



EUROPE IN THE EMERGING WORLD ORDER
SEARCHING FOR A NEW PARADIGM

Edited by
Jovan Babić, Petar Bojanić and Gazela Pudar



Institute for Philosophy and Social Theory
University of Belgrade

conferentia

Conferentia edition will publish contributions from international scientific gatherings organised by the Institute for Philosophy and Social Theory, University of Belgrade. The founders are committed to focused dialogue and unconstrained communication, and they aim to detect and present different orientations that productively reflect contemporary theoretical and political movements.

L'édition Conferentia publie les contributions des réunions scientifiques internationales organisées par l'Institut pour la philosophie et la théorie sociale, Université de Belgrade. Orientés vers le dialogue focalisé et la communication libre d'entraves, ses fondateurs ont l'intention de détecter et de présenter les différentes orientations qui reflètent de manière productive les mouvances théoriques et politiques contemporaines.

**EUROPE IN THE EMERGING WORLD ORDER
SEARCHING FOR A NEW PARADIGM**

**Edited by
Jovan Babić, Petar Bojanić and Gazela Pudar**

TITLE Europe in the Emerging World Order. Searching for a new Paradigm

EDITED BY Jovan Babić, Petar Bojanić and Gazela Pudar

EDITOR Institute for Philosophy and Social Theory,
University of Belgrade, Serbia

FOR THE EDITOR Petar Bojanić

REVIEWERS Aleksandar Dobrijević, Ivan Mladenović

COVER AND BOOK DESIGN Milica Milojević

LAYOUT Sanja Tasić

PRINT Colorgrafx, Belgrade

PLACE AND DATE OF ISSUE Belgrade, October 2011

NUMBER OF COPIES 300

ISBN 978-86-82417-30-9

The conference *Europe in the Emerging World Order: Searching for a New Paradigm*, held in Belgrade, March 24-26, 2010, is being organized thanks to the kind support of Erste Stiftung (Vienna, Austria), CERI (Paris, France), The Balkan Trust for Democracy (Belgrade, Serbia), and Ministry of Science and Technological Development (Serbia).

EUROPE IN THE EMERGING WORLD ORDER
SEARCHING FOR A NEW PARADIGM

- vii Jovan Babić & Petar Bojanić
Searching for a new Paradigm
- 1 Dr. Philip S. Golub
Europe in the Emerging World Order
- 13 Peter Klepec
**On Four Visions of the Future Prospects
of Capitalism, Society, and the European Model**
- 33 Christoph Hubig
L'identite europeenne en tant que processus
- 45 Alfred Hirsch
Europe: Cape Of Deconstruction
- 63 Vojin Rakić
Europe – From Warfare To Cosmopolitan Justice?
- 79 Dr Noëlle Burgi
**Disciplining The Labour Market In Europe:
The Emerging Normative Neoliberal Order**
- 93 Maurizio Ferraris
Documentality, or Europe
- 128 Giacomo Marramao
**Beyond Recognition Europe and the Occident
in the “Post-Hobbesian” (Dis)Order**
- 152 David Chandler
**The EU and Southeastern Europe: the Rise of Post-Liberal
Governance**
- 180 Graham Avery
Serbia on the Way to the European Union
- 183 Vladimir Kantor
The Russian European as Russia’s Objective
- 202 Dr Dušan Pajin
**The Dawning Consciousness of a Common Predicament:
Promoter of European Identity in the 20th C. – Dimitrije
Mitrinović**

Searching for a new Paradigm

Europe is evidently a new political and historical fact within the inventory of the world today. However, it is far from obvious what this fact really represents, or what differentiates it from other such facts on other parts of the planet. On one hand it has some aspirations to be a model for the rest of the world in terms of the advancement of its social and political structure, respect for human rights, etc. In this respect its appeal is rather obvious. On the other hand it seems to be a loose association of parts, a confederation without much stability, mostly because of a lack of a clear political identity – perhaps because it is not easy to see it as a nation. We may even say that the enthusiasm with which it began is not exhausted, but certainly has lost some of its intensity and acceleration. There is a search for borders, not only external but also internal ones. The issue of identity is of the utmost importance in the process of this search. And obviously there are too many uncertainties regarding the final articulation of this new entity.

Is Europe a nation among nations, an emerging one, or a nucleus of a future unified world? What is Europe today? During the heyday of European Union (EU) enlargement, the French anthropologist Marc Abeles caustically noted that Europe lacked a clear identity and that it was progressing towards a finality without purpose (“une finalité sans fin”). This still seems to be the case. “Europe” is an ill defined object: while retaining essential features of the traditional nation-based interstate system, it is also a transnational project; it is one of the truly cosmopolitan and multicultural regions of the world, yet it has become increasingly closed and fearful of others; it proclaims itself as the historic source and the centre of democratic political values and human rights, yet suffers from a chronic “democratic

deficit”; it proclaims the virtue and specificity of its “social model” yet has converged in recent decades around new neoliberal norms that deviate from social fairness. Moreover, while wanting to play a major role on the world stage, the EU is not an effective power or actor and seems to have recently chosen to withdraw from world history.

The process of unification has not brought answers to any of these paradoxes and questions. Europe is still in search of an identity, a social model, and is still looking for its frontiers, and its place in the emerging complex world order (or disorder). On which vision will Europe build its future? Which normative order – a key component of identity – will prevail in the social sphere? Will Europe move towards a more homogenous and monolithic religious identity? If the religion should be of the Christian provenance, which kind or type of Christianity will it be? Will Europe abandon liberalism? Can Europe be the imaginative centre of new democratic impulses for the rest of the world? Can Europe be a fully pacified democratic polity and still seek power at the world level? Or will it simply become a “borderless” economic empire? In the past Europe has tried, several times, to rule the world; in fact, this is one of the discerning characteristics of what we think of when we say “Europe” – would history repeat in some new form? If we face an age of new universalism, there is a question of some vague but distinct importance: what will happen with the European past? Will the image produced through centuries be saved, or will it be changed? Should Europe become a huge museum for the rest of the world? What will the life of real people, or peoples, within its “borders” look like? Or will it become a new promised land?

There are other issues as well: What is the position and function of the Mediterranean? If the Mediterranean is the “Middle of the Earth”, a kind of a centre, how should we define “Europe” and the “World”? We now see a process of building strong external borders at some points, which indicates that Europe, in its attempt to unite

a rather diverse map of many former kingdoms and remnants of former empires, is behaving like Germany in the process of German unification, only without the visible use of force. This might make Europe just another country among countries, or a federation consisting of a set of partially independent states. We also see that economic factors are playing the dominant role in all this. We may ask if this is enough to produce a sufficient amount of optimism and patriotism to make it a stable home for all those craving peace and prosperity?

Jovan Babić & Petar Bojanić
Belgrade, March 24-26, 2010

Dr. Philip S. Golub

Europe in the Emerging World Order

Abstract

In the aftermath of the Cold War, European Unification seemed to hold the promise of making the continent into a civil superpower – an attractive model of interstate cooperation, interdependence, social cohesion and democratic governance. Twenty years later, these forward looking assumptions have been disconfirmed by sharpening national fragmentation, exclusionary immigration policies, intolerance towards ethnic and religious minorities, and a persistent democratic deficit. Brought into sharp focus by the world economic crisis, this set of problems result in a diminishing voice for Europe in world affairs.

Key Words

Globalisation, Regionalisation, Federalism, Nationalism

The historian Bruce Cumings once wittily remarked that International Relations (IR) theory was an “occult science”, implying that the discipline bears distant kinship with the various ancient practices and black arts devised to predict and construct the future. [Cumings, 1999] While this may be going a bit far, the remark usefully underscores the inability of the discipline to fully account for, much less to predict the major transformations of the global political economy in recent decades. This has been evidenced by repeated predictive failures and/or abrupt reversals of judgment in the IR community over central questions of the post-Cold War, such as the future of American power, the prospects of European unification or the trajectory of globalization. [Golub, 2009] Theory has either been event driven, oscillating according to the twists and turns of international history, or has floated in idealist detachment from empirically verifiable realities.

A good example of the problem is the dichotomous theoretical debate over Europe’s future and its role in the international system. Solidly argued but misguided structural realist prognoses of the breakup of the European Union have proved no more accurate than equally systematic liberal arguments regarding Europe’s supposed “rise”. If John Mearsheimer’s somber assessment of a return to sharp interstate rivalry and security competition has been disconfirmed, [Mearsheimer, 1992] so too has the liberal vision of Europe as a “civil superpower”, acting as a model of transnational cooperation and a source of diffusion on the global level of regimes of liberal governance. Yet the commitment to theory continues to overwhelm what we can reasonably identify as real world trends. For instance, in spite of growing evidence pointing to the contrary, liberal theorist Andrew Moravscik recently argued that Europe “remains the only other global superpower besides the United States. It is the world’s second military power and pre-eminent civilian power. Its power is, in fact rising. For the foreseeable future it is likely to remain one of the two superpowers in a bipolar world”. He added: “European nations, singly and collectively, are the only other states in the world

today, besides the United States, to exert global influence across the full spectrum from ‘hard’ to ‘soft’ power”. [Moravscik, 2009]

This judgment will certainly come as a surprise to Europeans who are living through a harsh winter of discontent and whose imagination of their world destiny hardly matches the idea that they might be a “superpower” with global influence, civilian or not. It will come as an even greater surprise to the emerging or re-emerging continental post-colonial states, the only truly “rising” part of the world system that Moravscik dismisses too quickly and somewhat condescendingly, or to the United States, the gaze of which has turned decisively away from the Atlantic towards Asia, Latin America and the Pacific. In these world regions, notwithstanding the Union’s role in setting accounting norms or in shaping international trade regimes, European Union or individual member state influence is hardly perceptible today. Neither the United States nor the rest of the world pay very much attention to the European Union these days, at least as an agent of forward looking change capable of shaping and giving direction to the international system. If power is simply defined as the ability of an actor to affect outcomes in such a way that its “preferences take precedence over the preferences of others”, [Susan Strange, 1996] then Europe, on national and Union levels, cannot presently be seriously considered a determining force in world politics today.

Post-Wesphalian Imaginings

To get a better grasp of the problem we need to critically review the visions of world order and systemic change that emerged in the 1990s. The waning of the historical structure that emerged in 1945 posed a major interpretive problem as the simple and conceptually comfortable symmetries of bipolarity gave way to transformations that did not fit into earlier conceptual frameworks. The lack of stable new patterns giving coherence and meaning to the post-Cold War transition made it difficult to interpret complex and contradic-

tory trends, generating an inconclusive debate over the trajectory of world politics. As Peter Katzenstein pointed out in the mid-1990s, all of the theoretical frameworks of international relations, critical and mainstream, proved unable to provide satisfactory explanations for the 'quiet cataclysm' that followed the dissolution of the Soviet Union. [Katzenstein, 1996]

Two main features did stand out however: the United States' renewed ascendancy and the synchronous coming into being of a truly global and interdependent world capitalist economy. The first pointed to a concentration of power at the interstate level, the second to more diffuse systemic transformations with varying impacts on global political economy. These included: the integration of the former Communist countries in the liberal world economy; the transnationalisation of capital and the creation of global or regional horizontal production networks; the compression of time and space due to the information and communications (ICT) revolution; the proliferation of private transnational actors transcending and challenging the authority of the nation state; and the simultaneous upward diffusion of authority to multilateral institutions (UNO, IMF, WB, WTO) or to transnational elite clubs (WEF). The result was a blurring of boundaries between the domestic and international spheres.

In spite of varying appreciations regarding the degree to which these trends affected the autonomy of different states, a large body of social scientific opinion postulated that globalisation, a polysemic term encompassing all these transformations, was shifting the logic of the international system towards what James Rosenau called a post-international configuration of world politics. [Rosenau, 1989] With varying emphases, transnational liberal theorists and post-marxist scholars argued that the state was being increasingly transcended and conditioned by transnational capital, resulting in a loss of autonomy and a displacement of sovereignty. Merely one among a multiplicity of actors shaping the global political economy, the state

was losing control. In some accounts, such as Giovanni Arrighi's, the loss of control was so pronounced, and the "pressure to relocate authority upwards" to supra-statal authorities so great, that it would lead to a "process of world government formation". The result, as he as well as other authors conjectured, would be a "withering away of the modern system of territorial states". [Arrighi, 2004] The pervasiveness of the basic assumption was highlighted by the fact that even prominent classical realists and practitioners of *Realpolitik*, such as Henry Kissinger, acknowledged the "systemic crisis [of] the Westphalian system". [Kissinger, 2001]

Notwithstanding its autonomy being relatively greater than other states', as well as its persisting structural power in the international political economy, the US itself appeared subjected to these transformational forces. US society was increasingly traversed by transnational flows (people, information, finance, culture, etc.). Important segments of American business were/are a leading component of transnational capital, the activity of which "[reorganized] the world along transnational lines while helping to disorganise the American nation-state" by accentuating domestic fragmentation in a pluralist and increasingly multicultural social context. [Katzenstein, 1996] Though weaker than in other cases, institutional constraints operated on the US, limiting its autonomy. "The terms", wrote Peter Cain and Anthony Hopkins, "governing international transactions and foreign relations generally are increasingly determined by multilateral agreements and legal decisions that curtail the freedom of individual states, including the most powerful". [Cain & Hopkins, 2000]

European Unification provided the most powerful evidence of what might be called the post-Westphalian shift. Europe's singular mix of inter-governmentalism and transnational governance not only offered a useful image of what post-Cold War world politics could look like, but seemed to herald an expansive model on a world level of non-hegemonic interstate cooperation founded on law, interdependence and transnational democratic governance. Unification

was thus interpreted as portending a wider systemic shift from the modern to a post-modern configuration in which the historic nation state, traversed by transnational flows and transcended by supra-statal institutions, would cease, in Rosenau's words, to be the pivotal subject of international history.

Post-nationality and deepening interdependence implied diminishing interstate rivalry, the declining utility of force, and convergence around democratic values and international legal regimes set by mutual consent. In the most speculative visions, Europe was represented as an expansive post-hegemonic and post-national "empire" based on law and consensus that would propagate cooperative international regimes and cosmopolitan norms beyond its own continental space. [Beck & Grande, 2007] Habermas went very far but was not alone in thinking that the end of the Cold War had opened the way for a new cosmopolitan ethos, backed by a "favorable constellation of forces". [Habermas, 1996]

Provincialising Europe

Over the past decade this intellectual edifice has been sorely tested. We now have a picture of post Cold war transition that is radically different. The global linkages of the borderless post Cold War world capitalist economy did not lead to convergence around expansive social and democratic regimes of global governance, world government formation, or cosmopolitan law. Rather, post-Cold War globalization has generated unexpected outcomes, the two most important of which are: the western economic crisis and the end of global economic integration around a dominant neo-liberal paradigm, and the shifting polarities induced by the emergence or re-emergence of China, India, Brazil and other post-colonial regions, which have become or are becoming new centres of world economic gravity. Together, these outcomes signify the end of the Western era of dominance and the emergence of a de-centered world system.

This systemic restructuring, which deeply undermines the liberal narrative of the post-Cold War transition, is the single most important fact of the present. Major post-colonial societies and states encompassing a significant part of the world population have moved or are moving from a peripheral to a central status in the global political economy. They have succeeded in harnessing global capital flows to endogenous development purposes, in China's case thanks to an authoritarian developmental state. All have, in controlled fashion, tamed global capitalism, inserting it into national institutions rather than dissolving those institutions into global capitalism. China in particular has become an "active unit" of the world system, that is a unit in François Perroux' formulation that "adapts its environment to its program rather than adapting its program to its environment". [Perroux, 1994 (1976)]. The result has been a gradual, but historically speaking extremely rapid shift of relative economic power away from the historic Western centres of world capitalism. For reasons relating to a long history of imperial domination, all emerging or re-emerging states cling to classical conceptions of sovereignty and national purpose. This movement is leading to a polycentric and fragmented world system without a dominant centre or universally recognized sources of authority. Given their sheer scale, the main components of this emerging world system will be the United States and these continental post-colonial states.

Europe's position within this emergent system remains an open question. But it is already apparent that that the Union will be challenged to exist as a meaningful voice in world politics. That challenge already manifests itself in the disinterest of the United States towards Europe, which itself reflects the new polarities of world politics. As Christopher Patten remarked recently, the United States hasn't paid much attention to Europe of late and is unlikely to give much "sustained attention" to the Union in the future since it will henceforth be primarily concerned with its "relationship with the great emerging economies – Brazil, India and above all China". [Patten, 2010] Domestic sociological transformations will reinforce this

shift of gaze and interest from the Atlantic to the rest of the world. Conversely, the great resurgent continental states of Asia and South America, as well as the post colonial world generally, are already and will henceforth be primarily concerned with each other or with the United States. Ironically, from their perspective, Europe, the former centre, has become a peripheral and rather provincial if still wealthy corner in a reshaped global political economy. Moreover, seen from afar, the EU does not seem to really know what it is and hence where it is going.

There are two reasons why this is a fair assessment. The first institutional reason relates to the limitations of the EU's hybrid form of governance in which states have consented to partial transfers of competencies to transnational bodies while conserving essential components of national sovereignty. The result is an imperfect and incomplete federalism that generates diffuse collective influence at the economic level but a lack of authority and influence at other levels. Moreover, the Union's lack of internal cohesion, starkly put into relief by the current economic and financial crisis, accentuates the problem posed by inadequate institutions.

