effectively connect the local and global dimensions, thereby strengthening participation, accountability, and a sense of civic ownership. Cities, as public actors rooted in their territories yet open to the international dimension, embody a 'glocal' governance model that allows them to influence global politics from the bottom up.

'State diplomacy is now accompanied by a multicentric para-diplomacy, composed of numerous actors including local authorities. The various actors in question claim institutional legitimacy based on their electoral mandate, effective powers, competencies, degrees of autonomy, and resources' (Marchetti 2023, 86).

In an intriguing study on the role of cities in 'new wars', fought with technologies, IT systems, and networks, Kaldor and Sassen (2020) hypothesise how cities have a new strategic role compared to states in international economic relations. The two scholars observe the correlation between contemporary warfare, characterised by the targeting of civilians in urban settings, and the emergence of internal strife within metropolitan areas, marked by intensifying social discord. The researchers therefore pose the question of whether the resilience of urban competencies might be born precisely from the need for new solidarities in cities that are facing major challenges, such as violent racism, armed conflicts, or environmental crises. In summary, the central question is whether urban areas can function as agents of change towards the social justice theorised by Galtung. In this regard, urban areas can be regarded as a microcosm of society. Consequently, the inter-urban relationship can assume a role in conflict resolution, reconstruction, and the welcoming of individuals in need from other regions, as well as fostering reconciliation by instilling new hope and purpose (Galtung 2000).

Concurrently, recent studies have concentrated on the more profound theoretical ramifications of this approach. In particular, the practice of city diplomacy has been interpreted as a mechanism capable of redefining fundamental concepts of international politics, including sovereignty, representation, and collective action. Indeed, urban areas do not merely adopt external norms, but also proactively contribute to their refinement and propagation. Adopting the role of authentic 'norm entrepreneurs' (Acuto and Leffel 2020), they advocate for values such as sustainability, inclusion, solidarity, and peace, positioning themselves as incubators for political and cultural innovation. As asserted by scholars Klem and Frerks (2008), local authorities have the capacity to assume an active role in peacebuilding processes. This involves the promotion of direct citizen involvement and the action of local authorities based on the social contract that binds them to local communities. Concurrently, the development of local, national, and international networks contributes to the consolidation of a diplomacy of cities oriented towards the promotion of peace and human rights.

This theoretical framework provides the necessary coordinates to interpret the case study of the PerugiaAssisi March and the National Coordination of Local Authorities for Peace and Human Rights. By applying the concepts of multilevel governance and city diplomacy, these experiences can be regarded as concrete exemplifications of a political culture oriented towards the establishment of peace. Within this context, local actors function as agents of change, translating individual and community concerns

into initiatives with national and international resonance. The contribution of these actors is not confined to symbolic action, but is rooted in a concrete commitment to peace education, the defence of fundamental rights, and active participation in the transformation of territories (Lotti and Giandomenico 1996; Lotti et al. 1999).

Local authorities are currently confronted with a plethora of global challenges, ranging from the climate crisis to inequalities, from armed conflicts to migration, which have a profound impact on the daily lives of citizens. This necessitates a re-evaluation of the relationship between local and global: municipal policies can no longer be regarded as isolated from international processes. Indeed, precisely because of their proximity to the population and people's basic needs, local governments are called upon to assume a central role in the protection of human rights and the promotion of positive peace (Papisca 2011).

This responsibility is rooted in a legal and political foundation, as outlined in the United Nations Declaration of 1998 on the right and responsibility of individuals, groups, and organs of society to promote and protect universally recognised human rights and fundamental freedoms. This Declaration is widely regarded as a foundational document for human rights defenders. The text makes an explicit acknowledgement of the legitimacy of non-state actors, including local governments, in their efforts to uphold fundamental rights and freedoms.

Moreover, the increasing international recognition of local and regional governments is bolstered by a consistent practice of transnational cooperation, as well as by international human rights law (Committee of the Regions 2015). In the context of peace and human rights, local authorities assume a pivotal role in safeguarding human dignity, catalysing participatory democratic processes, and fostering active citizenship that transcends geographical boundaries, extending from the urban to the global realm. In this sense, the principle of subsidiarity finds a concrete application in the practice of city diplomacy, which allows municipalities to participate in the political choices that take place at the supranational level, in coherence with the mandate received from their own community (Marchetti 2023).

As Papisca (2008) has demonstrated, local authorities are increasingly being called upon to contribute to international decisions, to respond to the expectations of citizens and to consolidate the pact of trust that binds them to civil society. This approach is consistent with a renewed concept of global citizenship, which recognises the defence of human rights as a shared task starting from the institutional levels closest to the individual.

## **Conclusion**

In light of the research conducted on the case study of the pacifist movement associated with the PerugiaAssisi March for Peace and Fraternity, and its role in promoting a political culture for peace within Italian local authorities, this literature review has encompassed the relevant theories and academic literature necessary to study and deepen a series of local and national phenomena, situating them within the broader international context.

Firstly, it was necessary to delve into the concept of political culture and the manner in which it can be studied and analysed from a political and sociological perspective. It is imperative to integrate this political culture, and its contemporary national and international interpretation, with the lens of Peace Studies. This integration is essential to comprehend and analyse the political culture of peace that has been cultivated within the aforementioned pacifist movement and amongst Italian local authorities. To expand upon these insights, the study incorporated the seminal works of Galtung on positive peace and Papisca on human rights, in addition to the established classics of political and sociological literature.

The objective of the present research is, therefore, to analyse the political culture for peace and human rights, and the manner in which a local authority can operationalise it at an international level. In order to achieve this, the literature review has sought to provide a comprehensive overview of the theoretical underpinnings espoused by Papisca, Kaldor, Falk, and Mascia. This approach has been undertaken to foster a nuanced understanding of the democratisation process within the international system. By doing so, it emphasises bottom-up approaches that broaden the intellectual foundation of theories advocating for a culture of human rights as a pivotal instrument for systemic change.

In addition to these elements, the principles of subsidiarity and multi-level governance are employed as instruments that allow local authorities to act within the international system. Furthermore, recent theoretical developments in the domain of city diplomacy are utilised to comprehend the prospective role of local authorities as they aspire to disseminate and cultivate a political culture conducive to both positive peace and human rights. Ultimately, this research demonstrates that city diplomacy serves as the practical vehicle through which the normative ideals of international democracy and positive peace are translated into local and global action.

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# On the Importance of Addressing Western Propaganda: A Literature Review

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**Abstract:** This literature review traces the evolution of Western propaganda – primarily U.S.-driven – from early 20<sup>th</sup>-century conceptualisations by Lippmann, Bernays, and Lasswell, which emphasised psychological manipulation and mass persuasion, through its post-WWII rebranding as “information” to evade ethical scrutiny. It applies Hallin and Mancini’s media homogenisation argument with insights from the hegemony and media consensus schools of thought to reveal how mainstream outlets manufacture consent for specific foreign policy decision, marginalising dissenting views. Transitioning to “techno-feudalism”, where cloud capital lords dominate thanks to digital platforms and data collection practices, the analysis explores computational propaganda in a post-truth infosphere, characterised by attention scarcity. The article concludes with a call to collective critical resistance to the seemingly engineered control of narratives and marginalisation of alternative viewpoints in democratic spaces.

*Keywords: Propaganda; Media; Palestine; Israel; Human Rights.*

## 1. Introduction

The present work proposes a theoretical reflection on the notion of propaganda, starting from its early conceptualisations, through the developments that fundamentally shaped its understanding and concluding with the contemporary debate on its definitional capaciousness. This division follows the evolution of the media that have served and still serve today as vehicles for propagandistic messages, encompassing mainstream media

such as newspapers and the TV as well as digital platforms such as social media apps. The first macro-section of this article focuses on propaganda and the various elements that characterise the notion and differentiate it from other phenomena such as public diplomacy. The focus then shifts to mainstream media, with special emphasis to the capitalist hegemony and media consensus (or gatekeepers tradition) approaches. These are concerned with analysing narratives promoted by Western governments and how these are subsequently endorsed by mainstream media to manufacture consent for foreign policy decisions. Therefore, this review can also be ascribed to the subset of media effects, agenda-setting and framing research, whose attention is precisely on how mass media messages influence and shape public opinion. Following the idea that the capitalist system that has shaped world economies for decades has now been replaced by a techno-feudal system, the second macro-section of this paper examines the information environment of our “post-truth” society. Indeed, the contemporary infosphere is characterised by new outlets such as social media platforms, used – among other things – as sites of news production and dissemination as well as information gathering. These processes that are in turn mediated by new technologies such as algorithms and Artificial Intelligence (AI) which further complicate the study of propaganda processes.

The object of analysis is US propaganda and most of the studies used here come from Western institutions—there will be some references to other propaganda systems, namely Israeli *hasbara*, but they will merely be used as clarification of a specific conceptual debate. Following Hallin and Mancini’s findings on media homogenisation (2004) and considering the closest alliances that sustain US hegemony, the debate can be expanded and applied to other democracies in the “West”, thus making “Western propaganda” the object of this study. While the potential for conceptual stretching is well-acknowledged, this label serves to reflect geopolitical realities in propaganda studies and serves as point of departure from an abundance of studies on propaganda campaigns promoted by non-democratic actors. One final note on the use of the ‘democracy’: the label is merely a reflection of their self-perceptions and desired outside projections and does not necessarily refer to the nature of the regimes themselves—a debate that is beyond the scope of this article.

## 2. Propaganda and its Definitional Capaciousness: Notes from Media Studies and Journalism

The interest in propaganda as a distinct field of study is relatively modern and can be viewed as the result of a series of developments that characterised the beginning of the 20<sup>th</sup> century. Such developments include a novel awareness of the necessity to manage the “masses”, uprooted by industrialisation and mass migration, the opportunities presented by new mass communication technologies, the emergence of psychology as a field of scientific inquiry, and “the urge to mobilise these populations in the teeth of total war on a scale never seen before” (Benkler et al. 2018, 24-25). In fact, it was in this context that in the 1920s Walter Lippman, American political journalist and essayist, wrote in his seminal work “Public Opinion” that “persuasion has become a self-conscious art and a regular organ of popular government”, warning his readers that this art “will alter every political calculation and modify every political premise” (Lippmann 1998, 248). Perhaps the magnitude of these alterations is more visible than ever today, in what some have called the “post-truth era” (Ghosh 2022): propaganda efforts are amplified by newer and exceptional technologies, facilitated by the internet, social media and other platforms, and powered by algorithms and artificial intelligence, effectively blurring the line between what is real and what is manufactured. Understanding this extremely complicated information environment requires a dutiful and thorough study of the origins of propaganda, outlining its defining characters and the mechanisms upholding it: this is precisely the objective of this section.

Early scholars viewed propaganda as an essential part of every government, be that democratic, authoritarian or other. Some even went as far as claiming that

The conscious and intelligent manipulation of the organized habits and opinions of the masses is an important element in democratic society. Those who manipulate this unseen mechanism of society constitute an invisible government which is the true ruling power of our country.

We are governed, our minds are molded, our tastes formed, our ideas suggested, largely by men we have never heard of. This is a *logical* result of the way in which our democratic society is organized. Vast numbers of human beings must coöperate in this manner if they are to live together as a smoothly functioning society (emphasis added) (Bernays 1928, 9).

Therefore, propagandising on the masses is viewed by Bernays as a logical postulate for democratic governance and as the only means to successfully manage large numbers of people. However, an important distinc-

tion needs to be made between propaganda during peacetime, based on manipulation of desires, beliefs and ideas and the consistent indoctrination efforts built on fear and intimidation that characterise the harsher type of propaganda usually employed during war. The latter is often labelled “atrocious propaganda” (Ribeiro 2025; Welch 2025) and it is usually concerned with the demonisation of the enemy, as will be further discussed below. The idea that all governments resort to propaganda irrespective of the nature of their regime as well as the distinction between ‘soft’ and ‘hard’ propaganda is also emphasised by Lasswell: he argues that “all governments are engaged to some extent in propaganda as part of their ordinary peace-time functions” (Lasswell 1927, 14), and yet “it is public opinion and propaganda in war-time which calls forth the most strenuous exertions” (*lvi*, 8). In essence, it is not possible to win a confrontation without a unified nation behind it, which in turn can only be achieved by controlling the minds of its people, i.e. maintaining morale—a substantial effort in war-time.