In its current institutional set up and under currently dominant policy outlooks, the Union has proved incapable of dealing with the centrifugal effects induced by the world economic crisis, much less of setting the global agenda by providing world level leadership. Rather than exerting "global influence", the Union is facing intensifying intra-European fragmentation as national self-help agendas have accentuated interstate competition and begun to tear at the fragile fabric of interdependence. Under conditions of acute crisis, the Union is proving at the economic level to be a competitive arena increasingly marked by national neo-mercantilist strategies, rather than a supranational space of solidarity aiming for convergence among member states with varying development levels. At political and societal levels, rather than being an open and inclusive space of multicultural tolerance, the EU is increasingly traversed

by exclusionary policies directed at vulnerable visible minorities fuelled by the growth of nasty, albeit not yet life-threatening, xenophobic neo-nationalist movements.

Germany in particular seems to be turning its back on the European project. [Gougeon, 2009] This has been manifested in a number of ways in recent years, but has been most clearly evidenced by the country's narrow nationalist vision of its economic interests and its punitive and shortsighted management of the Greek and other European sovereign debt crises.¹ Germany could have chosen to take the leadership and use the crisis to advance the European project, using new initiatives to promote fiscal and economic federalism. But rather than stimulating European wide demand and serving as a lender and consumer of last resort,² or even leading a common European burden sharing response to the crisis, Germany has led the way in imposing – or allowing the “markets” to impose, which comes to the same – drastic austerity measures on all of the so-called peripheral members of the Union. This result has been a fracture between stronger and weaker states that is likely to have lasting effects. The ubiquitous use of the word “peripheral”, of derogatory expressions

1 Germany's refusal to act in the early phase of the Greek crisis considerably worsened it, leading to a near collapse of the Euro and the belated implementation in May 2010 of a bailout package, jointly managed by the EU and the IMF, with drastic conditionalities attached. The spread of the crisis of confidence over sovereign debt resulted in similarly drastic austerity policies in other countries. As the *New York Times* noted in May 2010, “At the worst possible moment, Germany is turning to nationalist illusions. Europe's past economic successes are now viewed as German successes. Europe's current deep problems are everyone else's except Germany's”. See Editorial, “Germany vs. Europe”, Editorial, *New York Times*, May 26, 2010. See also Wolfgang Münchau, “The Irresponsibility of a German Chancellor”, *Eurointelligence*, 29, April, 2010.

2 As Charles Kindleberger has showed, one of the key lessons of the Great Depression was need for a lender of last resort to stabilise the international system. The failure of the United States to take on that role accentuated national self help policies that led to the downward spiral of world trade and economic activity. See Kindleberger, 1979.

such as “the Club Med countries”, or of disdainful acronyms such as PIIGS to designate economically weaker states is symptomatic of the depth of that fracture at an ideational level.

The second, less obvious reason why Europe is held back from playing a meaningful global role relates to an intellectual failure: the inability to come to terms with the inescapable fact that we are entering or have already entered a multicultural post-Atlantic world that does not revolve around and is no longer exclusively defined by the “West”. Despite its decline in the twentieth century, Europeans have never truly shed the deeply embedded assumption that the “West” was/is the end of history and the related assumption of western cultural superiority. This failure manifests itself in the Union’s treatment of immigrants and its cultural closure: the attempts in France and Germany, for instance, to actively curb multiculturalism and affirm supposedly “original” national or European cultural identities. The same problem is also made apparent in European interpretations of the waning transatlantic relationship. European leaders are still wont to believe and act on the belief that the United States is a neo-European country inextricably bound by history, culture and values to the old world.

This betrays a misunderstanding of deeper American sociological and cultural dynamics. In recent decades, transnational migrations have produced a new multinational and multicultural US society that has increasingly tenuous bonds with Europe. Indeed, if present demographic trends persist, the United States will by mid-century have become a truly post-European society. According to the US Census, a majority of youth under the age of 18 will in 2030 be of non-European origins. As a result of these demographic and cultural trends, the US’ fading Euro-Atlantic past is being inexorably supplanted by an Asian and South American future. As the population of Latin American, Asian and African origins grows, possibly becoming a majority by mid-century, what will be the meaning of the “West”?

The dual movement toward a post-Atlantic world and a post-European United States undermines common European assumptions – expressed for instance in various proposals in recent years for an occidental bloc – that there is an organic transatlantic community on which to build the European future. There is no longer, if there ever really was, a coherent entity called the West. The movement also undermines the notion that the EU is in a position or will in the future be in the position, as Grande and Beck argue, to exercise gravitational pull on the US, leading it to emulate the European political system. Within Europe, national, religious and ethnic-racial segmentation remain stubborn if deeply unfortunate social facts, limiting the EU's attractiveness and its ability to exercise what soft power it has.

Looking ahead

If Europe is an empire, it is an incoherent one whose ability to shape system dynamics is slight and possibly declining, whose cooperative character is constantly tested by clashing national interests, and whose cosmopolitan character is daily called into question by exclusionary xenophobic impulses that have deep colonial roots. Self absorbed and traversed by multiple contradictions, the EU, rather than becoming a centre of gravity of the emergent world system and a source of emulation, risks becoming a provincial sub-system indulging in self referential debates with negligible relevance to current world dynamics. Presently Europe is moving backwards. As Orhan Pamuk recently wrote, it is “fading”: “anti-immigration politics, policies, and prejudices are already destroying the core values that made Europe what it was”. [Pamuk, 2010]

If this regressive trend proves lasting, the Union, or what is left of it, will lose whatever ability it once had to be a force for progressive normative change in world politics. Facing the risk of disintegration, Europe might find the institutional and intellectual means to reinvent itself and to move decisively towards a truly federal system and a fulfilled democratic polity. Failing that, the Union will be

marginalized in a world in which re-emerging continental states are fast reshaping the contours and hierarchies of world politics.

Bibliography

- Beck Ulrich & Grande Edgar (2007). *Cosmopolitan Europe*, London, Polity Press.
- Peter J. Cain and Anthony J. Hopkins (2002). *British Imperialism, 1688-2000*, London: Longman-Pearson, p. 680.
- Cummings, Bruce (1999). "Still the American Century", *Review of International Studies*, Vol. 25, pp. 271-299.
- Golub, Philip (2008). "La fin de la pax americana?", *Revue Internationale et Stratégique*, Vol. 4, No 72. Paris, Armand Collin.
- Gougeon, Jacques-Pierre (2009). *L'Allemagne du XXIe siècle, une nouvelle nation?* Paris: Armand Collin.
- Habermas, Jürgen (1996). *La paix perpétuelle: le bicentenaire d'une idée kantienne*. Paris: Le Cerf, 1996.
- Katzenstein, Peter J. (ed.). (1996) *The Culture of National Security: Norms and Identity in World Politics*. New York: Columbia University Press.
- Kissinger, Henry (2001): *Does America Need a Foreign Policy? Toward a Diplomacy for the 21st Century*. New York: Simon and Schuster, p. 26.
- Mearsheimer, John J. (1992): "Back to the Future: Instability in Europe After the Cold War," *International Security*, Vol. 15, No. 4 (Summer 1990), pp. 5-56.
- Moravschik, Andrew (2009): "Europe: The Quiet Superpower", *French Politics*, Vol. 7, No 3-4, pp. 403-422.
- Pamuk, Orhan (2010). "Fading Europe". *New York Review of Books*, December 25.
- Patten, Chris (2010): "What is Europe to Do?", *New York Review of Books*, March 11.
- Rosenau, James (1992). *Governance without Government: Order and Change in World Politics*. Cambridge: Cambridge University Press.
- Strange, Susan (1996). *The Retreat of the State: the Diffusion of Power in the World Economy*. Cambridge, U.K.: Cambridge University Press.

Peter Klepec

On Four Visions of the Future Prospects of Capitalism, Society, and the European Model

In the months following my presentation of a paper at the colloquium held in Belgrade in March 2010, my initial observation about the contemporary tendencies which have potentially disastrous consequences for the world we live in has grown into a firm belief. Far from being accidental, these tendencies are one of the central features of contemporary capitalism. A radical alternative is badly needed now more than ever. However, what are the alternatives? I certainly endorse reviving and rethinking the Idea of Communism, because I also understand it in the sense of the above question.

In what follows I will briefly present four diagnoses of our contemporary moment, which are also four very different appeals for action. None of them is completely satisfying, but whatever we might think about them, they are certainly useful for pointing out tendencies decisive for our future. Although I am in favour of radical alternatives to capitalism, I have to admit that in the present moment neither I nor anyone I know has a definite picture of what this alternative would look like. I have to admit that working on my presentation has forced me to work on topics which as a philosopher I was really not very familiar with. I have also begun to work on a project under the working title “What is the Meaning of Crisis”. This work-in-progress centres partially on the ambiguity of dealing with the financial crisis of 2008, its causes and consequences, and of course on the question originally posed at the conference.

Concerning the crisis, one cannot escape the impression that with it an old motto has been perverted – instead of “private vices, public

benefits” we now have “private vices, public debts”. The crisis itself is at the same time downplayed (“Don’t panic, please!” “It’s a depression, not a serious crisis of the capitalist system!”) and (mis)used as “shock therapy” (Klein) for “cutting down” the public sector and simultaneously appropriating what is left of it. This privatization and commodification of the commons¹ was accurately described by David Harvey as accumulation by dispossession.² What I was referring to in March as re-privatization is in fact part of these processes and is “neutralized” or “masked” under the banner of “intellectual property rights”, which I will address briefly at the end of the paper.³

Before I proceed I would like to make two brief remarks. The first concerns the now popular saying “No panic, no crisis!”. The claim “There’s no crisis at all!” resembles very much what Freud taught us about negation. If now we are constantly reassured (“You’re going to think it was/is a financial crisis, but it was/is not really a crisis.”), this negation is nothing but a rejection in a Freudian sense since it is a rejection of an unpleasant idea by means of the pleasure principle alone. If the latter is the only criteria, we are dreaming even with our eyes wide open. Perhaps the reaction to the crisis resembles the unfortunate father Freud mentions in his *Interpretation of Dreams* who went to rest in the room next to the one in which his dead child was lying and who is suddenly awoken by something (overturned candles setting fire). He was fast asleep and dreaming that

1 See Antonio Negri and Michael Hardt, *Commonwealth*, Cambridge (MA): Harvard University Press 2009.

2 See David Harvey, *The New Imperialism*, Oxford : Oxford University Press 2003, especially pp. 137 – 182.

3 I would like to thank the organizers (Petar Bojanić) for inviting me and the participants in the discussion following my presentation (Phillip Golub, Noelle Burgi, David Chandler, and Vladimir Gligorov) for their arguments, which helped me in rethinking and reformulating many theses presented here. I would also like to thank Dean J. DeVos, not only for his usual thoroughness in clarifying my English, but also for improving some of the arguments presented here. All faults remaining are of course mine.

the (dead) child was alive, near his bed, that he took him by the arm and whispered to him reproachfully – Father, can't you see that I am burning? This awakened him and ended his sleep, but before he actually awoke he had dreamed about his dead son. This was a desperate way to continue his sleep in spite of the external disturbances. Freud's well known thesis is that the function of dreams is to prolong and to protect sleep. This can actually help us in understanding why the crisis was such a surprise, or, as Joseph Stiglitz points out: "The only surprise about the economic crisis of 2008 was that it came as a surprise to so many."⁴ This reaction is part of the same syndrome which was very well described by Reinhart and Rogoff: "The essence of the this-time-is-different syndrome is simple. It is rooted in the firmly held belief that financial crises are things that happen to other people in other countries at other times; crises do not happen to us, here and now. We are doing things better, we are smarter, we have learned from past mistakes."⁵ Have we?

The second remark briefly tackles the expression "future prospects", which I used as the title of my presentation. What are these future prospects about? What can we say about our future? One can say that there are indeed some very probable scenarios which might happen in the next couple of years in the world at the geo-strategic level. To put it simply, the end of US world hegemony is imminent (some interpreters locate it already in the early seventies when the gold standard for the dollar was abolished) and the next world hegemony in the world-system belongs to China. This has been elaborated by the world-system theory of Immanuel Wallerstein, Giovanni Arrighi⁶, and many others. From this point of view,

4 Joseph Stiglitz, *Freefall. Free Markets and the Sinking of the Global Economy*, London: Penguin Books 2010, p. 1.

5 Carmen M. Reinhart and Kenneth S. Rogoff, *This Time is Different. Eight Centuries of Financial Folly*, Princeton & Oxford: Princeton University Press 2009, p. 2.

6 See: Giovanni Arrighi, *Adam Smith in Beijing. Lineages of the Twenty-First Century*, London & New York: Verso 2007.

it is therefore fairly predictable what is likely going to happen in the next 40-50 years. Even what might happen in our immediate future is fairly predictable. Lucio Caracciolo in his work "L'impera senza credito" envisions three possible scenarios that might arise at the geo-monetary level in the next 5-10 years: "The first is founded on the US-China coupling (Chimerica), thus on a pact between the dollar and yuan. The second extends the game to Russia and Euro-Western powers, Germany and France come to mind, bound by a special agreement between the Euroland and the ruble (Eurussia). Thus determining, parallel to the Chino-American axis, the premises of a super Bretton Woods, a full agreement between all the major powers. The third scenario is the exacerbation of imbalances to the point of rendering the system completely ungovernable. The catastrophes pile up to then reproduce August 1914, this time on a nuclear and planetary scale."⁷

All these scenarios sound very intriguing, but one should immediately ask a very simple question – are there really only these scenarios? Are there really only those options available? Of course not. Even if we take them for granted and exclude any other options, there is still the question of how these three scenarios are compatible. How are they related? What follows what, what are effects and what are causes? The first and the second scenarios, for instance, can jointly lead to the third one or, on the contrary, prevent it. On the other hand, the third might happen even or precisely because the first two did or will not. The third can start in different ways, it can start, for instance, by the now infamous Greek scenario spreading like a virus and leading to the collapse of the euro zone, to its restriction to Germany and some neighbouring countries, etc. Of all this, what is inevitable and necessary? What are the consequences of these scenarios for society at the micro-level?

⁷ Cited in Christian Marazzi's brilliant book: *The Violence of Financial Capitalism*, Los Angeles: Semiotext(e) 2010, pp. 85-86.

And what exactly does this little hypothetical exercise tell us? That such exercises are interesting and useful to a degree. But they are futile or at least limited, because we should always take into account our activity or passivity. In short, there are always alternatives, but they depend upon our diagnosis of the present. Despite appearances, even for Wallerstein and Arrighi there is no necessity of history (Wallerstein in his *Decline of American Power* from 2003 frequently criticizes the principle of TINA or “there is no alternative”). Take, for instance, Arrighi’s emphasis that Chinese society needs a reorientation towards more balanced development between rural and urban areas, between economy and society. If the reorientation succeeds in reviving and consolidating China’s traditions of a self-centred market-based economy, accumulation without dispossession, the mobilization of human rather than inhuman resources, then in Arrighi’s view chances are that China might contribute decisively to the emergence of the commonwealth of civilizations. If the reorientation fails, China “may well turn into a new epicentre of social and political chaos that will facilitate Northern attempts to re-establish a crumbling global dominance or, to once again paraphrase Schumpeter, help humanity burn up in the horrors (or glories) of the escalating violence that has accompanied the liquidation of the Cold War world order.”⁸

Speaking about the future therefore does not mean to foretell or to predict what is going to happen, or even worse, what is necessarily going to happen, but to outline what *might* happen. Outlining such possibilities often serves to prevent them from happening, that is why an analysis of the present tendencies, conflicts, and antagonisms is so important. In other words, future tendencies and prospects are already here, but they are always already framed by our fears, hopes, projects, desires, fantasies. To speak about the future always means to answer the question of desire, i.e. what do we want? What is the will of the people, the European people? Since I was not prudent enough and I put the expression “European model” in my

⁸ Giovanni Arrighi, *Adam Smith in Beijing*, p. 389.

title, I am at least vaguely obliged to define it. I have to say – provocatively – that this question is perhaps even more enigmatic and difficult than the famous (or infamous, notorious) Freudian question: What does woman want? What does Europe want? Does Europe want – another problematic expression – a “European model” at all? What is it? Does it exist? Is it embodied in the present “European Union”? To make a long story short – I do not think so, it is yet to be invented. With all these questions in mind one has to admit that frequently the diagnosis of the contemporary moment is accompanied by the judgment that we are living “in turbulent times”. A recent book by David Smith, for instance, published in March 2010, is called: *The Age of Instability: The Global Financial Crisis and What Comes Next*. There is a general agreement that our age is “an age of transition” – this view of contemporary society is today shared by many sociologists, philosophers, economists, historians, etc.

However, diagnoses vary, as well as proposals on what should be done. Sociologists (Beck, Bauman) are talking about “liquid modernity” or the “risk society”, but they do not seem to propose radical alternatives to the state of things. On the other hand, talking about a “turning point in history” can be observed throughout history, from ancient Greece to Hegel and the French Revolution, and later on in the twentieth century. We can always observe the same structural necessity of an attitude towards own historic moment. The same, by the way, concerns an attitude towards economic crises – as a recent book on the 2008 crisis by two historians of economic crises, Reinhart and Rogoff, argue, in the last eight centuries an economic crisis has always been met with “this time is different”.