Another crucial element emphasised by these early scholars is the idea that in order for propaganda campaigns to be effective, the propagandist needs to have at least some rudimentary knowledge of psychology. Studying the workings and motives of the psychology of the masses is imperative to be able to influence group emotions and one of the most effective ways to do so is to rely on stereotypes and “established, familiar, and recognizable themes, tropes, and myths” (Zelizer 2025, 23). This well-known propaganda technique allows to promote highly resonant and fleeting messages, ones that blur the confines between fact and personal belief, thus increasing propaganda’s own ephemerality and making it a harder target of analysis (*Ibid.*). Once again, leveraging stereotypes takes its most brutal form during wars: as Welch explains, “once guilt for the war is pinned on the enemy, the next step is to make the enemy appear savage, barbaric, and inhumane” (Welch 2025, 30)<sup>1</sup>. It is precisely the extraordinary levels of propaganda reached during both world wars, the brutality of ‘stereotypes of the enemy’ and the fear that these had instilled in the collective imaginary that contributed to propaganda’s negative reputation thus calling for a rebranding of the notion itself—indeed, in 1948 the US Congress recognised ‘information’ campaigns as an instrument in the direction of foreign publics (Block 1948, 678). This is important because using the more neutral ‘information’ instead of ‘propaganda’ allowed to bypass any

<sup>1</sup> The enemy can reside “within” a system (e.g. anti-Jewish motifs in Nazi propaganda) or “without” (e.g. British propaganda depicting German atrocities during both world wars).

ethical responsibility for ‘influencing’ anyone (*Ibid.*) and is likely responsible for the plethora of vocabulary that is used today to talk about “practices of obfuscation” (Zelizer 2025, 24), e.g. disinformation, fake news, misinformation, and so on.

Interestingly, 1948 is also the year in which Orwell wrote *1984*, arguably the piece of fiction literature that is most often quoted by media and communication scholars when discussing propaganda. Orwell’s view of propaganda derives from his experience of the Spanish Civil war: he insists on the importance of language as a process that limits people’s ability to think outside of the framework imposed by the propagandist and, as a result, makes it harder for other perspectives to emerge. He argues that controlling the narratives around specific events allows propagandists to rewrite the past, control the present and shape the future in ways that serve their interests. This is of course most effective if the effort reaches the greatest possible number of people, something that Ellul has termed “total propaganda”. The argument is that “the propagandist must utilize all the technical means at his disposal [...] because each usable medium has its own way of penetration, which is specific, localised and limited”<sup>2</sup> (Ellul 1965, 18). In essence, different types of media are suited to specific types of propaganda, therefore complementing each other and surrounding the public both in their private and their public life. Similarly, Parenti has argued that the cultural order is not independent of the business system: on the contrary, business leaders are concerned with making sure that cultural life coincides with the demands of industrial production and the public is supportive of the existing social order (Parenti 1986, 3)—and this is precisely where propaganda and the entertainment industry collide.

Zelizer (2025) reflected on propaganda’s definitional capaciousness, asking herself whether the various expressions that are frequently used nowadays to describe seemingly different phenomena such as misinformation disinformation etc. are a symptom of such capaciousness or are simply being misused. To bring about some clarity on the matter, it is vital to distinguish between propaganda and its tools: the definition used for the purposes of this work is propaganda as a process, in line with earlier characterisations of propaganda as ‘activity’, initiated by both state and

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<sup>2</sup> In a similar way van Dijck, speaking about social media, argues that “most organizations operating these platforms aimed at penetrating a particular online activity with their coding technologies, and, ideally, their brand name would become the marker for a specific mediated activity” (van Dijck 2013, 7): because of the specific affordances of each digital platform, they each have their own way of feeding content to their audiences and will therefore appeal to different sections of the population.

private actors with the aim of changing or managing the audience's beliefs, ideas, and preferences regarding a specific issue. To reach this goal, propagandists can use various techniques such as manipulation and distortion of facts, distraction<sup>3</sup> (Aouragh 2016; Durante and Zhuravskaya 2018), omission, dissemination of half-truths or fabrication of outright lies. This list is non-exhaustive: it encompasses anything that can, by itself or in combination with any of the aforementioned tools, limit people's ability to think outside of the framework imposed by the propagandist. The *intent* is not necessarily to deceive, it is to convince of the validity of the view that is propagandised—though as mentioned, *deception* is one of the techniques used to reach that goal. The next section will focus on the democracy/information and autocracy/propaganda dichotomy to highlight once more the importance of using the correct terminology to discuss a phenomenon: the emphasis will be on Israeli *hasbara*<sup>4</sup>, often labelled as “public diplomacy” in an effort to eschew the more negative connotations tied to “propaganda” and maintain Israel's desired projection of a benevolent actor.

### 2.1 The ‘Public Diplomacy’ Dissonance

This section discusses the imperative of differentiating between propaganda and public diplomacy: the epistemological overlap between the two notions is likely to result from a propaganda “rebranding” effort that transpired at the end of World War II and discussed by Ralph Block in his essay “Propaganda and the Free Society” (1948). During both world wars, the US government, much like every other government involved, used propaganda as a tool to implement its foreign policy: this practice stirred the American public's aversion to propaganda as it betrayed the democratic principle whereby decisions are based on facts rather than personal beliefs (Block 1948, 678). This is why – as briefly mentioned above – in 1948 the US Congress recognised ‘information’ campaigns as an instrument in the direction of foreign publics, thus bypassing any ethical responsibility for ‘influencing’ anyone and appeasing American moral ideals (*Ibid.*). However, Block also highlighted the American public's acceptance of propaganda disguised as advertising, which is so pervasive to the point of becoming an integral factor of social and economic patterns in the US (*Ivi*, 679): once again, the interconnectedness between the fields of propaganda, market-

<sup>3</sup> Distraction by itself does not amount to propaganda; however, it can contribute to the effectiveness of propaganda campaigns as it muzzles facts, events, or even narratives that might lift the veil and expose propaganda efforts for what they are.