The four diagnoses I will concentrate on here, which could not be more diverse and even opposed to each other, are going to be used exactly to claim “that this time things *really are* different”. Their mutual point is that we have to act, nevertheless their attitude towards what should be done, as we will see, is very, very different. Our team consists of a philosopher, a sociologist, an economist, and

a former DJ. All four are famous: Gilles Deleuze, Jeremy Rifkin, Joseph Stiglitz, and Matt Mason. Four different languages and perspectives, indeed four different diagnoses approximately a decade apart – the first is from the 1990s, the second from 2000, and the last two from 2008 and 2010, respectively. We will not go too deep into the problematic they expose, nor into their differences, all this serves just to point out only one particular point.

The French philosopher Gilles Deleuze begins his short work “Postscript on the Control Societies” with the term “disciplinary society” used by the well known French intellectual Michel Foucault, and argues that *disciplinary societies* arose in the eighteenth and nineteenth centuries and that they reached their height at the outset of the twentieth. They initiate the organization of vast spaces of enclosure – each having its own laws: family, school, barracks, factory, hospital, prison. In Deleuze’s view, his friend Foucault has brilliantly analysed the ideal project of these environments of enclosure: to concentrate, to distribute in space, to order in time, to compose a productive force within the dimension of space-time whose effect will be greater than the sum of its component forces. But what Foucault recognized as well was the transience of this model: it succeeded that of the *societies of sovereignty*, but the disciplines underwent a crisis to the benefit of the new forces that were gradually instituted and which accelerated after World War II. A generalized crisis in relation to all the environments of enclosure followed; gradually another type of society is rising contemporaneous with the old one: *societies of control*. Deleuze presents a brilliant analysis of the logics of both these societies, but there is no place to follow him here more closely. His analysis is very dense and even now, twenty years later, it sounds right. What is particularly interesting for our purposes here is his brief description of the transformation of contemporary capitalism.

In the present situation, says Deleuze, capitalism is no longer involved in production, which it often relegates to the Third World, even for complex forms of textiles, metallurgy, or oil production.

It is a capitalism of higher-order production. It no longer buys raw materials or sells finished products: it buys the finished products or assembles parts. What it wants to sell are services and what it wants to buy are stocks. This is no longer capitalism for production but capitalism for the product, which is to say, for being sold or marketed. Thus, it is essentially dispersive, and the factory has given way to the corporation. The family, the school, the army, the factory are no longer the distinct analogical spaces that converge towards an owner – the state or a private power – but coded figures, deformable and transformable, of a single corporation that now only has stockholders. Even art has left the spaces of enclosure in order to enter into the open circuits of the bank. The conquests of the market are made by grabbing control and no longer by disciplinary training, by fixing the exchange rate much more than by lowering costs, by the transformation of the product more than by the specialization of production. “Corruption thereby gains a new power. Marketing has become the centre or the ‘soul’ of the corporation. We are taught that corporations have a soul, which is the most terrifying news in the world. The operation of markets is now the instrument of social control and forms the impudent breed of our masters. Control is short-term and of rapid rates of turnover, but also continuous and without limit, while discipline was of long duration, infinite, and discontinuous. Man is no longer man enclosed, but man in debt. It is true that capitalism has retained as a constant the extreme poverty of three-quarters of humanity, too poor for debt, too numerous for confinement: control will not only have to deal with erosions of frontiers but with the explosions within shanty towns or ghettos.”⁹ Deleuze points out the role of financial capital and indebtedness for the new type of capitalism, its new ways of production and consumption. Here he steps in line, by the way, with all those who tried recently to pin down the very specifics of contemporary capitalism. Let us name but a few recent attempts, which span from “late” (Man-

⁹ See: Gilles Deleuze, *Negotiations 1972-1990*, New York: Columbia University Press 1997, pp. 177-181.

del), “cultural” (Jameson), “*cognitif*” or “digital” (Boutang), “communicative” (Dean), “emotional” (Illouz), “cynical” (Badiou), “casino” (Kurz), “disaster” (Klein), “cool” or “hyper” (McGuigan), “creative” (Bill Gates), to simply “turbo” or “new” (“the new spirit of capitalism”, Boltanski, Chiappelo), or “post” (“postfordism” within Italian Operaismo). An attempt was made by Negri and Hardt in their “Empire trilogy” to further develop in which ways this new capitalism is so specific (biopolitical, post-Fordist production). What is the bottom line of Deleuze’s analysis? That we are living in a time of “transition”, a time in which money is extremely important as a means of “control”, along with power as such. His main point is that there is no need to fear or hope, but only to look for new weapons.

In *The Age of Access*¹⁰ Jeremy Rifkin presents a very different picture – an optimistic one. He agrees that we are living in “transitional” or “turbulent” times – Rifkin’s main thesis is that we are moving from an economy of buyers and sellers of things to an economy of suppliers (grantors of access). There are many transformations under way; Rifkin examines the trends that underlie our transition from a service-based economy to one based on the convergence of commerce and culture. Specifically, he notes a broad range of structural changes, including the shift from markets to networks and from ownership to access, the reduced value of physical property and the rise of intellectual property, and the increased marketing of human relationships where culture has become the ultimate commercial resource. However, these developments are in sharp contrast to the situation in the rest of the world, in which, as Rifkin states, over 50 percent of the people have never made a phone call, much less been connected to the emerging global information network. For Rifkin, therefore, the main transformation is from a work ethic to a play ethic, from physical production to cultural production, from industrial capitalism to a cultural capitalism and distribution of wealth.

10 Jeremy Rifkin, *The Age of Access: The New Culture of Hypercapitalism Where All of Life is a Paid-For Experience*, New York: Jeremy P. Tarcher/Putnam 2000.

At this point I personally find Rifkin's position very limited and ideological. This crucial deficiency in Rifkin's book concerns the role of private property and money in our society. Here Rifkin could not be further from the position of Deleuze and one might also say from the actual state of things, too. He states that "the role of property is changing radically. The implications for society are enormous and far-reaching." (p. 3) If the idea of exchanging property in the market has been with us for centuries, at present "wealth is no longer vested in physical capital but rather in human imagination and creativity". Intellectual capital is the driving force of the new era, and intellectual capital is rarely exchanged – it is closely held by the suppliers and leased or licensed to other parties for their limited use. So, no more owning things, this is outdated. No more commodification of work, or space, but the commodification of human time, the commodification of play. Now is the time of access – this is a time of advancement, of personal fulfilment – "access is, after all, about distinctions and divisions, about who is to be included and who is to be excluded". (p. 15) No more talk, – like Deleuze regarding segregation and ghettos – the whole story is just about access. Though he talks about inclusion/exclusion, Rifkin does not seem to have any problems with that. However, this is nonetheless the crucial antagonism of our age. The antagonism between the Included and the Excluded – between those on the one hand who are "part of no part", to use Ranci ere's terminology, those who are not counted at all, who do not count, and on the other hand, those with full citizen and other rights, the privileged – is certain to be the major antagonism in our future.

But Rifkin seems to underestimate its potentially disastrous consequences. He is an optimist and is at one point close even to the Karl Marx of the *Grundrisse* (from 1857, a later abolished view), wherein Marx saw the crucial role of the "general intellect" (knowledge and social cooperation) in the creation of wealth. From its role Marx expected nothing less than the self-dissolution of capitalism. When, due to the crucial role of the "general intellect" (knowledge and social cooperation) in the creation of wealth, forms of wealth are

increasingly “out of all proportion to the direct labour time spent on their production”, the result is not, as Marx expected, the self-dissolution of capitalism, but the gradual relative transformation of the profit generated by the exploitation of the labour force into rent appropriated by the privatization of the “general intellect”. Because of his neglect of the social dimension of the “general intellect”, Marx did not envisage the possibility of *the privatization of the “general intellect” itself*.

This is what is at the core of the struggle for “intellectual property”. How, for instance, did Bill Gates become one of the richest men in the world? His wealth has nothing to do with the production costs of Microsoft, i.e. Gates’ wealth is not the result of his success in producing good software for prices lower than his competitors, nor in greater “exploitation” of his hired intellectual workers. If this were the case, Microsoft would have gone bankrupt long ago: people would have overwhelmingly chosen software such as Linux, which is free and, according to many, is better than Microsoft. Why then are millions still buying Microsoft products? Because Microsoft imposed itself as an almost universal standard, (almost) monopolizing the field, a direct embodiment of the “general intellect”. Gates became the richest man in a couple of decades by allowing millions of intellectual workers to participate in the form of the “general intellect” that he privatized and controlled. The same argument applies to Rifkin – because he is convinced that private property plays no important role in our future, he underestimates the antagonism between the Included and the Excluded, and he underestimates the processes of privatization which were only strengthened by the crisis of 2008.

Rifkin’s final conclusion is the following:

“The Age of Access will force each of us to ask fundamental questions about how we want to restructure our most basic relationships to one another. Access is, after all, about determining kinds as well as levels of participation. It’s not a question just of who gains access

but rather what types of experiences and worlds of engagement are worth seeking and having access to. The answer to that question will determine the nature of the society we will create for ourselves in the twenty-first century.”¹¹

So the future is still open, even for Rifkin there are alternatives, everything is up to us – but what he does not see or does not want to see is that inclusions or exclusions are not simply a matter of our free choice or will, they are governed by relations of power and are linked to our place in the relations of the production and distribution of wealth.

Locating the problem in the financial system is the argument put forward by the third member of our team, the Nobel Prize winning economist Joseph Stiglitz. Without going too deep into the problematic he presents, let us quote only the final conclusion of his analysis of the crisis of 2008:

“In several critical areas, in the midst of the crisis, matters have already become worse. We have altered not only our institutions – encouraging ever increased concentration in finance – but the very rules of capitalism. We have announced that for favoured institutions there is to be little, or no, market discipline. We have created an ersatz capitalism with unclear rules – but with the predictable outcome: future crises; undue risk-taking at the public expense, no matter what the promise of a new regulatory regime; and greater inefficiency. [...] The rules of the game have changed globally too. [...] It has become a cliché to observe that the Chinese characters for crisis reflect ‘danger’ and ‘opportunity’. We have seen [referring to his analysis in the book] the danger. The question is, will we seize the opportunity to restore our sense of balance between the market and the state, between individualism and the community, between man and nature, between means and ends? We now have the

¹¹ Rifkin, *The Age of Access*, p. 266.

opportunity to create a new financial system that will do what human beings need a financial system to do; to create a new economic system that will create meaningful jobs, decent work for all those who want it, one in which the divide between the haves and have-nots is narrowing, rather than widening; and most importantly, to create a new society in which each individual is able to fulfil his aspirations and live up to his potential, in which we have created citizens who live up to shared ideals and values, in which we have created a community that treats our planet with the respect that in the long run it will surely demand. These are the opportunities. The real danger now is that we will not seize them.”¹²

So far the members of our team – a philosopher, a sociologist, an economist, i.e. Deleuze, Rifkin, Stiglitz – all share the common conviction that it is up to us what kind of future will exist. This future is indeed very different for each of them – but what is important is that for all of them we have to act or to choose our options. However different they are, they all underline that we have to find alternatives to the present state. The point is that we therefore need changes – be they radical changes or various reforms. And here lies the catch – what kind of changes or reforms? One should keep in mind that in capitalism, as such, the dialectics of crisis and reform is always there, for capitalism is a permanent crisis (“creative destruction”, Schumpeter), it is a permanent self-revolutionizing system. One has to be careful, however, not to replace the existing with even worse. Although I am not offering any alternatives, I would like to point out what is not an alternative. Which brings us to the fourth member of our team.

This fourth member presents us with a realism, but one would have to say a realism which is at the same time sheer utopia. This utopia is called “punk capitalism” and is presented in a book by Matt

12 Joseph Stiglitz, *Freefall. Free Markets and the Sinking of the Global Economy*, pp. 296-297.

Mason¹³. Mason, an ex-pirate and club DJ, was selected in the UK as one of the faces of Gordon Brown's *Start Talking Ideas* campaign in 2004, and recipient of Prince Charles' Prince's Trust London Business of the Year Award. Today he is a successful writer and entrepreneur. For Mason, "piracy" is the greatest business model we have and it promotes three basic ideas ("Do It Yourself", "Resist Authority", "Combine Altruism with Self-Interest"). Mason's unlimited faith in the power of technology and democracy (he actually writes down the equation: Technology + Democracy = Punk Capitalism), combined with his unseen and unreserved naive defence of the free market, are today – especially after the so-called "defeat" of neo-liberalism – indeed very rare. This utopia called "punk-capitalism" might very likely turn out to be one of our common future prospects in "a brave new world society" of capitalism with a "human face".

Nobody dares or is allowed anymore to praise the power of the free market as uncritically and openly as Mason does. Perhaps he is allowed to do so because he is "young", a fresh face, a representative of youth culture, because he is successful, and above all he stands for ecological, worker-friendly capitalism. Readers of his work might not even notice that many of the stories that he tells about inventors, hip-hop artists, and DJs are in fact ideology at its purest. His entire edifice is based on the "invisible hand of the free market" (p. 38) – an expression taken from Adam Smith.

Mason is surely not a theoretician and he is no doubt sincere. That is why he is even more persuasive and I would say dangerous. His life has been a success and his success story is exactly what capitalism needs – everyone can do it (see his site: <http://thepiratesdilemma.com>). But he is not just selling his own success story, he thinks that he belongs to a special breed – "the future belongs to a new breed of change agents", he says, "punk capitalists putting purpose next to

13 Matt Mason, *The Pirates Dilemma. How Youth Culture is Reinventing Capitalism*, New York, Toronto London & Sydney: Free Press 2008

profit. Abstract economic constructs have long told us that we are governed by nothing but self-interest, but reality has consistently proved this notion wrong.” (pp. 23-24)

Reality – the reality of the free market – is here the main argument. In fact, it is the only argument. There are many examples to back it up; let us mention only one of them. The clothing label American Apparel was founded by Dov Charney back in 1989, when he was still in school. He started his DIY business by producing plain T-shirts and logo-free clothes and now he owns the single largest clothing manufacturing plant in the USA. He has 4500 employees, they earn an average of \$13 an hour, and receive benefits such as paid leave, health insurance, subsidized lunches, bus passes, free bicycles, and free parking. The company also pursues progressive environmental policies: more than 20 percent of the cotton used is organic (plans are under way to raise this figure to 80 percent), fabric scraps are recycled; 20 percent of the electric power comes from solar panels on the roof. They respond faster to market demand, have \$250 million in revenue, and are a statement to the rest of the fashion world that this is possible without using sweatshops. So, “punk capitalists realize they have to compete on every level, not just ethically.” (p. 25)

All this is a result of careful planning and a good idea. The only thing that matters is having a good idea, nothing less, and success is guaranteed. Mason is convinced that “punk made it very clear that we could do everything by ourselves, and purpose should be at least as important as profit” (p. 231). This means that “in the simple version of the Prisoner’s Dilemma, only self-interest rules. But in the Pirate’s Dilemma, what’s best for society as a whole is also an important factor. [...] What is emerging from the ideas youth culture pushed on the world is a more democratic strain of capitalism. People, firms, and governments are being forced to do the right thing by a new breed of rebels using a cutthroat style of competition, which combines both their self-interest and the good of the community to beat

traditional business models. We are starting to see a very different picture of how the world might work. A world of competitive pirates, it seems, is a better place to be than one full of paranoid prisoners.” (pp. 238-239) So, “pirates are taking over the good ship capitalism, but they’re not here to sink it. Instead they will plug the holes, keep it afloat, and propel it forward. The mass market will still be here for a long while”. (p. 239) Only one rule remains here – “the trick is not to fight, but to be the first to market”. (p. 161)

This utopian version of capitalism has more supporters and partisans than you might think. One of them is John Perry Barlow, a former lyricist for the rock group the *Grateful Dead*, an icon of internet libertarian literature, and a founder of the *Electronic Frontier Foundation*. He too refers frequently to the *frontier*, a romantic notion of pushing the borders further on. His version of capitalism is called “anarcho-capitalism”, not an alternative to capitalism, but alternative capitalism. It is very similar to Mason’s punk-capitalism, which is not “about big government or big markets but about the new breed of incredibly efficient networks. This is not a digital communism, this isn’t central planning. It is in fact quite the opposite: a new kind of decentralized democracy made possible by changes in technology. Piracy isn’t just another business model, it’s one of the greatest business models we have.” (p. 240) Perhaps one should ask Mason a simple question – is this the one and only model available? His answer would certainly be yes and I am sure he is convinced that *this* is the European model.

Well, you might make jokes about Mason’s naivety, but I think he should be taken seriously and literally. He wants to be taken so: “The Pirate’s Dilemma needs to be taken seriously by all of us, because tomorrow pirates could be coming to an industry near you”. (p. 240) There is only one option in this world – let us embrace it. This kind of talk strangely reminds one of the debates between Kautsky, Plehanov, Bernstein, and Lenin at the end of the 19th Century – history has its course, one cannot skip any of its phases. So in many ways we

are, paradoxically, going back to Stalinism, history now progresses in one direction only. It has become nature again. This nature is nothing but the free market, of course. Piracy is not just economics, it is also a political issue and a solution, too.

But what Mason does not tell us is that the problems of “intellectual property” have other dimensions, not connected so much with Mason’s Romantic imagery, as much as with our everyday life. From the point of view imposed by a neoliberal perspective, it certainly seems that all we need is free choice and to fight against monopolies. That is why the most notorious case concerns the computer software competition between Microsoft and Linux. This is itself a very well known fight. What is less known is that this fight is not the fight of Capital versus The Free World, but a *fight between two different business models*. (According to Wikipedia, if the Linux software had been developed by conventional proprietary means, it would have cost about \$1.38 billion (2010 US dollars) to develop in the United States). It is true that Linux (so they say) is a better program, but nobody ever talks about open-source technology as a totally free technology.¹⁴ Even Linus Thorvalds, author of the core of the Linux system, said in 2003: “I am just an engineer working on the improvement of a computer system!” The question of technology is far from being such a simple matter, for technology is neither neutral,

14 Another issue here is the so-called “economy of free”. Already in Rifkin’s *The End of Work* we encounter the idea that by being what we are, with our personal images and identities and by being consumers, we are in fact producers. Rifkin points out that in the future we will not work, but play and in this way we will produce new values and profits. This idea was taken up by the editor of *Wired* Chris Anderson in his two books *The Long Tail* and *Free*, in which Anderson presents us the unlimited possibilities of the new economy with the rise of the internet economy. Without going into details, one can say that many corporations are certainly making their profits by means of unpaid anonymous visitors to their websites (Amazon, for instance). In that way our cultural and other identities, the unpaid work of our education, hobbies, preferences, etc., become an important source of profit for market researchers, etc.

as Thorvalds thinks, nor brings freedom of itself, as Mason claims. In *The Rise of the Network Society* Manuel Castels says: “Freedom is always the result of a fight and it is not a gift from technology.”

Take biotechnology, for instance. One has to agree with Mason that piracy is one of the best business strategies we have, except for the fact that piracy has been practiced by corporations for centuries. As Jeremy Rifkin showed in *The Biotech Century* from 1998, today we are witnessing a special form of “bio-piracy” or “bio-colonialism”. Rich corporations steal genetic and biotic material from all over the world and privatize what for centuries was a part of the common knowledge and common heritage, e.g. Thaumatin is a protein, a natural sweetener roughly 2000 times more potent than sugar, which has been used in West Africa for centuries. With genetic technology it can be produced in a fruit and has a huge profit potential. Patents on plants, genetic material, and cells can privatize a whole human being – a famous court case occurred in 1996 after the American National Institutes of Health illegally took samples of DNA from patients at private clinics in India, etc. There is also “bio-prospecting”, the commercialisation of traditional medicines; a famous case concerns patenting the Indian plant azdirathi, used for centuries as a organic pesticide, under the patented pesticide name Margosan-O by the corporation W.R Grace. After a ten year court battle the corporation lost, but this is only one case among many (e.g. patenting the enola bean, a variety of the Mexican yellow bean; basmati rice being patented by the Texas firm RiceTec; the patent case involving hoodia – an appetite suppressant from the South African desert, etc.).

Rifkin mentions the case of John Moore from Alaska (used later also in Michael Crichton’s novel *Next*, from 2006), who underwent treatment for hairy cell leukaemia at the UCLA Medical Center under the supervision of Dr. David W. Golde. Moore’s *cancer* was later developed into a *cell line* that was commercialized. A very rare protein, good at fighting cancer was found and immediately patented, of course. As of 1984 the patent was worth three billion dollars! Moore

lost his law suit in 1990: the Supreme Court decision issued on July 9, 1990, dealing with the issue of property rights regarding one's own *body parts*, found that Moore had no right to any share of the *profits* realized from the commercialization of anything developed from his discarded body parts.

So privatisation, re-privatisation, appropriation, the enclosure of common goods and the public domain is under way in an unprecedented manner. Today everyone talks about creativity, but this is seriously limited by patents and trolls of various kinds. As Lawrence Lessig somewhere says, today you cannot shoot a movie without sending lawyers a picture of potential shooting locations in order to estimate possible law suits from the building architects, chair designers, etc. – Lessig says that the best strategy is to shoot a movie in a living room with nothing in it.

Take, for instance, the idea of the “patent troll” (or *non-practising entity*, NPE), which buys patents cheaply from entities not actively seeking to enforce them. For example, a company may purchase hundreds of patents from a technology company forced into bankruptcy or simply patent something no one patented before. In 1997 the company “Forgent Networks” patented the JPEG standard for digital picture compression, although it had been in the public domain for 10 years, and in 2004 started a law suit against 44 firms and announced that it would sue 1000 firms. Their chief executive Dick Snyder defended the company in 2006 by saying: “this is the American way. We do what we think is right to do, we do everything to extract the value from what we own....” In the end they quit, but that is the example to follow on the basis of the DMCA (Digital Millennium Copy Act) in the USA and the EUCD (European Copyright Directive). In the USA the most notorious case was against Jon Johansen, who at age fifteen, in 1999 developed a program called DeCSS which illegally enabled DVDs to be played on Linux systems; then there is the case against the founder of the Pirate Bay, etc. There have been other bizarre attempts to patent certain things – British Telecom

tried to patent the clickable link (hypertext); other firms have tried to patent *instant messaging* and *streaming*; there has also been talk about patenting mathematical algorithms and demonstrations.

We are faced here with the enclosure of resources that were previously collectively owned and which are now privatized, enclosed. These were traditionally understood as *Commons*, common land and environment; in fact, they include many 'public goods' such as public space, public education, health, and the infrastructure that allows society to function (such as electricity or water supply systems), and then there is the 'life commons' (the human genome that makes us a unique species), etc. If this is not an "accumulation by dispossession", then what is it? In comparing Mason's pirates with these bio-pirates (mega corporations), we need only quote Brecht: What is robbing a bank compared to founding a bank?

I will end my presentation with an appeal for more radical changes. But who can change the situation? Should we wait for the arrival of a new revolutionary agent who will perform the long-expected radical social transformation? Waiting for another to do the job for us is a way of rationalizing our inactivity. Here we can paraphrase the old Hopi saying: "we are the ones we have been waiting for", or a version of Gandhi's motto: "be yourself the change you want to see in the world". Left to itself (as in Mason's plea and partially for Rifkin too) the free market leads to catastrophe, to world apocalypse. Our only free decision in acting against these forces is to invent new models, even a "European model" – whatever that might be. The only serious question with regard to what future society might look like is still the alternative presented long ago by Walter Benjamin. Our future is either "an x" or barbarism. Indeed, today "communism or barbarism" is the only proper question concerning our future!

L'identité européenne en tant que processus

La question controversée de l'identité européenne jouit d'un net regain d'intérêt depuis la chute des états socialistes. On débat principalement des buts et des structures d'une unification européenne de différents états, c'est-à-dire des problèmes de réduction et de délégation de la souveraineté. En second lieu on s'intéresse au problème des frontières orientales, et ce en particulier pour les pays candidats à l'adhésion qui placent leurs espoirs dans l'Europe et considèrent, dans le cadre de la refonte des rapports de forces sur le plan politique, que leur place est en Europe. On porte ainsi des jugements sur l'identité européenne dans une perspective interne et une perspective externe. C'est là une caractéristique de toute discussion concernant l'identité.

La question de l'identité et la réponse qu'on y apporte sont modelées par différents topoi, ou points de vue, et évoquées dans différents ordres de priorités et contextes de justifications, à savoir : les valeurs culturelles et les acquis de la civilisation, les orientations économiques et les options de politique financière, les conceptions de sécurité et les questions militaires, ainsi que les considérations géopolitiques. Or, sur un plan général, la topique et sa tradition nous prouve que le choix et la classification de topoi qui régissent les justifications théoriques ne peuvent être fondés sur le plan théorique et ne se justifient que sur le plan pratique.

Ceci est vrai aussi pour la topique politique. Sommes-nous ici dépendants d'un certain pouvoir décisionnaire des idées, où chacun préconise ses propres normes ? Dans le domaine théorique cela est visible dans la profusion des définitions réelles de l'Europe, formulées tantôt à partir de conceptions culturelles (religieuses, de

philosophie sociale, de philosophie de la démocratie etc.), tantôt sur la base de conceptions économiques, de politique de sécurité et en termes de rapport des forces, ou encore à partir de conceptions géopolitiques. Dans la pratique, cela se reflète dans la diversité des institutions (depuis le Conseil de l'Europe jusqu'à l'OSCE [Organisation pour la Sécurité et la Coopération en Europe] et l'Union Européenne, avec chaque fois des conditions différentes d'éligibilité et des compositions différentes, divers modes de participation, d'inclusion et de délimitation.

La philosophie a-t-elle ici un mot à dire ? Il ne lui appartient certes pas de proposer des idées directrices avec l'aide desquelles on pourrait dessiner précisément le visage de l'Europe – ce qui reviendrait à alimenter la rivalité entre les conceptions. Elle ne peut pas non plus se faire l'avocat de l'histoire des idées et en référer à une tradition qui ne fait que s'affirmer et se légitimer à travers son propre établissement. Cette tradition est de fait friable, inhomogène et en perpétuel changement. C'est particulièrement vrai pour le rapport entre unité européenne et régionalisme (ou l'Europe des régions). Il suffit se souvenir des différences de conceptions entre Charlemagne et les Ottoniens concernant l'unité du Saint Empire romain germanique. Comme le montrent de nombreuses fresques et miniatures du Moyen-âge, la conception ottonienne reposait sur une régionalisation englobant les grandes régions de l'Italie, de la Germanie, de la Gaule et de la Slavonie¹. En fonction de l'ennemi extérieur (les Mongoles, les Turcs, plus tard le Totalitarisme etc.) on développa d'autres différents sentiments de communauté. Je ne veux pas approfondir ces rapides indications, mais il faut retenir, et ce en regard par exemple du processus d'unification des États Unis d'Amérique, une possibilité fondamentale qui consiste à faire reconnaître au cours d'une évolution proprement politique et militaire la diversité des cultures, des ethnies etc. grâce à des idées à caractère constitutionnel.

¹ p. e. à l'église Pierre le jeune à Strasbourg.

Et la philosophie la dedans ? En référence à Hegel, on peut dire qu'il lui incombe de *penser son temps*, c'est-à-dire de le *concevoir* de manière suffisamment radicale, en ne perdant pas de vue ses tendances unilatérales et ses limitations afin que s'élabore une réflexion qui retrouve la liberté d'une compréhension neuve et débarrassée des contraintes. Mais n'est-ce pas là faire preuve d'un idéalisme naïf au nom d'une liberté absolue, dépourvue d'ancrage dans le réel ? Hegel, justement, n'a cessé de critiquer un tel idéalisme²; il le remplace par ce qu'il nomme un «idéalisme spéculatif»³ dans lequel l'esprit pour ainsi dire «s'observe» et s'efforce de comprendre comment il travaille au contact de – et est travaillé par – la réalité. Nous pouvons observer un tel processus dans le développement de l'Europe, dans la mesure où l'identité européenne s'écrit et s'inscrit dans un processus, que je vais caractériser maintenant en deux étapes en ce qui concerne sa philosophie.

1

Commençons par la question de savoir comment une conscience individuelle peut obtenir une représentation d'elle-même, donc se comprendre elle-même. Comment une subjectivité peut-elle devenir elle-même objet? Elle pourrait essayer de se comprendre en se définissant par définition réelle dans le but d'acquérir une connaissance de soi. La grammaire philosophique d'une telle opération cognitive serait : X (donc moi) est O, ou X (moi) est un P, lequel est O. D'après Dieter Heinrich de la célèbre école philosophique de Heidelberg ceci exprime une immédiate **conscience de soi** concernant l'identité de celui qui est dans un **rapport à soi-même** et celui auquel ce rapport s'applique, pour lequel ce rapport est authentique : donc l'identité entre le sujet et l'objet de cette mise en rapport. Ce rapport ne peut pas surgir à la manière d'une création ex nihilo, ne

2 Georg Wilhelm Friedrich Hegel, *Phänomenologie des Geistes* (PhG), Ed. Hofmeister, Hamburg 1952, 177-178.

3 PhG, 47

peut pas être **décrété**, que ce soit par le moi ou par un tiers, cela serait du pur dogmatisme. Il ne peut pas non plus être **reconnu**, car cela suppose un critère me permettant d'identifier ce X comme objet «Moi». Une explication naturaliste est donc à exclure, car elle serait circulaire et poserait comme préalable ce qui doit d'abord être conclu ou expliqué⁴. Cette approche de l'école de Heidelberg a été critiquée par Ernst Tugendhat⁵ et Jürgen Habermas⁶ en référence aux arguments de George Herbert Mead⁷: Identité et conscience de soi ne consistent pas en une relation réflexive du sujet à soi comme objet, mais dans le rapport de compréhension entre une personne et une proposition décrivant l'état de la personne. La vérité de cette proposition réside – la même position est défendue par Peter Frederick Strawson⁸ – dans sa possibilité d'être attribuée par des tiers; il s'agit donc d'une attribution intersubjective du point de vue d'une tierce personne. Habermas emboîte ici le pas à Mead, et tous deux tiennent pour acquis qu'il s'agit d'un problème de savoir et de raisonnement. C'est évidemment la raison pour laquelle Henrich pouvait rétorquer que le sujet «Moi» devait être en mesure de faire retour sur **lui-même** ou en tout cas de réaliser que le locuteur «Il» attribuait à juste titre au locuteur «Je» un savoir sur son état. Dans le cas contraire il s'agirait d'une simple insinuation d'un état intentionnel à partir d'indices extérieurs, ce qui provoquerait la remarque suivante : «De qui parles-tu, en fait ? En tout cas pas de moi !» C'est pourquoi, d'après Henrich, il faut admettre l'existence d'une conscience de soi immédiate – ce qui nous ramène à la case départ⁹.

4 Dieter Henrich, *Fluchtlinien*, Frankfurt/M. 1982, 148.

5 Ernst Tugendhat, *Selbstbewußtsein und Selbstbestimmung*, Frankfurt/M. 1989, 50-67.

6 Jürgen Habermas, *Theorie kommunikativen Handelns* 2, Frankfurt/M. 1981, 104.

7 Georg Herbert Mead, *Mind, Self and Society*, Chicago 1962, 138;182.

8 Peter Frederick Strawson, *Individuals*, London 1959, ch. 3

9 Dieter Henrich, *Noch einmal in Zirkeln. Eine Kritik von Ernst Tugendhats semantischer Erklärung von Selbstbewußtsein*, en: C. Bellut und U. Müller Scholl (Ed.), *Mensch und Moderne*, Würzburg 1989, 102-103.

Dès lors, la discussion sur l'intersubjectivité se réduirait seulement au problème de la configuration du rapport à soi. Que Tugendhat et Habermas se réfèrent à Mead et interprètent sa théorie de la pertinence de l'adoption du point de vue d'un tiers comme réactivation de Hegel, ne me semble cependant pas justifié, car en effet l'argumentation de Hegel, tout comme celle de Mead, est plus radicale et nous permet de faire avancer notre question de l'identité.

Hegel attire l'attention sur le fait que l'entendement peut modeler ses objets de diverses manières. Ces objets sont et restent toujours un Autre pour lui. Si l'entendement tente de se modeler lui-même comme objet, il entre en concurrence avec lui-même; il définit une conscience de soi qui diffère d'elle-même, à savoir une conscience modelée (alors que l'entendement lui-même est modeleur). Une «lutte» entre eux, entre le modeleur et l'image, entraînerait la disparition des deux. On ne peut donc pas trouver de solution au problème par le biais du savoir réflexif. Vous avez compris que je me réfère au chapitre «Domination et servitude» de la *Phénoménologie de l'esprit*. Lorsque les possibilités de connaître sont épuisées parce qu'elles débouchent sur le «jeu» des différents modelages possibles de forces en présence, lorsque donc l'entendement atteint ses limites, la connaissance doit être remplacée par la **reconnaissance**. Le côté-maître de la conscience, déterminant, et le côté-esclave, déterminé, doivent s'engager dans un rapport de reconnaissance réciproque. La reconnaissance relaie la connaissance : qu'est-ce que cela veut dire ?

Il importe d'abord de noter que nous ne sommes pas encore au niveau de rôles ou de classes personnalisés, mais bien sur celui des attitudes de conscience. De même, la grammaire philosophique n'est pas celle des énoncés qui décrivent la connaissance. Celle-ci pourrait dire: «X est O», ou «X est un O, lequel est P», alors qu'ici nous avons à faire à des énoncés spéculatifs. Ils décrivent comment nous nous représentons nos représentations. Leur forme est: «Le O est le P», comme par exemple quand on dit «Le destin est l'Inéluctable», «Le Tout-Puissant est Dieu», «L'être est le Devenir» ou dans notre

cas: «La conscience de soi est la reconnaissance réciproque entre le déterminant (maître) et le déterminé (esclave)»¹⁰. Dans le cas contraire, la conscience de soi se serait (comme dit Hegel) «égarée»¹¹ dans une représentation apparemment cognitive: elle ne serait qu'un objectif de départ, une prétention, un déterminant sans relation au réel, ou alors une réalité simplement existante, déterminée par hasard (comme dit Hegel «affectée de manière nauséabonde»), sans raison d'être apparente. La pratique nous a familiarisé avec les deux attitudes: ceux qui s'épanouissent comme «belles âmes» dans leur programmatique et évitent de se salir les mains, et les fatalistes, qui se considèrent comme jouets du destin. Peut-être entrevoyez-vous ici l'analogie avec la conscience de soi européenne – nous y viendrons plus tard.