<sup>4</sup> “Hasbara” means “to explain” in Hebrew.

ing, PR and advertising is reaffirmed, underscoring how private actors such as businesses can play a significant role in propaganda campaigns.

For instance, in the context of the 1990-1991 Gulf war, “the Kuwaiti monarchs in exile hired the PR firm Hill and Knowlton to ensure sufficient support from the American public, Congress, and the US media for an American-led war to remove Saddam Hussein from Kuwait” (Gilboa 2008, 60). Such a campaign has been described by a strand of academia as “strategic public diplomacy”, falling under the “domestic PR model” (*Ibid.*). However, the tactics employed during the campaign included presenting the ‘enemy’ as an inhumane entity capable of killing newborn children, a story that later proved to have been fabricated but only after the US-led “operation” in Kuwait had ended: persuading the public through the dissemination of falsehoods is a classic propaganda technique, a wager on the ephemerality of the message to deliver results before quickly moving on to the next item on the agenda. While it is true that the story was fabricated by a PR firm and commissioned by a foreign entity with seemingly no involvement of the US administration, it is important to highlight that President Bush himself referenced the story a number of times to rally consensus for the operation. Therefore, this example is quite valuable as it offers insights on the interplay between propaganda and public relations as well as on the marginality of propaganda production sites.

The rebranding of propaganda is also likely responsible for the common fallacy according to which only autocratic and totalitarian regimes resort to propaganda, while democracies remain immune from it. This dichotomy is particularly evident in the treatment of *hasbara*, the strategy employed by the Israeli government to *explain* its positions and promote images of itself to the outside world while consistently pushing the debate away from the policies of apartheid, occupation and now potentially genocide enforced on Palestinians. Aouragh (2016) categorises Israeli *hasbara* as a ‘public diplomacy’ effort, which according to her, leads to some contradictions, i.e. despite increased *Hasbara* efforts aimed at improving Israel’s reputation and mobilise international support, Israel has been the subject of gradually sharper criticism, especially since the 2014 war. This is because using the notion of ‘public diplomacy’ in the intersection between the fields of international relations and communication studies leads to epistemological confusion and overlap: for instance, Aouragh claims that “the basic premise of public diplomacy is influencing international (and sometimes domestic) publics” and then that “managing collective attitudes is mostly effective when it is unnoticeable because, in modern representative democracies, *credibility* rests on the assumed independence of the newsroom from polit-

ical interests” (Aouragh 2016, 5). The first statement refers almost verbatim to the definition of propaganda outlined by Block (1948), while in the second one the reference to “collective attitudes” mirrors Bernays’ opening paragraph of “Propaganda” (1928, 9). She further claims that “influencing the public is a process, crafted over time, the result of a form of negotiation” (*Ibid.*), combining Bernays’ view of the then-modern propaganda as “a consistent, enduring effort to create or shape events to influence the relations of the public to an enterprise, idea or group” (Bernays 1928, 25) with Gramsci’s conceptualisation of hegemony as being “based on *continuous* negotiations between dominant and subordinate social classes” (Fingenschou 2013, 102)<sup>5</sup>.

These are just some of the examples of epistemological overlap between the concepts of propaganda and public diplomacy: more can be found by reading Nye (2008), Gilboa (2008) or Sheaffer and Gabay (2009) and comparing it to what Lippman (1998), Lasswell (1927), Bernays (1928), Orwell (1948), Block (1948), Ellul (1965), Welch (2025), Zelizer (2025) and many others have written about propaganda. Therefore, the “contradictions between Israel’s desired and actual public persona” that Aouragh highlights (2016, 4) can be explained as the result of a failed propaganda process. In the concluding section of her paper, she abandons the categorisation ‘public diplomacy’ for ‘propaganda’: the intentionality of the adjustment is irrelevant—on the contrary, the absence of intentionality reinforces the arguments put forth hitherto. The idea that governments and other civil society actors can leverage cultural and political values, i.e. employ ‘soft power’ (Nye 2008), to engage foreign audiences and strengthen ties, build trust, and promote cooperation (USC Center on Public Diplomacy n.d.) is valid and the arguments put forth in these paragraphs do not seek to question public diplomacy’s ontological validity as separate field of inquiry. However, when it comes to foreign policy, the narratives promoted and disseminated by governmental and non-governmental actors alike fall within propaganda’s definitional umbrella, as the case of Israeli *hasbara* illustrates.

Communication in Israeli *hasbara* is almost never a two-way process – as public diplomacy would have it – but rather a persistent effort to impose a specific reading of events that systematically marginalises or blatantly discredits other interpretations. This is done by means of what Aouragh labels ‘red flags’, which include ‘both sides’ arguments and condemnation

<sup>5</sup> The next section will discuss precisely how the interplay between the notions of propaganda and hegemony gave rise to a rich scholarly tradition describing the mechanisms driving capitalist media.

imperatives. The latter refer, for instance, to the impossibility of critiquing Israel's policies before condemning suicide bombers first, which today has evolved into the impossibility of condemning the actions of the Israeli government before condemning Hamas and the 7 October attack. Another potential 'red flag' has been identified by Tasserou and Lawson (2020) who have analysed the way in which statistics and discourse<sup>6</sup> have been instrumentally used by media to legitimise the 2014 IDF assault on Gaza, moulding an asymmetrical information context. The objective of these 'red flags' is to allow journalists and analysts to forget the daily structural living conditions of Palestinians who have been existing under an apartheid colonial system ever since the creation of the state of Israel, thus delaying the conversation on what to do about it. This, in turn, has also the effect of muzzling criticism of international complicity: *hasbara* is therefore a constant reminder of the "rules of engagement, namely that Israel indeed can do this and then keep 'the world' busy with ostentatious explanations" (Aouragh 2016, 14).

The previous sections have illustrated how the focus of propaganda in democracies is on restricting the debate around certain issues, with special attention to language. Mainstream media serve propaganda campaigns when they amplify and legitimise deceptive narratives promoted by powerful actors or when they minimise or delegitimise facts or events that disprove such narratives: therefore, the next section explores the structural mechanisms behind the functioning of US media outlets and traces practices and routines that make them into mouthpieces for government propaganda when it comes to foreign policy issues.

## 2.2 Propaganda and Mainstream Media

Before diving into the workings of propaganda in democratic mass media, it is necessary to say a few words about Western media systems in general. Hallin and Mancini (2004) have identified three media models for Western democracies, namely the 'North Atlantic' or 'Liberal' model; the 'Mediterranean' or 'Polarised Pluralist' model; and the 'North/Central European' or 'Democratic Corporatist' model. This division is based on a framework of variables linked with media environments as well as political systems: indeed, different media structures reflect the historical, political and social developments of their country. However, the degree of variation

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<sup>6</sup> This includes the use of vague military-based terms such as 'targets' and 'sites' instead of 'buildings' and 'houses'. Moreover, in articles recounting Palestinian attacks, 99.3% of the articles detailed their weaponry, while this number dropped to 20.5% in articles covering Israeli attacks (Tasserou and Lawson 2020, 8).

among Western states as well as differences among their media systems have diminished over time, converging towards the Liberal model: this trend of homogenisation allows for the models explaining the functioning of mainstream media described below to be applicable to all capitalist democracies.

The focus of this section of literature review is the functioning of mainstream publications in the US and the way in which they serve to mobilise support for elite interests. Indeed, Anglo-American media are often perceived as dominant and hegemonic, whereby hegemony can be described as “the political outcome of the leadership’s ability to win the consent of those whom it rules”: in other words, “a dominant form of common sense” (Figenschou 2013, 102). Benkler et al. (2018) have mapped the American media environment, identifying two distinct and structurally different ecosystems:

One part is the right-wing, dominated by partisan media outlets that are densely interconnected and insular and anchored by Fox News and Breitbart. The other part spans the rest of the spectrum. It includes outlets from the left to historically center-right publications like the Wall Street Journal and is anchored by media organizations on the center and center-left that adhere to professional standards of journalism. There is no distinct left-wing media ecosystem that parallels the right in its internal coherence or insularity from the center (Benkler et al. 2018, 75).

The approaches here analysed are based on the study of the latter ecosystem, whose core characters include what Benkler et al. have dubbed “professional standards of journalism”, i.e. “fact-checked” reporting and the objectivity norm. Alongside these, in studying Liberal media systems, Hallin and Mancini (2004) have highlighted some tensions and contradictions that disprove the professed political neutrality of such media. The first tension is between the private ownership of media outlets and the expectation that they will serve the public good. Similarly, there is a tension between the ethics of journalistic professionalism and the pressures of commercialism combined now with the imperative to conform to the increasingly fast-paced information environment imposed by social media. Lastly, a tension between “the liberal tradition of press freedom and the pressures of government control in societies where the ‘national security state’ is strong” (Hallin and Mancini 2004, 247) is an explicit reference to US mainstream media and the ideological requirements of their newsrooms. These tensions arise precisely from the hegemonic social order that characterises the so-called “free society” and represent the basis for the theories presented here.

In media and communication studies, the concept of hegemony has been developed into two traditions, the 'capitalist hegemony' approach and the 'media consensus' approach (Figenschou 2013, 103). While the point of departure for both traditions is the idea that media serve as tools to uphold elite dominance, the former is concerned with analysing the structural factors that render mainstream media subservient to elite interests and marginalise dissenting views. In contrast, scholars of the media consensus approach have delved into the complex dynamics of hegemony 'in practice', using concepts such as framing or indexing to describe the workings of propaganda. A prominent example for the capitalist hegemony approach is Herman and Chomsky's propaganda model (2008), developed towards the end of the 1980s: drawing from Marxist and capitalist literature, the authors posit the existence of five filters that news must go through before reaching the public. These filters include size and owner wealth, media dependency on advertising as source of revenue as well as a dependency on corporate and political elite experts as news sources, systematic criticism, i.e. 'flak', as means of disciplining the media, and national ideology as powerful organising principle for specific foreign policies, i.e. 'anti-communism' during the Cold war or the 'war on terror' in more recent times. The combination of such filters results in the dissemination of news that reflect specific worldviews that protect elite interest and stifle alternative narratives: the latter tend to emerge when there is no elite consensus on a certain issue. A few studies have tested the hypotheses of the propaganda model, confirming the continued validity of the filters and their applicability to today's information environment (Fuchs 2018; MacLeod 2019; Tasseron 2023). Most filters of the model were deemed stronger today due to ownership concentration, less advertisers willing to invest in mainstream publications, and increased possibilities for flak campaigns thanks to social media. Similarly, and in line with the homogenisation trend identified by Hallin and Mancini (2004), other recent contributions to the corporate hegemony school of thought have also emphasised the emergence of global corporate media, characterised by ownership concentration (Bagdikian 2004), "privatization, mass entertainment and consumerism" (Figenschou 2013, 103).

There are two main criticisms of the media hegemony approach: the first relates to the agency and role of individual media professionals, which is not considered by the hegemony school. Bagdikian himself, author of "The New Media Monopoly", was an award-winning journalist, meaning that he had a very good understanding of the workings of a newsroom and the influence that various actors had in the news production process.

While a degree of autonomy is awarded to journalists, there are forces – e.g. editors – that are meant to regulate such autonomy: in any system, it is rare that one element is able to exert significant influence on the outcome, especially when occupying a lower position on the hierarchical ladder. However, a more nuanced understanding of the role of individual journalists should be incorporated into the studies that follow this school of thought: an example of such adjustment is represented by Tasserou’s study (2023) of the reporting on Israel/Palestine which is built on a number of interviews with journalists from different media brands. The second criticism is linked to the impossibility of falsifying hegemony (Figenschou 2013, 106): while it is possible to appreciate the insight that hegemony is not an attribute of the late capitalist order, there are a few studies proving how hegemony is indeed incorporated into the news reports sustaining the pervasive ideology (*Ibid.*). A case in point is the story of A. Kent MacDougall, a journalist that had a long career reporting for *The Wall Street Journal* and the *Los Angeles Times* when he revealed that he had been a socialist throughout that time and had written for radical publications (Reese 1990, 391). The reaction of the Journal – associated with the inner core of US capitalism and heavily relied on by the financial elite (Ivi, 392) – was to disengage the threatening values<sup>7</sup>, reassert journalistic routines<sup>8</sup> and minimise the man and his message<sup>9</sup> (Reese 1990, 400-403) in a clear attempt to “repair the news” (Bennett et al. 1985) and reaffirm the accepted ideological boundaries.