Comment dès lors éviter que la reconnaissance ne s'effectue pas de manière arbitraire ? ou, sur un plan plus général, que des énoncés spéculatifs, par le biais desquels l'esprit se comprend lui-même, c'est-à-dire saisit comment ses représentations lui adviennent, soient posés arbitrairement ? La mise en œuvre des exigences validées par l'acte propositionnel constitue à la fois le correctif et le critère de leur développement ultérieur. Cette mise en œuvre s'effectue par le travail, par l'effort de réalisation des idées. Cet effort se trouve «contré» ; il se heurte à la résistance du monde et des moyens employés, lesquels ne s'avèrent comme tels qu'à travers la résistance du monde. Le labeur du côté «esclave» produit des œuvres qui diffèrent des idées qui ont présidé à leur ébauche conceptuelle. Ainsi la conscience servile peut d'assurer de ses compétences : celles des différence entre ébauche conceptuelle et mise en œuvre. Alors qu'auparavant, en tant que pure conscience de soi, elle n'était qu'un produit abstrait de la reconnaissance, qu'une pure possibilité (un «en-soi»), la teneur concrète de son travail («pour-soi») lui permet d'appréhender sa propre capacité à transposer des idées dans les

10 PhG, 141

11 PhG, 289-290.

faits. Elle fait pour ainsi dire physiquement sur elle-même l'expérience de la différence fondamentale entre des idées et un résultat ou une «œuvre» qu'elle est elle-même («en-soi et pour-soi»). Ainsi se constitue l'esclave. Il élargit son champ de compétences aussi bien en vue du travail que pour mesurer les idées à l'aune de la réalité de leurs mise en œuvre. (Nous retrouverons cela avec l'Europe).

C'est pourquoi Hegel peut affirmer que la conscience servile est la «véritable conscience de soi». Son identité est fondée dans la différence. Je suis ce que je peux. Cette conscience ne doit s'identifier ni avec les objectifs initiaux, ni avec les œuvres – cela signifierait pour Hegel qu'elle s'est «égarée». Or nous rencontrons ces deux aspects dans la discussion sur l'identité européenne. De ce fait le précepte chrétien «C'est à leurs fruits que vous les reconnaîtrez» perd sa pertinence, au profit de : «Tu ne te feras pas d'image.»

Mais ce sont là des généralités un peu creuses. Il manque le critère qualitatif permettant de porter un jugement de valeur sur la différence entre objectif initial et résultat. Ce jugement prend forme dans l'intersubjectivité, il est formulé par des tiers. Mais il n'est pas le fait d'individus quelconques, il exige au contraire, comme Hegel le décrit dans le chapitre «Règne animal de l'esprit»¹², des individus qui ont procédé à la même reconnaissance de ces mêmes idées de départ, et qui soupèsent à présent l'écart entre elles et leur mise en œuvre. On voit paraître ici un pragmatisme dont les spécialistes modernes de Hegel décèlent les racines précisément chez ce philosophe. Une reconnaissance partagée mène au général tel qu'il se manifeste dans des rôles, des règles de jeu et jusque dans la morale, bref dans ce qu'il nomme l'esprit objectif. Sur ce point, Mead, défenseur du behaviorisme social, a bien lu Hegel et reconstruit le passage d'un «I» à un «Me» comme processus. La socialisation personnelle est constituée de rôles que l'on essaye, de règles de jeu, d'affrontements réglementés. Grâce à la différence expérimentée lors de la mise en

12 PhG, 285-301.

œuvre, l'individu accède à son identité comme **relation** à «l'Autre comme instance de généralisation» et non par l'identification avec lui ou avec le résultat obtenu.

Peut-on transposer cela au processus de l'identité européenne, où nous sommes sur le terrain de l'agir institutionnel? Pouvons-nous ici aussi voir maître et esclave, ou la conscience servile comme la véritable conscience européenne ?

2

Commençons par nous remettre la spécificité de l'agir institutionnel en mémoire. N'avons-nous pas au contraire à faire à une dynamique autonome de systèmes ? Il faut souligner d'entrée de jeu que cet agir institutionnel n'est pas le fait de sujets naturels – les forces morales n'étant pas, comme le croyait encore Gustav Droysen, les «sculpteurs de la terre». Il n'y a pas d'intentions au sens strict du terme, mais nous avons tous les éléments d'un schéma actionnel : on poursuit des buts et mets des moyens (souvent inadaptés) en œuvre. Les institutions sont, selon Maurice Hauriou¹³, «porteuses d'idées de valeurs». Ces idées sont implantées dans le réel de manière plus ou moins adéquate. Dans l'ensemble nous retrouvons l'architecture conceptuelle de maîtrise et de servilité. Mais dans une perspective catégorielle, le schéma de l'agir institutionnel est situé sur un autre plan: l'agir institutionnel ne produit pas de véritables effets, il délimite les espaces de possibilités pour les orientations individuelles aussi bien que les moyens de l'action individuelle. La mise en œuvre par des individus est indispensable ; elle est régie par des gratifications et des sanctions qui prennent la forme «si – alors». Celui qui n'est pas intéressé par des gratifications ou ne se laisse pas impressionner par des sanctions sera indifférent aux directives (nous pouvons le constater en partie en Grèce). Les contraintes sont

13 Maurice Hauriou, La théorie de l'institution et de la fondation, en : Au sources du droit, Paris 1935, 96.

donc hypothétiques, et là réside le contre-pouvoir des individus face aux institutions. Mais un autre type de contre-pouvoir peut s'articuler : les espaces d'actions qui sont ouverts par les structure de pouvoir (ou «dispositifs», dans la terminologie foucauldienne¹⁴) peuvent être occupés par des contenus subversifs. Les stratégies du pouvoir, dépourvues de sujet immédiat, peuvent ainsi être minées par des «remplissages stratégiques» d'individus agissant pour leur propre intérêt. De même que les prisons rendirent d'abord possibles, puis firent éclore un milieu criminel, la politique de subventions de l'EU peut, par exemple, être détournée à des fins stratégiques.

À cela s'ajoute que pour être mis en œuvre, les schémas actionnels dépendent d'individus qui incorporent les institutions, remplissent (en tant que mandataires) les fonctions correspondantes, participent par le biais de commissions à l'élaboration des valeurs et à l'organisation générale, ou alors symbolisent les institutions dans le cadre des habituels rituels politiques. Les membres des organisations ont intérêt à percevoir leurs gratifications et à faire subsister leurs organisations même si cela n'a pas (ou n'a plus) de sens institutionnel. Nous le voyons bien avec la bureaucratie européenne. La situation est donc plus complexe que dans le domaine de l'identité et de la conscience de soi individuelles. Lors de la mise en œuvre des idées l'on n'est plus confronté seulement à la résistance du monde sur le plan des limitations géographiques, de la gestion des ressources, des déchets etc., mais on se heurte à des individus qui travaillent dans des organisations et s'intéressent aux gratifications personnelles. De surcroît l'organisation institutionnelle n'est pas homogène, nous avons à faire d'une part à des décalages hiérarchiques d'institutions européennes selon les régions, les états, les religions etc., d'autre part à des structures qui se font concurrence sur le plan du marché, du droit, de la science etc., et dont l'harmonisation s'avère

14 Michel Foucault, le jeu de Michel Foucault (entretien sur l'histoire de la sexualité), Dits et écrits III, Paris 1994, 298-329, Christoph Hubig, Dispositiv als Kategorie, Int. Zs. f. Philosophie 1/2000, 34-47.

laborieuse. Si, au vu de cette situation, on persiste à affirmer que l'Europe est une idée, une exigence face au marché, à la démocratie et à la solidarité, ainsi que l'a formulé Fernand Braudel, ou si l'on dit comme Jean François-Poncet que la culture et la religion¹⁵, et non pas les frontières, constituent l'identité européenne, si de telles exigences sont encensées, alors l'identité européenne se trouve réduite au côté maître de sa conscience de soi. Si par contre on pense que l'évolution de l'Europe n'est uniquement tributaire des contraintes du marché et des garanties de sécurité, on réduit cette identité à son aspect esclave. Idéalisme et fatalisme sont les deux extrêmes qui entravent la constitution d'une identité européenne. Peut-on dès lors imaginer une alternative pragmatique (au sens hégélien) qui comprenne l'identité européenne comme processus ? Quel tiers serait à même de juger de la différence entre objectif idéal et mise en œuvre institutionnelle, et habilité à le faire ?

Il faut pour commencer rappeler que tout ce qui freine le processus de l'identité européenne, et aussi tout ce qui permettra de surmonter cette résistance ne peut être jugé que par ceux qui ont reconnu la validité des idées de départ telles les Droits de l'Homme, la démocratie, la solidarité et l'état de droit. C'est en toute logique que le Conseil de l'Europe se réfère à des valeurs fondamentales et développe à partir d'eux des critères solides, auxquels on fait correspondre des indicateurs et des données d'observation. Certes, il ne faudrait pas réduire les valeurs fondamentales à des valeurs chrétiennes. Depuis le 11^{ème} siècle, la culture européenne est redevable dans bien des cas de l'influence islamique, et l'influence judaïque va de soit. Cependant la liberté religieuse et l'égalité des droits (à côté des autres Droits de l'Homme) constituent critères permettant de mesurer l'Islam quotidien. Le privilège de la mesure n'est pas uniquement l'apanage des membres de l'Europe, mais concerne aussi

15 Jean François-Poncet, Introduction, en : Europa – aber wo liegen seine Grenzen ?, Bergdorfer Gesprächskreis/Körber-Stiftung, Colloque à Warschau, Hamburg 104/1995, 19-24.

les tierces personnes externes dans la mesure où elles reconnaissent ces idées directrices.

Une telle reconnaissance n'est cependant pas tout, il faut de surcroît un travail d'organisation qu'aie lieu sur le plan pratique. Et là il n'est pas permis d'avoir différentes échelles de valeurs, car parmi les organisations européennes – je dirai : *surtout* parmi elles – la mise en œuvre des idées se heurte à des barrières. Elles sont généralement d'ordre économique, géopolitique ou militaire. Quant à l'économie, on voit les barrières en Grèce et en Irlande ; en ce qui concerne les barrières géopolitiques, il est montré p. e. face à l'espace asiatique de la Russie, dont les énormes dimensions mettraient les infrastructures administratives européenne en grande difficulté simplement sur le plan pratique. La question des zones d'influences militaires est probablement significative par rapport à l'Ukraine. Dans les Balkans, on peut observer que le travail se développe selon des idées européennes reconnues – et en particulier justement dans la dialectique de frontière et de barrière. Lorsqu'une barrière est considérée comme surmontable, elle devient frontière, c'est-à-dire qu'elle devient quelque chose d'évident que l'on comprend de **deux** côtés en intégrant la perspective de l'Autre. Cela permet de mettre en question le caractère unilatéral du regard unidirectionnel sur la barrière («pour-soi»). Si par contre on tente de transformer une frontière en barrière, comme c'est partiellement le cas pour certaines régions de Bosnie-Herzégovine, c'est préjudiciable au processus de la formation de l'identité, et entrave la participation active à l'élaboration de l'identité européenne.

Je terminerai en disant que les divergences constatées lors de la mise en œuvre d'idées ne constituent pas un argument contre l'identité européenne, mais sont au contraire des conditions nécessaires pour le processus identitaire. Les idées sont mises à l'épreuve, et c'est à travers leurs mise en œuvre que «se forment», comme dit Hegel, aussi bien les sujets et les organisations du côté «esclave», que les idées, qui se développent du côté du «maître», parce que

les «esclaves», s'élèvent au rang de maîtres par l'accroissement de leurs compétences en matière de conscience de soi. La dialectique de la justice comme possibilité et des lois comme réalité des états de droits, et, en conséquence directe, celle de la loi et du respect de la loi (voyez Ludwig Wittgenstein) sont un des aspects du processus, à côté de processus analogues en économie, religion et sécurité militaire. Dans cette mesure, l'identité européenne et un régionalisme raisonnable ne constituent pas des oppositions : une foncière expérience régionale constitue la base indispensable pour le développement des compétences dans la sphère des idées et vice-versa. Il serait par contre tout à fait erroné de chercher une définition réelle axée sur des données concrètes pour l'Europe et de faire de l'Europe l'objet d'une connaissance. L'Europe est une question de reconnaissance et de travail.

Alfred Hirsch

Europe: Cape Of Deconstruction

Abstract

Europe's formation is to be seen as a differential process, affected by heterogeneity. The consistent "cape" (caput) which Europe aims at resembling, is accompanied by "another cape", a foreignness and disparity that still extends into the European models (and it is important to use the plural form here) and excites a constant reformation. This "other cape", or in Derrida's words, the "other of the cape" has to be viewed as an ineffable and placeless cape that make life difficult for the maritime navigators and captains. They suddenly emerge and disappear just as fast again, without leaving any trace. This other cape has always been constitutive for Europe, as we call it. We have to think about Europe's future, about its cultures, civilisations and political institutions from here onwards.

When dealing with the phenomenon ‘Europe’ and with its discourses and narrations referring to it, be it from politics, sociology or philosophy, a certain *tone* attracts our attention. It is a tone that is commonly used for special events and outstanding ceremonies. The audience is peculiarly nervous and awaits the ‘how’ of the word choice and the composition of the sentences. The speaker is anxious, since the main emphasis of his words lies on the rhetorical design and exactly the kind of tone he or she ought to aim at and possibly keep very elegant. It ought to be a ceremonial, nearly sublime and declamatory tone. A tone that weaves into the spoken words just as a gold thread would do into an otherwise every day cloth. The ceremonial event calls for such a tone and every other tone would be regarded as the failure, if not an affront, by the speaker.

But why does this tone occur, sometimes directly, sometimes rather little by little and hesitant, when talking about Europe? Has the thinking about and analysing of the political, social and economical discourse, which is called ‘Europe’, always been subject to the consciousness of something extraordinary, something special? Is ‘Europe’ a feat of possibly a long awaited ceremony that constitutes an essential exception from the political and cultural daily life? What kind of expectations is connected with the ‘singularity’ of the discursively developed Europe? Why do we speak about the greatest, the last and the whole, when we talk about Europe?

Europe’s Idea of Universalisation

If Europe traces back to the Greek term *Euryopa* (though without doubt there are other etymological traces) then certain grandeur resides in it *sui generis*, since this would refer to terms as ‘long sighted’ or ‘long sounding’. A Europe that looks in the wideness and whose messages are carried throughout the world. However, Europe’s wide scope that precedes similarly far-reaching actions and transfers political, economical and cultural achievements to other contingents has to be assessed even earlier. Precisely, to a time where it becomes

evident that Europe, in its narrations and discourses, has invented and created the 'world'. In modern times, Europe's invention, or discovery, of the world has become the signature of Europe itself. Against this background, the 'world' may be understood either as a geographic cosmos, a technical-scientific or a rational-political cosmos.

This reading is not without any pathos: discourses about Europe translate the insistent, and sometimes also violent, invention of the world to the core of European essence or being. Speakers who are concerned with the definition and origin of Europe seem to be leavened with the grandeur of this artefact. In such a manner, Europe as a 'whole' is placed at the beginning of the world and its future becoming. Following Jean-Luc Nancy, the world being Europe's target is precisely what constitutes Europe itself. He asks: "What does Europe aim at? In its essence, it is *Weltanschauung*, a vision or conception of the world, aiming at a world without any other skopos or a different telos as 'the world' as such. It aims at the universal, at the world as something universal. And vice versa, for the universal it is part of the aim or a vision, the world for Europe is a depiction". (Nancy 1996,12) In other words, Europe always intended to universalise itself, irrespectively of the contents that were chosen for universalisation. Yet, what do these terms mean? What kind of reality is connected to such a pursuit of 'being universal'?

A view to the etymology of semantics may help here. The compound of the Latin words *unus* and *vertere* resembles the meaning of 'united', 'entire', but also 'complete'. However, let us remain with the *ad unum vertum*, which refers to 'merging-into-one'. How can we think of these differences and what is this Other that becomes 'One', or is even made and turned into 'One'. And what exactly is this 'One' that possesses the power and the ability to incorporate the heterogeneous Other by evoking reversal and change? This process of turning and changing points to a different direction and movement. This movement seems to be finalised from now on. The borders and the closure of movements against this different and foreign outside

takes place as an enclosure of the One and whole Europe. Without doubt, the foundation of the universal on Europe can only be understood within a non-geographical meaning of the emerging Europe. Yet, this process is equally complicated and complex since it takes place at different levels. Since the merging-into-one via Europe's universalisation proceeds from the point of a specific mental activity, called 'reason' [Vernunft] in the German tradition.

This universality, that takes place within the becoming of Europe, is based on the assumption of a singular and generally accepted reason [Vernunft]. It is only against this background that the other, the heterogeneous and the incoherent entities can be captured and excluded. Reason [Vernunft] becomes the only parameter of an ethos, which transcends every spatial and timely limitation, to the extent that human beings join together in correlating actions. The 'merging-into-one' is possible and at the same time inevitable, since no other 'sensible' thinking beyond its borders can be imaged. Should this nevertheless be claimed, an ordering framework may be quickly established that asks for 'unity' and presupposes the identity of terms. It is impossible to elude from this framework.