As briefly mentioned above, the other approach – media consensus – focuses on the dynamics and complexity of hegemony and the contest over meaning in the media, clarifying the power relationships between political and media elites and marginalised groups (Figenschou 2013, 103-107). This approach effectively operationalises hegemony using models of analysis such as the three-sphere model (Hallin 1986), the indexing hypothesis (Bennett 1990; Mermin 1999), the policy-media interaction model (Robinson 2000), and the cascading activation model (Entman 2004; Entman and Usher 2018; Landis and Allen 2022). Essentially, “media scholars have made use of different terminology to explore the struggle over the issues, discourses, frames and actors that get to dominate the media” (Figenschou 2013, 108). For instance, the indexing hypothesis explores

<sup>7</sup> This means distancing any socialist values from MacDougall’s journalistic work.

<sup>8</sup> By reaffirming the ability of the editing process to have successfully written out any potential bias.

<sup>9</sup> This includes attempts to marginalise MacDougall, de-emphasise his contributions and refer to him in derogatory terms (Reese 1990, 403).

how official sources, associated with the government and the state, enjoy crucial advantages in the competition for news access, while the cascading activation model describes how frames spread from the White House all the way to the public.

Finally, Robinson critiques the hegemony school by noting that “ideologically driven [...] impulses did not spontaneously occur; they had to be constructed and promoted at some point” (Robinson 2018, 56). Indeed, none of the previously described models engages in explanations of the actual *production* of propaganda: that is because, as seen in the previous section, oftentimes the sites of propaganda production matter less than the dissemination processes of the messages themselves. This point is well-illustrated by a study that focused specifically on the “war on terrorism” frame, explaining how, in the face of the chaos and uncertainty following the 9/11 terrorist attacks, journalists simply accepted the frame proposed by the government and employed it to justify subsequent foreign policy decisions such as the pre-emptive war in Iraq (Reese and Lewis 2009). Robinson (2017) on how the ‘war on terror’ frame was used to bring forward geopolitical plans for regime changes throughout South-West Asia. Handley (2010) built on this study and analysed how, in the early 2000s, US mainstream media slowly adopted the same frame and started using the “war on terror” as a legitimising solution to the Palestine issue. Therefore, as far as sites of propaganda production are concerned, Robinson proposes moving beyond a focus on corporate media and examining propaganda strategies, which is precisely the aim of the first section of this paper.

Following Parenti’s call (1986, 3) to acknowledge and bring to the forefront of discussions on media functioning the relation between the imperatives of capitalism and the supposedly democratic structures that regulate life in the US, the next macro-section will discuss how digital technologies have altered the relation between wealth, class and the state to such a fundamental degree that it is no longer possible to speak of capitalism, but rather of techno-feudalism. The neo-feudal thesis lays the foundations for a subsequent discussion on how this structural change driven by digital platforms has impacted the ways in which information is produced, distributed and discussed, which will be the focus of the final part of this paper.

### **3. Introducing Modernity: From Capitalism to Techno-Feudalism**

The idea that capitalism has become obsolete was ironically introduced in the early 1990s, when the USSR collapsed thus sanctioning capitalism as

the only viable system to rule world affairs. Peter Drucker (1993) was right in assuming that the new basis for wealth would no longer be capital, and he was also right in predicting that the transformation from a capitalist to a post-capitalist society would be completed by 2020 the latest (Drucker 1993, 2). However, his prediction that knowledge would supplant capital's role has proved to be incorrect or, at least, partially incorrect. The world is not exactly divided into knowledge workers and service workers: more accurately, "capitalism is turning itself into a neofeudalism of new lords and new serfs, a micro-elite of platform billionaires and the massive service sector or sector of servants" (Dean 2022, 43). Indeed, markets and profit are no longer the focal point of the economic and social system but have been replaced, respectively, by digital trading platforms (i.e. fiefdoms) and a form of rent – *cloud rent* – which everyone must pay to access those platforms (Varoufakis 2024). While owners of traditional capital still exist and continue extracting profit from workers, they have become vassals subjugated by the new class of feudal overlords, i.e. the owners of *cloud capital* (*Ibid.*). In this analogy, ordinary citizens have become serfs, "contributing to the wealth and power of the new ruling class with [...] unpaid labour" (*Ivi*, xiii) in the form of information, attention, identity and above all the patterns of behaviour that train their algorithms (*Ivi*, 79).

This is a very important premise because it highlights the central role of platforms in the current world system (Aschoff 2019)—by tracing the relationships between various actors under techno-feudalism, it is possible to forecast who will have the power to shape narratives around specific events, upholding elite interests. In fact, the essence of algorithmic, cloud-based, command capital is technology's power to manufacture or, at least, curate desires, which allows its owners to modify users' behaviours (Varoufakis 2024, 65). As seen in the previous section, the process of manufacturing desires that was once entrusted to PR agents and spin doctors (Bernays 1928) is now in the hands of algorithms. Algorithms sell things to platform users while selling their attention to others: the algorithm owners have thus the immense power to predict behaviours, influence decisions, and change minds in ways so subtle that often go unnoticed all the while increasing the wealth of their owners (Varoufakis 2024, 79). In a capital system, it was waged workers who contributed to the production and accumulation of capital: however, in a techno-feudal system, cloud capital can *reproduce itself* without involving waged labour (*Ivi*, 80). Indeed, waged workers are now 'cloud proles' while all users of technology are 'cloud serfs': it is the production of content on online platforms that forms the most valuable part of the stock of cloud capital. In sum, the most disruptive

aspect of cloud capital is its power to command people outside the factory: every single user of technologies that rely on AI or algorithms is a cloud serf in the direct (unremunerated) service of cloud capital and unmediated by markets (Ivi, 90).

Similarly, Dean has traced four features of what she refers to as 'neofeudalism': (1) the parcelisation of sovereignty; (2) hierarchy and expropriation with new lords and peasants; (3) desolate hinterlands and privileged municipalities and (4) insecurity and catastrophism. For the purposes of the present work, the focus will be on the first two. One of the corollaries to the first feature is that "economic actors exercise political power over a particular group of people on the basis of terms and conditions that the economic actors, the lords, set (e.g. what counts as permissible speech)" (Dean 2022, 45). This element points to the importance of looking at the terms and conditions that is necessary to accept before being able to use any platform but also the rules that are to be followed on the platforms themselves, i.e. community guidelines, in order not to incur in any 'sanctions'. The second feature introduces surveillance capitalism and military service as another dimension of techno-feudalism: cooperation of tech giants with powerful states, "sharing information that these states are legally barred from gathering themselves" (Ivi, 46) is an especially concerning scenario that is already unfolding nowadays thanks to companies such as Palantir selling their services to governments and defense agencies (Haskins 2026).

In the same vein as Varoufakis, Dean has also highlighted that "the extractive dimension of networked technologies is now pervasive, intrusive and unavoidable" (*Ibid.*). Interesting is also the consideration about the treatment of data as a natural resource and a very valuable one at that: platforms do not just rely on data, they produce more of it, thus increasing the power of platforms and, crucially, their owners. In this platform-centric economy, attention has effectively become a currency: the wealth of information circulating online every minute of every day has created a scarcity of attention. Therefore, "decisions about where and how to allocate our attention are in fact much more frequent than those about other resources, and in particular, money" (Heitmayer 2025, 19)—because attention is inherently limited, it can be thought of as *flow* currency rather than stock currency. Attention is used by platforms as means to provide access to information (Ivi, 21): the idea is that it is possible to "calcify" attention in the form of subscribers, followers, views, likes, shares, etc. and then exchange it for other currencies such as money or power. There is a variety of ways

in which platforms facilitate the conversion of attention into money, i.e. monthly subscription fees, donations, and so on.

Herman and Chomsky, in their considerations on the advent of the internet and its impact on the propaganda model, predicted that little would change and, if anything, the increased concentration of owner wealth reinforced the validity of the model. While this is true, it is equally true that the internet has indeed changed our information environment and, thanks to the rise of online platforms, algorithms and AI, a new ruling class has emerged, the ‘cloudalists’. Regular users give away their attention and data, effectively becoming serfs of cloud capital: this change in power relations among cloudalists, capitalists and cloud serfs was so radical that it effectively required a new term to accurately describe the entire system. Because online platforms and, crucially, social media have become the new *loci* for news production and dissemination as well as information gathering, it is therefore necessary to analyse how their specific structural frameworks and affordances have impacted the workings of propaganda and, vice versa, how specific ideologies have shaped affordances and structures of social media—this is precisely the objective of the next section.

### **3.1 Propaganda on Digital Platforms: Participatory Culture, Affordances and Algorithms**

The technological and structural changes described above have led some scholars to speak about modernity in terms of a “post-truth era”, where “borders between truth and lies, honesty and dishonesty, and fiction and nonfiction get blurred” (Ghosh 2022, 21). The abundance of information present online combined with technological offsprings such as bots, AI and deepfakes have contributed to the creation of a confusing and overwhelming environment where “debates are framed largely by appeals to emotion disconnected from reality” (*Ibid.*). This sense of detachment from the reality on the ground is especially strong when it comes to controversial and propaganda-intensive issues such as the question of Palestine. However, despite “the popularity of post-truth politics, there is a limit to its success. Dishonesty and deception cannot always succeed in manipulating human emotions” (*Ibid.*): in fact, using outright falsehoods for propaganda purposes is a risky technique that can be counterproductive, potentially leading to the delegitimization of the propagandists themselves coupled with financial loss and, in the most serious of cases, sanctions. These considerations are merely meant to ease into the complexity of propaganda activity in the post-truth era, where virtually everyone can exploit the

opportunities offered by the internet and by various digital technologies to contribute to the dissemination and even production of disinformation campaigns. This phenomenon furthers the saturation of the information environment and exhausts audiences generating attention scarcity and possibly reducing alertness in the face of fabrications and falsehoods—something that malicious actors can easily exploit.

In the early 2000s, when social media platforms first started becoming part of many people's everyday life, "participatory culture was the buzzword that connoted the Web's potential to nurture connections, build communities, and advance democracy" (van Dijck 2013, 4). This all changed over the course of the last decade which has witnessed a slow transition "from cheering platforms' democratizing potential to condemning its infrastructural control over public values, information flows, and political participation" (Liang et al. 2021, 1859). In fact, van Dijck herself had argued in the 2010s that "sociality coded by technology renders people's activities formal, manageable, and manipulable, enabling platforms to engineer the sociality in people's everyday routines" (van Dijck 2013, 12). While this can feel exciting and promising at first, over time it has acquired some sinister undertones that is becoming harder to ignore or justify. The personal ideologies proudly professed by some of the wealthiest and most powerful platform owners such as Elon Mask or Mark Zuckerberg, have been translated into questionable platform policies – especially regarding monitoring mechanisms – which in turn has alienated entire categories of users. As seen above, data generation has become a primary objective rather than a by-product of online sociality (*Ibid.*) and it has been "increasingly harvested by platform owners and their partners for advertising, marketing, and surveillance" (Liang et al. 2021, 1859). As a consequence, end users – including individuals, media outlets, firms, and public actors – become dependent on powerful platforms, something that gives the latter some form of institutional and infrastructural control (*Ibid.*), likely serving as one of the main sources of anxiety when it comes to privacy-related concerns.

As briefly mentioned above, the participatory element of digital platforms remains fundamental today, especially when it comes to propaganda production and dissemination. It could be argued that it is precisely this feature that has, in many ways, changed the way propaganda operates, making it a more horizontal process rather than predominantly top-down (Zelizer 2025). Some have highlighted the users' new role in the process—no longer simply targets of propaganda campaigns but also co-producers and key elements in its spread across platforms (Salma 2025). In studying malicious activities in online spaces, one of the most widely adopted no-

tions is that of computational propaganda (Howard and Kollanyi 2016), a concept that encapsulates the immense power of platforms owners to predict behaviours and influence users' decisions. Computational propaganda describes a particular mode of manipulation, namely the automated, coordinated, and scalable use of digital technologies that distort information flows. It relies on infrastructures of data, automation, and platform architecture to exploit cultural symbols, emotions, and identities and manipulate public opinion on specific issues—this dual nature, technical and social, represents an excellent point of continuation between the more 'classic' understanding of propaganda described in the first part of this work and propaganda flows in modern systems of information mediation.