Against this background the discovery of universality, especially at the beginning of the 20th century with its destructions of the First World War, proves as a new bond and a unity that is again ad-jured. As Edmund Husserl states in his Vienna Lecture in 1935: "The level of human existence with its ideal norms for infinite tasks, the level of existence *sub specie eternitatis*, is, however, possible only in the form of absolute universality, precisely that which is a priori included in the idea of philosophy. It is true that universal philosophy, along with all the particular sciences, constitutes only a partial manifestation of European culture. Contained, however, in the sense of my entire presentation is the claim that this part is, so to speak, the functioning brain upon whose normal functioning the genuine, healthy spirit of Europe depends. The humanity of higher

man, of reason [Vernunft] therefore demands a genuine philosophy.” (Husserl 1962, 338: own translation)

This ‘universal philosophy’ is only part of the whole European culture, however, as Husserl’s emphasis, as a “functioning mind”, that is, a form of control centre, that steers other areas of culture. The genuine understanding of universality, which belongs to Europe, closely corresponds with ‘heroism of reason’. According to Husserl, the current state of Europe at the beginning of the 20th century points to a crisis, one that goes beyond the political, it points to a crisis of the spirit, that disavows and displaces the ‘healthy European spirit’. This crisis can be overcome, when Europe comprehends itself as new and active, as a “historical teleology of infinitive goals of reason”.

The fractions of the political, the cultural and the social, which cover the European states and ethnic groups, recede to a ‘crisis’ of the spirit and reason [Vernunft]. Only when they come back to a new unity and to themselves, the divides and cracks that separate the nations of Europe, may be bridged and converged at their edges. The pathos of the universal, the ebullient hope of ‘one’ reason [Vernunft] of the Europeans always also implies a uniform and genuine European. Though paying respect to Husserl and other Europeans of his generation, whose uncertainty about Europe was severe considering the horrible battles of the First World War, it is nevertheless surprising that the analysis and clarification of the political and social problems is grounded in a ‘super-temporal spirit’, a monolithic, uniform reason [Vernunft] and in the ‘one’ origin, a form of European ark. The crisis of politics and culture is exaggerated to a crisis of reason [Vernunft] and spirit, to be subsequently answered with the claim of nativeness, consistency and pureness of the ‘one’ reason [Vernunft].

However, it may be assumed that this answer, which is designed as solution and end of the crisis, should rather be located in the genesis of the problems of the political and cultural discourses about

Europe. Against this background, the estimation of Husserl's deliberations by Holenstein seems to misjudge the complexity of the entanglement of the reasonable discourse on power and political order theory: "There were partly only attempts to secure a need for superiority in light of the global weight shifts on a broader and worthier basis" (Holenstein 1989, 43; own translation). It is a justified question to ask whether such a presumably transmitted need for superiority of the Europeans may actually be put on such a worthy basis. The imagined superiority associated with its claims corresponds with the allegation of the inferiority of others. Such a theoretically and discursively enforced violence often leads to a practice of repression and exclusion.

Husserl, who became a victim of terrible racism himself, had a certain vision of Europe, which rests upon a Europe which includes certain persons and excludes others. This idea is based on the hierarchy of a consistent origin and the idea of universality. The guideline is 'the spiritual shape of Europe': "How may Europe's spiritual shape be characterised? Europe understood not in geographical terms, as a map, as if the people living together on one territory should constitute a European humanity. In spiritual terms, the English dominions, the USA and the like belong to Europe, however, the Inuit or Native Americans of the menageries at the fairs or the gypsies do not belong to Europe. Apparently, the title Europe means a unity of spiritual life, activity and creation, with all purposes, interests, worries and efforts, and with the institutions" (Husserl 1962, 318; own translation). In spiritual terms, the gypsies and Inuit that are being presented at fairs do not belong to Europe. Their belonging is subject to a 'spiritual meaning', that claims an excluding, consistent origin, a seed and a common root, which allows for separation and exclusion.

The 'spiritual meaning' and the 'one' reason [Vernunft] resemble the narration of the paternal descent, of a common blood that leaves no doubt about the common bloodline of a 'European family'. Such a 'family' does not offer a place for hybrids, bastards, and vagabonds,

displaced and uprooted persons. In such a way, supporting Europe becomes an extended version of nationalism that points to clear borders where there is an ambiguous infinity; which speaks about a common ark where a multiplicity of hybrid and differentiated genealogies is present; which elaborates about the one reason and the spirit, where thresholds, transition zones, interferences and entanglements constitute the thinking, where one talks about a common Indo-Germanic origin – today one might rather talk about the Indo-European origin – of the language, where a large number of languages brings about untranslatable multiple meanings and cross references and where unified thinking about the ‘meaning’ of talking about Europe is preferred to the differentiated and multi-related discourses and their plural and open meaning.

This is a discourse that Heidegger contributes to with his speech “Europe and the German Philosophy” (Heidegger 1953). Talking about the ‘German’ is quickly substituted by talking about the ‘European’. This is remarkable, since the ‘Speech on Europe’ was given just shortly after his address ‘Die Rektoratsrede’, but seemingly expresses Heidegger’s disappointment about National Socialism. The visions of the Germans were simply projected onto the Europeans. Following Heidegger, the dispersions and the uprooting of the spirit should be confronted and its entirety should be saved from the increasing ‘Asian’. This only seems possible if the identity of the European spirit is able to find itself together with the awakening of the people. From such a post-educational philosophy, the entirety and unity of Europe are therefore sometimes referred to the ‘one’ common ark and the ‘one’ common *telos*. This specific way of narrating and understanding European history is continued in an astonishing way.

Other Narrations on Europe

Europe is (de)constructed in those narrations about the political, cultural, theoretical and artistic history of Europe. Europe emerges

here, and with it its origin and future. The evocation of a common meaning and an identical horizon of Europe's stories takes place in those narrations that begin with the myths and legends of the Greek and Roman literature. Such an almost stereotypical recurrence to Europe's abduction by Zeus seems to gild the lack of a homogenous European beginning and meaningful origin. A number of other narrations and traditions of narrating, which have penetrated the alleged interior of European history from an insistent exterior, have been neglected in the course of the construction of Europe's identity. The language and tradition of narrating of the bible is of special importance here. Being originally written in Hebrew, the bible contributes to the European cultural history, since it has been translated into numerous languages and "Weltansichten" (Humboldt). The topographically peculiar becoming of the textual world of Europe is embodied by the European Jewry, whose tradition of narrating lives on until the 20th century in Europe and emerges in numerous idioms, and then, however, falls victim to a political and racist delusion of origin.

To exemplify this, one could mention the multiple and open structure of Yiddish or the 'jargon', as Kafka names it. Consisting from a multiplicity of single idioms, Yiddish links the Foreign with the Foreign, without centralising or standardising the semantics that associate the parts of other languages and their idiomatic variations. Here, a completely different version of Europe's narration occurs, one that indicates a discursive and intellectual provisional arrangement, ability to link and to network – contrary to linear thinking –, an unmanageable and unexplored process of *translating* something that is not translatable and something that indicates an astonishing reluctance towards the exclusion of the Other and the Foreign. The continuous transgression, deferral and new constitution of borders, knowing and experiencing the dangerous border crossing and the nomadic encounter with the unknown has settled in the Yiddish language in a unique way. Nevertheless, this language demonstrates what has taken place in all the other European languages.

The becoming, the structures and orders of languages undercut the option of the 'one' narration of the European culture and history. At first sight, it undoubtedly seems as though there is a powerful discourse within the narrations about Europe that evokes *one* meaning and the recurring *one* understanding. However, there also is an anti-discourse, those constant and repeatedly emerging refusals within the European tradition of narration to become part of the one understanding that is homogenous and enclosed. The many narrations, which resemble such a refusal, paint a much more complex and multilayered image of the constitutive processes that bring about Europe constantly anew. They disclaim the narrative production of simple archetypes, that allow for simple identification, as well as they try to complicate and deconstruct the transmission of such oppositional pairs a 'good' and 'evil', 'pure' and 'mixed' and 'unity' and 'multiplicity' in opposition to the hermeneutic economy.

Such an approach of these anti-discourses is a sensitive undertaking, in political terms as well as regards power and violence. Especially in those times of powerful assertion of a European history and a European reason, which was typical for the 20th century, catastrophic wars and civil wars took place. Against this background, one should pay attention to every clear attribution of sense and the construction of a grand history. Always "when a sense of mission appeared having to carry out something like this, people had to die. It does not matter, whether it is motivation or the belief of having to accomplish a heavenly task that one believes to know, whether it is the feeling that the end of all times depends on the direct actions of the people living now, whether it is the consciousness that so-called science offers an insight into the inevitable course of the whole of world history, all these fatal actions caused innocent people that fall victim to the illusion of this story of unity" (Schmidinger 1995,10; own translation). Therefore one should be careful when talking about the description and conception of a 'European house'. Maybe its architecture has yet to be invented and surely its 'building' has to be decentred, procedural and operated by plural means. At this

point, we can only repeatedly describe and analyse the simple and demolished rout to and within the 'current' Europe, to receive perspectives for a future Europe. The plurality and the 'perspectives' of Europe should be emphasised at this point, as well as their temporal and spatial open structure that is hardly accordant with the form of 'identity' and simple isolation.

The Violence of Ideas

Let us have a look at the horrible aspects of the current European states. Since the 1990s, Europe has been haunted by a series of violent scenarios that we believed already belonged to the past:

- We witness an increase of civil wars, of ethnic and minority wars, an unleashing of xenophobia and racism, persistence of religious and cultural wars and even a recurrence of the most unimaginable crimes against humanity.
- There is an increased rigid and inconsiderate handling of persons living in exile, stateless persons and immigrants: the law concerning asylum has been tightened in several European countries and, this is case in Germany, the right to asylum has nearly been abolished.
- We are able to observe, also in Europe, increasingly dynamic markets of capitalist production, a phenomenon which is generally understood as the unleashing of certain neo-liberal economic concepts. The apparent consequences are unemployment, increasing poverty and homelessness, employees without rights and underpaid workers within the informal sector, heightened international competition between employees.
- A demonstrative erosion of the state and the political in general caused by economic globalisation and the growing power of transnational companies and their market-oriented interests.

- A growing and, in economic terms, very important commercial activity in the field of weapons and their production. And last but not least:
- We witness the involvement of European states in wars within and beyond Europe, initiating a new epoch of the modern understanding of international humanitarian law, namely the one of ‘humanitarian intervention’.

These scenarios of certain violence are inconsistent with an explicit or implicit self-concept that Europe and its Europeans have discursively acquired in the course of history and which was transformed into the central starting point of European thought and practice. This refers to knowledge and science as well as to the behaviour in the social, political and economic sphere.

Since the earliest time, Europe perceives itself as avant-garde of an idea of human beings, of the citizen and of the political. It sees itself as a phalanx, as an army that acts at the pick of a, one may call it universal, movement that embraces the whole world. Europe concentrates on and identifies itself with an ideal that counts for the only possible, true and good future. I do not need to refer to the crusades, to colonisation and the current role of Europe. These aspects belong to the European self-concept themselves.

In his study *The other Cape*, Jacques Derrida attempts to name this ‘Cape’ that Europe is in its self-conception, and that needs to be elaborated in more detail: “The idea of an advanced point of exemplarity is the idea of the European idea, its eidōs, at once as arché – the idea of beginning but also commanding (the Cape as the head, the place of capitalising memory and of decision, once again, the captain) – and as telos, the idea of an end, of a limit that accomplishes, or puts and end to the whole point of achievement, right there at the point of completion. The advanced point is at once beginning and end, it is divided as beginning and end, it is the place

from which or in view of which everything takes place. Europe thus appears as the central, possibly only place of world history, from which the meaningful theories and practices emerge, and thus as *place par excellence*" (Derrida 1992, 22f; own translation).

Within this point of achievement, different powers join together: it is the external border. This idea, which Europe wants to communicate to the world, is precisely the starting point for the eurocentrism and ethnocentrism that rightly bothers those who have suffered and still suffer from the global political creative will. However, this 'Cape', which Europe wants to be, is able to point to those projects and processes that refer to the UN, the human rights development and the newly discovered responsibility for environment and development (if one refrains from the institutional dominance of European generated states within the United Nations).

The Cape of Crisis

The question of my concern is hence, how should the reflexivity of Europe on itself proceed in a deconstructive manner, in a way that the mentioned projects are strengthened against the measures of violence, which still are part of its identity? Additionally, the question of the future shape of Europe, that is, its political and social topography, needs to be raised.

In order to avoid overwhelming complexity and remain focused, let us come back to Derrida's idea of the 'Cape'. Derrida himself finds this term in the writings of Valery in diverse contexts and in an expanded semantic, which are surprisingly congruent. If Europe is signified as a Cape, then this is not rooted in an understanding of a geographical meaning of a headland, which Europe is for the Eurasian region in the West. It is rather an understanding of its leading role which goes back to its Latin origin, which is *caput, capitis* – that accompanies. We find this understanding substantiated in other terms of the same root, such as capital, capitals, capita, capitalising, etc. In translating

the Latin semantics into English, we receive the following terms: the head; meton, a person, a person's life and existence; a man's (and woman's) political and social rights; the top, summit, extremity; the source, the head, leader, chief, headquarters, chief point, the capital. The continuative highly interesting etymological relations to *capio* (capturing) cannot be taken into account here.

The claim that Europe should be considered as a Cape embodying all these understandings in its positive but also negative semantic twists, is a fiction and fabrication originating from the political and knowledge discourses of Enlightenment and Modernity. A capital, western leadership and an identity and originator is imagined. Figured is the unity of thought and understanding, as is the coherence and homogeneity of reason [Vernunft] up to a degree that it is taken and to be defended as the model of models of reason [Vernunft] – as some sort of global reason [Vernunft].

Paul Valery now suggests that this self-conception of Europe is threatened by a “crisis of the European spirit”. With this suggestion he joins Husserl, Heidegger and others, who have diagnosed such a crisis of the European spirit in the 1930s. Although Valery believed in *La crise de l'esprit, Note (ou L'Europeen)* he cannot tie in with this ‘old’ spirit, the recognition or experience of the phenomenon of a crisis nonetheless stringently assumes a conception of a whole, a unity and a *telos* and an *ark* – that is a Cape. Valery still considers the homogeneity, autonomy and identity of the European Cape, which is anchored in its common origin and ending, to be a discovered and a historical and transcendental given.

However, the sensitivity for and the diagnosis of a crisis are not present by coincidence. They are rooted in a crisis of signification, language, symbolic orders, civilisation and indeed culture as such, which was already articulated at the end of the 18th century by Jean-Jaques Rousseau in *Discours*, in *Emile* as well as *Contract Sociale*. This crisis of signification, observed by Rousseau and others,

occurred in analogy to the divisiveness of signifier and signified, of content and expression or symbolising and symbolised. The lapse between the thing and the term, and the signifier and the signified is stigmatised with the despair of enlightenment. However, it becomes an omen of a new theory of representation and symbolic order at large. The meticulous observation of this described difference soon turns out to be the discovery of the conditions of representation and signification. Only the differentiation and also the relation of signifiers and signified or representation and represented opens the possibility of meaning in the first place. The material difference of signifiers enables the access to things and persons, which enter relations of systems and orders as distinct and discernible elements. Given that they are consecutive and differentiating orders, they continuously remain open for transformations, slippage, modification and inter-linkages.

The “crisis of signification”, which Rousseau recognised, is a first description of the becoming and decaying of culture and the political, which returns to centuries later in the work of Valéry and others. Here, the crisis emphatically becomes an experience of difference and heterogeneity in the origins, not only of thought and language but also of the political, the cultural, and the economical. Now, not only a fast reconciliation is attempted, but an even more melancholic and indeed ailing approach that meddles with the divisiveness and disappearance of the uniform origin and the projected end.

Such a process, which is always also constitutive, of divisiveness strikes the metaphysical idea of the formation of political unity with full force. This initially relates to the traditional nation state and with its last convulsions, also the unification potential of the European idea and indeed of a political Europe. But there is also a disavowal of the constitutive, differentiating and diverting networking of Europe. “Europe was always determined, formed and cultivated, because it took the shape of the Western Cape, the shape of the peak as final cause” (Derrida 1992, 23; own translation). This shape

is formulated and formed by white, Christian, reasonable, initially only masculine and battle brave Europeans. The astonishingly heterogeneous genesis of the European is disregarded in a history of the extra-territorial origins of the European writings, a place outside of Europe, which, in a remarkable and asymmetric constellation, has become the centre of Europe: the strange and the foreign scripture and religion at the beginning of the European. Later on, the Foreigners arrive in persona, the barbarian migration, the bellicose invasions of the Huns and from the Islamic world, but also their cultural goods weave this unstable 'European House' that is continuously provided with a constitutive 'defective cornerstone'. The role of Jewish immigrants before Christ is also worthwhile to be mentioned. Their participation and interaction in building and maintaining the differentiated network, we dubbed Europe, is crucial.

Such a principally permeable, differentiated and permanently transformative constitution of Europe is also present in its geographical designation. Where does European space start and where does it end? Does an Islamic state belong to it, along with billions of Muslims, who have lived amidst an apparently Christian Europe for generations? Where does Europe end in the East? Which relations do Europe and what we call occidental and Occidentalism enter? And how does the identification of Europe differ from the 'new west' or the 'new world', which in turn draw on the idea of the old world?