Mustafa et al. (2025) have outlined a conceptual framework theorising the evolving nature of computational propaganda campaigns from the perspective of relational dynamics in the infosphere<sup>10</sup>. They have identified actors, drivers, and means of diffusion from the literature as well as the relationship between these three domains, providing the most comprehensive and clear blueprint for the study of different kinds of computational propaganda campaigns. Moreover, they recognise that relational dynamics are also bounded by context and structural conditions. While context needs to be defined on a case-by-case basis, structural conditions – which include factors like changes in platform infrastructure, ownership of platforms, and shifts in technology impacting the dissemination of computational propaganda – can and perhaps should be considered when studying digitally mediated forms of propaganda—before developing this claim, it is imperative to explore some notions regarding the intersection between platform design and propaganda. Technology's functional and relational nature is emphasised also by affordance theory: the argument sustaining this dual character is that technology is constrained by design but also co-constructed by end-user agency; indeed, sometimes a platform's affordances<sup>11</sup> are hidden and are only revealed through exploration (Tripodi et al. 2024). What is interesting for the purposes of the present analysis is “how pundits, propagandists, and conspiracy theorists ‘activate affordances’ to validate their claims” (Ivi, 1212), a process that often results in the further amplification of false, misleading or problematic content. For instance, Tripodi et al. (2024) “explain how a technology's affordance

<sup>10</sup> Relational dynamics refers to a series of complex interdependencies, feedback loops and power relations that emerge and evolve between various actors involved in propaganda campaigns and triggered by drivers over a period of time.

<sup>11</sup> Examples of affordances include hashtags, citation systems, and search engine optimisation (Tripodi et al. 2024, 1224).

allows people to engage in participatory disinformation spread, whereby false claims seem verifiably true” (Ivi, 1213), while Salma (2025) examines “the role of digital technologies in the emergence of far-right Islamist protest mobilization in Indonesia, specifically focusing on six digital tactics that contribute to participatory propaganda cascades” (Ivi, 97).

Among the structural conditions that impact the dissemination of propaganda in digital spaces, a special focus should be dedicated to ownership and concentrated wealth of tech leaders: that is because of the immense amounts of power that these leaders hold not only over “their” end users but also in the context of the broader economic system. Perhaps the most recent and significant indicator of the importance of platform ownership when it comes to management of online narratives is the threat to ban and subsequent sale of TikTok US. Indeed, the legislation to ban TikTok in the US was passed after a surge of pro-Palestinian content on the app (US Department of State, 2024), with the widespread support for the measure in Congress explicitly linked to the desire to shape US perceptions of the Israel-Gaza conflict (Sherman, 2024). The ban was halted by president Trump while a deal to sell the app to a government-approved buyer was underway: the sale was completed in January of 2026, with TikTok USDS Joint Venture LLC – the American company created specifically to oversee TikTok’s operations in the US (TikTok newsroom 2026) – owning 80%.1 of the stakes while ByteDance retains 19.9%. What is crucial to note here is that, in preparation for the ownership shift, the platform rolled out an update in its guidelines, which went into effect in September 2025: “updates on community guidelines represent a key aspect of platform evolution” (Chan et al. 2023, 1128) as they determine what the literature refers to as “governance frameworks” (Poell et al. 2022)<sup>12</sup>. Chan et al. (2023, 1128) have traced “the evolution of TikTok’s community guidelines in the United States from 2018 to 2022, focusing on the platform’s corporate construction of values” and outlining how certain values have been selectively mobilised to create a social reality in which certain content must be prohibited (Ivi, 1147). They have warned that this type of self-governance based on platform values could be subject to politicisation: this warning is corroborated by a study by Finkelstein et al. (2025), who have revealed how content critical of China on TikTok was made far less available than on other platforms—this is precisely what could be underway in the case of TikTok US as well.

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<sup>12</sup> Governance frameworks are defined by Chen et al. (2023, 1128) as “standardized rules for regulating platform-based interactions”.

## Conclusions

By analysing the evolution of propaganda in democracies and, more specifically, in the US, this article has outlined points of similarity as well as points of departure between more established sites of propaganda dissemination, i.e. mainstream media, and newer digital platform with their affordances and governance frameworks. While propaganda techniques such as dissemination of falsehoods and restriction of debate around specific issues remain largely unchanged across old and new media, a significant point of departure is represented by the scale at which propaganda campaigns can be conducted and by the extensiveness of its diffusion. Sites of propaganda production do not seem to be as crucial as the instrumentalization and further propulsion of propagandistic messages by those in power or in any case detaining a certain level of authority. This remains true for social media as well, albeit with a slightly more democratic undertone in the sense that some messages can simply “go viral” without being propelled by anyone in particular but relying solely on the participatory nature of online platforms. All in all, the importance of addressing Western propaganda is essentially a call to always question any mediated message that is transmitted via mainstream media or digital platforms. In an ecosystem that is seemingly designed to diminish the range of thought, resisting such attempt and even extending such range is imperative. This exercise should be done individually by each citizen or user but also – and perhaps more crucially – collectively by all kinds of institutions, collectives and communities.

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This volume presents nine state-of-the-art analyses prepared by Ph.D. students at the University of Padova and beyond. Through an interdisciplinary lens, these contributions interrogate the frontiers of digital vulnerability, the “self-exploitation” and ethnicized hierarchization of migrant labor, and the legal hurdles of ecocide. By deconstructing the “physics” of energy transitions and confronting the postcolonial “participation-power gap” in the UN’s performative reviews, the research demands a decolonization of the knowledge-power nexus. From “anticipatory design” as a survival mechanism in the Anthropocene to the threats of “techno-feudalism,” this volume offers a comprehensive roadmap for reconstructing a just, dialogic, and sustainable global horizon.

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