Accurately Valery notes: "Where it is about force, power, wealth and detailed knowledge, Europe still weighs more than the rest of the world. I am not mistaken: not Europe preponderates, but the European spirit, which is the astonishing creation of America" (Valery 1960, 987f; own translation). Hence, for a considerable time Europe defines itself through a deduction from an Other, which is intensively entangled and enmeshed with the European. The Western Cape that Europe was, has not only differentiated itself from the new world of America, but it is also in these colonised parts of the world that cultural and civilising entanglements take place, signify-

ing a process of hybridisation, the beginning of any culture, not only a European one.

It is indeed also valid for the countries and ethnicities of the nowadays so-called third and fourth world, which have been colonised and occupied by Europe; it is valid that Western hegemony has had an impact on the structures of the social, the political and the cultural. But the resistance of their Otherness has remained and challenges Europe in new ways today. Let us however stay with Europe, whose culture and political order does not indicate a homologous core and a uniform origin.

The genesis of Europe is to be identified in a differentiated process driven by heterogeneity. The uniform Cape, that Europe has developed, corresponds from the beginning to another Cape, an Otherness/Strangeness and disparity, which remains inscribed in European orders, challenges these and inspires them for continuous new and re-formulation. This other Cape – Derrida also refers to the ‘otherness of the Cape’ –, requires to be imagined as one of the indescribable and space-less Capes, which makes life difficult for maritime navigators and captains. They suddenly appear and likewise disappear, without leaving any trace. For what we call Europe, this other Cape has always been constitutive. We have to think about Europe’s future, about its cultures, civilisations and political institutions from here onwards.

All this is without doubt an intricate matter. Despite the multiplicity and difference of European ethnicities, cultures and states, Europe cannot be left to dispersion and scattering, breeding a mass of loosely connected provinces, a ‘multitude of stable placed idioms’.

Then again, Europe cannot rely on the seductive simplicity of central political institutions, trans-European cultural apparatuses, gigantic mergers in the economic sector and the monopolising of the media. Europe will always have to find its cultural, social, economical and

political-institutional future in this aporetic constellation between dispersion and coherence. But it should not forget that social, political and cultural congruence and coherence always develop out of its relation to the Foreign/Strange and the Other, meaning that it results from difference.

A future European order requires special attention towards differential processes and a special respect of the Foreign and the Other which is located at the beginning of its history. Europeans are requested to answer. Those answers, which also constitute responsibility for European history, have to oppose the political and cultural pursuit of hegemony as well as the idiomatic encapsulation and the celebration of chauvinistic nationalism. Taking over responsibility for the Foreign and the Other of its genealogy should lead to a concept that permanently adds weight to the Foreign and the Other. This results in a number of responsibilities to whom Derrida refers to as 'duties', he is stricter than I am being here.

This, *firstly*, evokes a responsibility to welcome the Foreign, to integrate the Foreign, to respect and acknowledge its differences. Another responsibility is to criticise the totalitarian dogmatism that has destroyed democracy and the European heritage, under the pretext of making an end to the capital; on the other side, the religion of the capital itself should be questioned. The latter establishes new faces, faces we are in the process of understanding and identifying. A *third* responsibility rests with the Europeans towards their 'critical' traditions, whereas this should not be carried out in the sense of a standardised style of criticising and the respective categories of reason [Vernunft]. Rather, what is needed is a deconstructive, constantly renewing way of overthrowing established hierarchies that seal thinking and communication in a totalitarian and authoritative way. A *fourth* European responsibility is concerned with the care and development of the European conception of democracy. However, the European 'idea of democracy' is, just as any other idea, one that is on its way. It is one that cannot be completely described and defined

and is always open to more justice and more brother- and sisterhood. A *fifth* responsibility that results from European tradition and culture, is to address “the differences, idioms, minorities, singularities, but also the universality of formal law, the desire for agreement and univocity, the law of the majority, opposition to racism, nationalism, and xenophobia.” (Derrida 1992, 56f; own translation)

The future of Europe based on these five areas of responsibility is constantly approaching its identity and without the ‘other Cape’ would cease to question exactly such an identity.

Bibliography

- Derrida, Jacques, (1997), „Babylonische Türme – Wege, Umwege, Abwege“, in: Alfred Hirsch (Ed.): *Übersetzung und Dekonstruktion*, Frankfurt am Main: Suhrkamp.
- Derrida, Jacques (1992): *Das andere Kap. Die vertagte Demokratie. Zwei Essays zu Europa*, Frankfurt/M: Suhrkamp.
- Hirsch, Alfred, (2004), *Recht auf Gewalt? Spuren philosophischer Gewaltrechtfertigung nach Hobbes*, München: Fink.
- Hirsch, Alfred, (2006), *Menschenrechte des Fremden: Zur Grundlegung einer interkulturellen Menschenrechtsethik*, Duisburg: Universität Duisburg-Essen.
- Holenstein, Elmar, (1989), „Europa und die Menschheit. Zu Husserls kulturphilosophischen Meditationen“, in: Christoph Jamme, Otto Pöggeler (Hg.): *Phänomenologie im Widerstreit. Zum 50 Todestag Edmund Husserls*, Frankfurt am Main: Suhrkamp.
- Husserl, Edmund, (1962), „Die Krise des europäischen Menschentums und die Philosophie“, in: ders. *Die Krise der europäischen Wissenschaften und die Transzendente Phänomenologie. Eine Einleitung in die Phänomenologische Philosophie*, hg. von W.Biemel, (Husserliana VI), 2. Aufl. Haag.
- Schmidinger, Heinrich, (1995), „Vorwort“, in: ders. (Hg.) *Die eine Welt und Europa*, Graz/Wien/Köln.
- Valery, Paul, (1960), *Oeuvres*, Paris : Galimard, Bd.II.

Vojin Rakić

Europe – From Warfare to Cosmopolitan Justice?

Abstract

It will be argued that the values of liberalism and peace are essential elements of the moral identity of Europe. The link between this identity and cosmopolitanism will be established. In addition to that, I will assert the moral superiority of cosmopolitanism vis-à-vis its alternatives, using the concept of the “normative will”. The primary conclusion will be that a pre-condition for the preservation of the moral identity of Europe is a redefinition of the concept of “being European” in the direction of increasing cultural inclusiveness.

Key words

Moral identity, Europe, war, peace, cosmopolitanism, normative will, inclusiveness.

Introduction

It will be alleged that two essential markers of European moral identity, liberalism and peace, contradict the reality of Europe's violent past. The concept of justice will be linked to the notion of freedom (as the pre-condition of willingly performed just acts), as well as to the idea of a cosmopolitan order. The relation of justice and cosmopolitanism will be founded on the conception of justice as the "normative will of humanity". A clarification of this notion will be preceded by a review of four paradigmatic statements of cosmopolitanism (Held's, Wendt's, Beitz's and Marchetti's) – statements that will serve as the background of this clarification.

It will be concluded that:

- cosmopolitanism is morally superior vis-à-vis its alternatives;
- the European Union might be a prelude to a cosmopolitan order;
- European moral and cultural identity faces serious challenges;
- European *cultural* identity is to be reframed in order to salvage European *moral* identity.

The Crisis of European Identity

Two features that mark European identity find themselves in a tense contradictory relationship. One feature is Europe's tradition of liberalism and democracy. The other is the recurrence of wars among states, conflicts between ethnic and religious groups, and even genocides on Europe's soil. Liberalism and democracy are hardly compatible with the concept of solving disagreements among states, ethnic and religious groups by warfare, civil strife and genocide. The first half of the twentieth century represents a particularly sad episode in Europe's history, because two world wars, as well as

various ethnic conflicts and genocides were essential markers of Europe in that period. How can Europe's tradition of liberalism and democracy be reconciled with its violent history?

A seminal article on the relationship between liberalism and warfare was Michael Doyle's "Kant, Liberal Legacies, and Foreign Affairs" (Doyle 1983). Doyle provided cogent empirical evidence there for the continuous increase in number of liberal states, as well as for the hypothesis that liberal states do not wage wars against each other. Hence, he furnished support for the idea that we inhabit a world that is gradually becoming more liberal and peaceful. It is important to note that Doyle published his article in 1983, i.e. before the collapse of state-socialism in Central and Eastern Europe. As we know, this collapse was followed by a further increase in number of liberal states, and thus by an increase in number of states that are unlikely to wage war against each other. Most important for the purpose of this article: Doyle's evidence demonstrates empirically how incompatible a liberal tradition is with warfare among liberal states.

Doyle's argumentation has not only been applauded, but also criticized by a number of authors¹. Nevertheless, it appears undeniable that warfare among liberal states is, if not impossible, then at least a relatively low probability event. Consequently, it remains difficult to reconcile a liberal tradition with a history of frequent warfare. The evidence that warfare in Europe (and beyond) has generally been taking place either between liberal states and authoritarian states or among two or more authoritarian states, points to the fact

1 Some relevant critiques include the following arguments:

(1) Serious crises between democratic states did not result in wars, but did in "near misses" (Layne 1996);

(2) Doyle and other proponents of his "democratic peace (DP) thesis" have selectively adopted definitions of key variables so that their data analysis yielded the results they were seeking (Spiro 1996);

(3) The evidence that DP advocates stipulated is so sparse that statistical evidence cannot confirm their hypothesis (Spiro 1996).

that the philosophical tradition of liberalism was being transferred only slowly to the sphere of politics. In truth, it is only during the last twenty years that the bulk of European countries have become democracies. All in all, it is warranted to argue that a combination of a tradition of liberalism with a history of frequent warfare, civil strife and genocide, demonstrates that Europe has been facing a true identity crisis in its modern history. This crisis was marked by a moral identity that was incompatible with its accompanying political practice.

This identity crisis, however, appears to have been addressed quite successfully in the second half of the twentieth century. Simultaneously with international relations that were marked by the Cold War, we witnessed in that period the emergence of an unprecedented peace project: the European Union, with the European Coal and Steel Community (ECSC), the European Economic Community (EEC) and the European Community (EC) as its precursors. The heart of this peace project is nicely formulated in the official motto of the European Union: "*In varietate concordia*" ("United in Diversity"). The ECSC/EEC/EC/EU, however, does not only have a historical and pragmatic background as an initial attempt to minimize the chance of states resorting to war (referring to Europe's violent past), but also a rationale of something that leads us to the primary theme of this paper, i.e. to the moral identity of Europe.

Liberty, Justice and Cosmopolitanism

What is the contemporary moral identity of Europe? Is the European Union a prelude to something more, i.e. to a future cosmopolitan order? In this section I will spend a few lines on raising one argument that demonstrates the strong link permeating the relationship between freedom and justice. Thereafter, I will establish a connection between freedom, justice and cosmopolitanism, opening a discussion on whether the European Union might be a stage on the historical path of humanity towards a peaceful cosmopolitan order.

A prerequisite for acting *intentionally* in a just manner is to be free. Without being free, one cannot act in a righteous manner because one wills so, but only because one is forced to. A truly just act, on the other hand, is one that is performed on the basis of free will. The issue of justice is thus to a significant degree an issue of freedom. In fact, freedom contains the *opportunity* of justice, because just acts are founded in our free will. A morally perfect world would be one in which we would act in accordance with justice on the basis of our free will. In such a world we would use our freedom with justice as its purpose².

The question now is whether a cosmopolitan order to which the EU might be a prelude is one that serves justice better than the existing order. In the following paragraphs I will briefly examine four statements that exemplify contemporary cosmopolitanism in a paradigmatic manner. This examination will not serve the purposes of comprehensively reviewing differing cosmopolitan theories, but of underlining the groundwork on which my approach to cosmopolitanism is founded. The four statements favour two different types of cosmopolitanism: one asserts the likelihood or necessity of the emergence of a world state at one point in history, whereas the other focuses on the moral value of cosmopolitanism. Held (2002, 2003) and Wendt (2003) will be highlighted to illustrate the first, Beitz (1979) and Marchetti (2008) the second type. Subsequently, I will advance my own argument that links both types of cosmopolitanism. It also establishes a connection between cosmopolitanism and freedom (as the *opportunity* of justice).

David Held addresses the issue of the institutional context of cosmopolitanism. He argues that contemporary global changes lead to the establishment of new forms of holding trans-national power systems to account, helping thereby open up the possibility of a cosmopolitan order. These changes he observes in, for instance, the

2 For an extended formulation of my argument, see Rakic (2004).

growth of institutions such as the UN and the EU, the “Social Chapter” of the Maastricht agreement, as well as in the emergence of a “trans-national civil society” (Held 2002: 38, 39). Held (2003) elaborates on what is required for a “cosmopolitan polity” to complement administrative, legislative and executive capacity at the local and national levels with similar capacities at regional and global levels. That is the creation of regional parliaments and governance structures (e.g., in Latin America and Africa), as well as the strengthening of similar bodies where they already exist (the EU), a reform of the General Assembly of the UN, the opening of functional governmental organizations (WTO, IMF, World Bank etc.) to public examination and agenda setting, general referenda concerning the implementation of core cosmopolitan concerns and the development of a cosmopolitan law-enforcement and coercive capability (Ibid., 176-179). He asserts further that nowadays “cosmopolitanism is a less utopian project than that set out by the theory of the modern state at the time of Hobbes’s *Leviathan*” (Ibid., 183). In sum, Held considers a cosmopolitan order a *likely* historical outcome of global developments of our time.

Alexander Wendt proposes a teleological theory which suggests that a world state is not likely, but *inevitable*. Moreover, we will witness the realization of this inevitability within 100-200 years. Wendt advances cosmopolitanism with scientific arguments, previously having elevated teleology into the domain of science. In his view, world state formation at the micro-level is driven, along Hegelian lines, by the struggle of individuals and groups for recognition of their subjectivity. At the macro-level, the “logic of anarchy” generates a tendency for military technology and war to become increasingly destructive, thus aiding the protective tendency of world state formation. The entire process moves through stages, each responding to the instabilities of the preceding stage (Wendt, 2003)³.

3 Wendt specifies five stages, calling them “a system of states”, “a society of states”, “a world society”, “collective security” and “a world state” (Wendt, 2003).

Beitz (1979) is an already classical statement that is formulated as an *ethical* theory. It argues against the parallelism between individuals and states, asserting that states are not sources of ends in the same sense as are persons. This leads Beitz to a position that favours international distributive justice with principles that establish the terms on which persons in distinct societies can fairly expect each other's cooperation in common institutions and practices (Ibid.,180). Members of some states might then have obligations of justice with respect to individuals elsewhere (Ibid.,182). In other words, arguments in favour of social and economic equality should also apply to the global context. Beitz himself calls this conception a cosmopolitan one, linking his position to Kant (Ibid., 181). What distinguishes his position from statements that consider a cosmopolitan order a likely or necessary *historical* outcome (as epitomized by Held's and Wendt's theories), is that it is built on an *ethical* theory that establishes the moral superiority of cosmopolitanism. The domain of this moral superiority, however, is distributive justice. In that sense, Beitz's opponents might criticize his ethical theory for not being sufficiently broad in scope.

Marchetti (2008) follows Held's notions, but develops, over and above that, a unique position that is grounded not only in a political theory of cosmopolitanism, but also in an ethical theory of "choice-based consequentialism" (Ibid., 36). His ethical theory adds an essential element to Held's cosmopolitanism in that it does not refer to the likelihood of a cosmopolitan order, but to its ethical superiority. In addition, Marchetti's theory surpasses Beitz's in that it covers a broader domain than distributive justice. His belief in the moral superiority of a world state is perhaps best exemplified by the opening sentences of the book: "Either democracy is global or it is not democracy.... Any political system that applies allegedly democratic principles within a limited scope is either hypocrisy or an illusion" (Ibid., 1).

All in all, Held's and Wendt's assertions focus more on the likely (Held) or necessary (Wendt) *historical* developments that purport-

edly approach a cosmopolitan order, while Beitz's and Marchetti's arguments that have been presented here are largely *moral* arguments in favour of cosmopolitanism. In the following section I will attempt to support cosmopolitanism through an amalgamation of these two types of reasoning, i.e. through a combination of historical and moral arguments. My historical argument will not be teleological (in line with Held), whereas my moral argument will encompass more than distributional justice (in line with Marchetti). The focal question will be: is a cosmopolitan order to which the EU might be a precursor, one that serves justice better than the existing order?

“The Normative Will”

To answer this question I will make use of the concept of the “normative will” from Rakic (2004)⁴. There I defined justice as “a state of affairs we believe ought to exist as a common standard” (Ibid., 13). The reason why it ought to exist is not always rationally comprehensible. Why we ought to help those who are starving to death, or why we ought not grab the only seat on a bus just in front of a disabled person (in spite of the fact that we can get away with it unpunished in any form), is not something we can explain in terms of our rational interest. It is some type of intuition that tells us that we are abandoning an unwritten law according to which things ought to happen. Its essential element is the concept of the “one thinking in terms of all”, which primarily includes the abandonment of mere self-interest. It is what is frequently called the “*moral law*” (Ibid., 13, 14).

⁴ Similar to my very brief elaboration on the relationship between justice and freedom from the previous section, here I will also use a concise formulation of my more extensive argument in *History and Future of Justice* (Rakic, 2004). Since a broader elaboration of that argument would negatively affect the thematic unity of this article, I use here only very condensed formulations from my previous work. The reader can obtain the full insight into my line of thought on the issues of justice, freedom and the normative will from the above mentioned piece.

But who is to decide about the content of the moral law? This question leads us to the concept of the normative will, one that is related to the notion of the “general will”. The two conceptions, however, are radically different in nature. Unlike the general will, which is descriptive, the normative will is prescriptive. The general will is the political will, whereas the normative will transcends the political realm. The general will is what a community wills, the normative will is what a community believes it *ought* to will. It is the will of the majority, meaning how the majority believes it ought to act. This type of belief of the majority is justice. Hence, justice can be defined as the “normative will of humanity”⁵. It is this will that determines the moral law. Is there a more persuasive manner in which justice and the moral law can be defined? I cannot see one. What is just can only be agreed on by the majority of people in the world – not in terms of how they usually act, but in terms of how they believe they ought to act⁶.

The question that comes up now is whether this normative will of humanity can be expressed better in a cosmopolitan order or in an alternative to it. In the current age of globalization we see that some aspects of globalization are opposed to the normative will of humanity, i.e. to justice. On the other hand, we might be approaching a future of global justice, because globalization opens up better possibilities for the expression of the normative will of humanity. In spite of its injustices, the “cunning of the mind” of globalization appears to be leading humanity to an order in which world citizens have

5 For an extended statement on the issue of the “normative will of humanity”, see again Rakic (2004: 31-34).

6 A nice illustration of the normative will of humanity one can find in Kant’s *Conflict of the Faculties*, although Kant does not use the term “normative will” (Kant, 1907). He very rightly observes that the “enthusiasm” for the French Revolution might have been simply a consequence of it being moral. Unlike enthusiasm for Hitler etc., which encompassed one nation or a limited number of nations, enthusiasm for the French revolution was one of humanity. The *moral* support for something by humanity is precisely its normative will!

institutional mechanisms to express not only their general will (i.e., their political will), but also their normative will (i.e., the moral law).

Globalization is a unique moment in history, because never before was the expression of the general will of humanity possible as it is now. In a truly democratic world order, global justice will be the expression of the normative will of humanity through its general (political) will. The expression of the general will of humanity will then be the realization of its normative will. In such an order, the democratic political realm will become congruent with the just moral realm.

It is global institutions that will aid the development of global justice, because they will establish formal mechanisms through which the general (political) will of humanity is to be expressed. But in such a situation moral issues will also be increasingly framed along the lines of the normative will of humanity. In other words, moral issues will be approached more and more from the perspective of the moral will of humankind. Hence, global institutions will then express the general will of humanity, in line with its normative will. The references to Held in this paper are an excellent example of how the normative will can be materialized: through global institutions with legislative, executive and administrative capacities, complemented with a trans-national civil society as a moral check on them. In sum, *the global order humankind appears to be gradually approaching (the historical element in my argument) is one that contains the potential of serving as a framework for the expression of the normative will of humanity (the moral element in my argument).*

The Moral Identity of Europe and the Emerging World Order

The European Union might be an antecedent to a cosmopolitan order in which the normative will of humanity can be expressed more adequately, i.e. in which justice would figure more prominently. A united Europe would then be a peace project, a potential advance

to a cosmopolitan order, as well as a possible lead to justice (via the normative will of an extended European community). We have seen that liberty is a value that ought to remain dear to Europe, not only because of its political standing, but also because of the fact that it is a pre-condition of justice. It is thus peace, cosmopolitanism and liberalism that have a moral basis. Liberalism and peace are nowadays two essential moral pillars of Europe. It is an open question whether the EU has sufficient capacity (politically, economically, culturally...) to become at least an example to be followed by other groups of states, and hence a prelude to a cosmopolitan order. If it has such a capacity, it is reasonable to expect a gradual development of communities of states that mimic the EU. The next step might be a cosmopolitan order that will have essential features of a world state. It is also possible that we will see a more immediate move toward a world state, one in which the United Nations is likely to play a role. But even in such a scenario, the EU will be no less than a pilot cosmopolitan project.

Furthermore, liberty, peace and cosmopolitanism are concepts that have also a universal moral foundation. In that sense they can serve as moral building blocks of the emerging world order. Hence, Europe has a case in asserting that its moral identity ought to be the identity of the emerging world order as well⁷.

To avoid falling prey to excessive optimism regarding a united Europe with a universal moral identity, it is in order to mention a number of serious dangers that it faces. They include the following:

- (1) Europeanism does not necessarily have to result in cosmopolitanism. In fact, it can breed another type of communitarianism: Euro-centrism. It is possible that a European identity,

⁷ This does not imply, as will be clarified later, that the cultural identity of Europe is one toward which non-European cultures ought to converge. *Cultural* identity is largely based on conventions, whereas *moral* identity is marked by a more universal sense of what is right and wrong.

in combination with various regional identities, gradually replaces traditional national identities. In that case, we would not move in the direction of cosmopolitanism (with all its moral foundations), but to a state of affairs in which nationalism is simply substituted by Europeanism (in that case as opposed to cosmopolitanism) and regionalism (as opposed to cosmopolitanism and /or Europeanism).

- (2) European Union policies can strengthen nationalism. It is possible that Europeanization will encounter a strong backlash from EU member states. The debates and referenda surrounding a European constitution are evidence of such developments.
- (3) EU bureaucracy and politics might overpower Europe's moral identity. It is possible that the European Union does not develop in the direction of a liberal and potentially cosmopolitan order in which the normative will of a large community can be materialized better than in its member states. We might see a highly bureaucratized and politicized entity that does not serve justice in any enhanced manner.
- (4) Demographic trends may change the dominant cultural context of Europe. The influx of immigrants from Islamic countries, in combination with a possible admission of Turkey into the EU, might impact on the Christian-liberal-cosmopolitan value framework that characterizes Europe.
- (5) The majority of economic growth might continue to shift to Eastern Asia. Furthermore, the population of Europe is becoming progressively older, while Third World populations are younger, increasingly urbanized and expanding at a much faster rate. These two facts in combination might result in a gradual move of Europe in the direction of the global periphery, making developments on the European continent less relevant benchmarks for non-European cultures. This might also affect the spread of the moral foundations of Europe to these cultures.

- (6) Developments in the field of bio-technology are largely unpredictable and can have a potentially significant impact. “Cosmetic” neuro-pharmacology and neurosurgery, pre-implantation diagnostics that will enable parents to select embryos on the basis of the characteristics they prefer, cloning and a variety of other (actual or envisaged) possibilities of bio-technology might result in a reformulation of a significant number of our moral concepts. The moral identity of Europe might then also be affected and reformulated⁸.

Some of the above dangers or “dangers” can be avoided, some cannot. It would exceed the purposes of this paper to go into that, but I would like to make one final remark in that context. It can be cogently argued, namely, that a redefinition of Europe can help us in preserving its moral identity⁹. In that regard, it is necessary

8 One possible scenario is the following. The problem of an increasingly old population in Europe (and most of the developed world) implies a smaller workforce. To be able to address this problem, Europe might attract ever more immigrants, it can set higher age requirements for retirement or it can even consider the use of “cosmetic neuro-pharmacology”. *Ritalin*, for example, as well as some medications that are primarily administered for the treatment of anxiety disorders, frequently have primary or side-effects, such as an increase in motivation and concentration, normal functioning with less sleep – to mention only some of them. A similar “cosmetic” enhancement of the cognitive function can also be carried out by *DBS (Deep Brain Stimulation)*. Hence, it might become possible to increase productivity in Europe (and other developed regions) by the use of new bio-technologies, i.e. by means that are not limited to the immigration of workers from non-European countries. But are “cosmetic neuro-pharmacology” and “cosmetic neurosurgery” ethical, are they politically feasible? How will they impact our individual and collective identities, including our European identity? Whatever the answers to these questions might be, it seems unavoidable that Europe has to address its increasing cultural diversity through some form of redefinition of its identity.

9 For an interesting elaboration on the relationship between European identity and EU enlargement, see Thiel (2006). Thiel notes that the widening of the EU has reached a “critical mass” and that hence “deepening” ought to reflect the changed identity of the EU. Thiel believes, however, that this deepening ought

to consider ways of connecting the generally Christian tradition of liberalism, democracy, peace and cosmopolitanism to the values of Islam. To put it differently: how can Europe incorporate Islam in its moral groundwork and how can this inclusion be accepted both by European Muslims and Christians? Only if such an incorporation takes place in a proper manner, can the moral basis of Europe be preserved.

Europe's moral identity is capable of this incorporation, because it appears to be based on universal moral values. Its preservation is thus possible. That requires, however, a redefinition of Europe – one that extends the meaning of “being European” to all those cultures and individuals that identify with Europe's *moral* identity. We have seen what this identity is based on. Europe has to find ways to make this identity attractive to cultures not traditionally considered European. Only then will Europe's moral groundwork be preserved. In other words, it might be necessary to redefine the concept of “being European”, in order to preserve the moral identity of Europe. A redefinition of the *cultural* identity of Europe might thus be a precondition for the preservation of the *moral* identity of Europe.

The European Union as a peace project has successfully dealt with the contradiction between liberalism as a European value that has gradually gained prominence during the last centuries *and* the evidence of frequent wars, civil strife and even genocides on the territory of Europe. It appears that this contradiction is obliterated, and the EU ought to be credited for that. I have pointed in this last section, however, to the possibility of another problem, one that is gradually taking shape. In Europe's Judeo-Christian culture, liberty, peace and cosmopolitanism are long-aspired moral and political values. Is it possible that immigrants from mainly Islamic countries truly adopt these values as well? I believe it is, because they are

to be “more intergovernmental and less federational to (re-)gain and retain popular support” (Ibid., 9).

universal human values. But to make immigrants from a variety of cultural and religious backgrounds susceptible to them, the *cultural* identity of Europe must be redesigned. It must become an increasingly inclusive cultural identity. Only then will those immigrants that originate from entirely different cultural backgrounds become truly interested in the European (and generally human) ideals of freedom, peace and cosmopolitanism. They will preserve their *cultural* identities (if Europe becomes decreasingly culturally exclusive) but might adopt a European *moral* identity – even if such an identity is imbued with the moral foundations of a different religion and culture.

Bibliography

- Beitz, C. (1979) *Political Theory and International Relations*, Princeton (NJ): Princeton University Press.
- Doyle, MW. (1983) “Kant, Liberal Legacies, and Foreign Affairs (parts I and II)”, *Philosophy and Public Affairs* 12-3: 205-35 (I) and 12-4: 323-53 (II).
- Held, D. (2002) “Law of People, Law of States”. *Legal Theory*, 8-1: 1-44.
- Held, D. (2003) “From Executive to Cosmopolitan Multilateralism”. In: *Taming Globalization: Frontiers of Governance*. Cambridge: Polity Press, pp 160-86.
- Layne, C. (1996) “Kant or Cant: The Myth of the Democratic Peace”. In: . Brown ME, Lynn-Jones SM and Miller SE (eds) *Debating the Democratic Peace*. Cambridge, Mass: MIT Press.
- Kant, I. (1907) *Konflikt der Fakultäten (Conflict of the Faculties)*. Ausgabe der Preußischen Akademie der Wissenschaften.
- Marchetti, R. (2008) *Glocal Democracy: For and Against*. London and New York: Routledge
- Rakić, V. (2004) *History and Future of Justice*, Belgrade: VVMZ and Faculty of Organizational Sciences.
- Rakić, V. (2009) “Kant and Cosmopolitanism in International relations”. *Human Security*, 17 (1): 19-31.

- Spiro, DE. (1996) "The Insignificance of the Liberal Peace". In: Brown ME, Lynn-Jones SM and Miller Brown SE (eds) *Debating the Democratic Peace*. Cambridge, Mass: MIT Press.
- Thiel, M. (2006) "European Identity and the Challenge of Enlargement". *Jean Monnet/Robert Schuman Paper Series*, 5 (31): 1-9
- Wendt, A. (2003) "Why a World State is Inevitable". *European Journal of International Relations* 9: 491-542

Dr Noëlle Burgi

Disciplining The Labour Market In Europe: The Emerging Normative Neoliberal Order

Abstract

The social states developed in western Europe after the Second World War promoted economic development under conditions of relative social equity, becoming a foundational component of post-war collective identity. In recent decades however, there has been a gradual erosion of social protections and rights, reflecting the spread of neoliberal principles first articulated by the “conservative revolution” in the US and UK. Amplified but not caused by structural transformations of the world economy, there has been a marked shift from social solidarity to generalised competition. On a European level, the Commission has played a major role in the emergence of a new governmentality. As Foucault presciently pointed out (1979), neoliberal public policies refocused on disciplining labour, curbing dissent, submitting and regularising society, seen not as a community with a common destiny but as a collection of elementary particles. In the emerging normative neoliberal order, the resulting social anomie has led to greater state autonomy and generated the temptation for authoritarian managerialism from on top.

One of the distinctive features of Europe has been a social model that, at least until recently, was based on solidarity and provided broad protective mechanisms for citizens in various nation states. Indeed, the social states erected in Western Europe after the Second World War promoted economic development under conditions of relative social fairness, creating a social structure that became a foundational component of the post-war collective identity. In recent decades however, there has been a gradual but sharp erosion of social protections and rights, reflecting the spread of neoliberal principles first articulated by the “conservative revolution” in the United States and the United Kingdom. Amplified but not caused by structural transformations of the world economy, there has been a marked shift from social solidarity to generalised competition, and from relative equality to sharp social disparities. In this paper, my aim is to theorize the transformation and describe its effects. I argue that a new normative order has emerged that is producing widespread social anomie and which undermines the social and democratic character of the European project.

Governing *for* the market

The theoretical framework used here is Michel Foucault’s prescient analysis of the rise and spread of neoliberalism in the twentieth century (Foucault, 2004). In 1979, Foucault highlighted the emergence of a new form of governmentality, the aim of which was not to roll back the frontiers of the state in general, or for government to simply abstain from intervening because of supposedly objective economic laws transcending political rationality. Rather, as he pointed out, neoliberalism governs *for* the market, which is conceived as a finely tuned mechanism that requires reliable frameworks in which to work. Governing for the market implies organizing and accompanying a thoroughgoing social transformation in which, in Foucault’s words, “competitive mechanisms act as the regulator (of society) at each instant and at every point of the social fabric” (Foucault, 2004). In this type of social framework, individuals are expected to behave

like micro enterprises in constant competition among themselves: they are treated as if they were elementary particles in a grand competitive machine.

In this perspective, writes Foucault, neoliberal theory advocates a redeployment of public action in two distinct registers obeying to different principles of state intervention. The first register corresponds to policies designed to minimize certain functions of the state, notably its developmental role as a planner and a driver of industrial investment, leaving it with a rather discrete but nonetheless efficient regulatory role, the primary objective of which is to guarantee price stability and low inflation. All other objectives of public action are “subordinate and adjacent”. The second register, however, involves a sustained and systematic form of public intervention, the aim of which is to modify (or to use present euphemisms, “modernize”) the material, cultural, technical, and juridical foundations of society.

It is this second register of public action that represents a fundamental challenge to the post-1945 Keynesian compromise. Neoliberal theory in this sense asserts that the aim of government must no longer be to correct the ravages produced by untrammelled market competition on society. In particular, as Friedrich von Hayek was the first to argue and advocate, social policies must not be conceived as a counterweight to economic processes that generate high degrees of inequality. In *The Road To Serfdom* and later works, he argues that a minimum security for individuals can only be provided if it does not affect the competitive logic of the market. Therefore, there *must* be inequality, since the competitive logic of the “free” economy constitutes, as Foucault points out, a kind of “general regulator of society to which all are submitted and should be willing to comply to”. In the neoliberal program articulated by Hayek and others, the community would merely offer a subsistence minimum protecting individuals from elementary physical needs “to safeguard health and the capacity to work” (Hayek, 1944: chap-

ter 9). My argument is that this is the ideal typical form of the newly dominant post-Keynesian approach to social policies in Europe, one that increasingly withholds assistance from the poor and the excluded (Burgi, 2009).

New Constitutionalism and Competitive Austerity

Thanks to innovative research in international political economy regarding the process of European integration, as well as a large body of recent sociological studies, it is possible to better grasp the way in which neoliberalism diffused itself in continental Europe. The two types of public action I mentioned above became institutionalized through what various authors call either the “new constitutionalism” or “procedural governing” – as opposed to choice based governing. This specific form of regulation consists, in Stephen Gill’s words, in “separating economic policies from broad political accountability in order to make governments more responsive to the discipline of market forces, and correspondingly less responsive to popular-democratic forces and processes” (Gill, 2001; see also Fitoussi, 2002). In the European Union context, it has led to asymmetric regulation (Holman, 2004) at transnational and national levels with different divisions of competencies at each of those levels. Asymmetrical regulation, which is discussed below, shapes the aims and sets the constraints of public action on social issues.

In the first register already discussed, that is to say macroeconomic regulation, the EU conducts policy and implements policies through four main institutions: The highly autonomous European Central Bank (ECB); the Stability and Growth Pact which oversees national budgets to ensure that member states observe community rules;¹ the Commission’s Directorate-General for Competition; and the

¹ The EU response to the sovereign debt crisis of weaker member states that became apparent in 2009 and 2010 has been to initiate work on new, far stricter and punitive mechanisms to compel member states to comply with the Pact.

European Court of Justice. These institutions work together and interact to set and impose the framework and system of competition within the Union. They have supranational power and enjoy great autonomy, given the lack of political institutions and juridical instruments giving citizens the means to influence them or to shape policy.

The Union's competition policy and its budgetary and monetary regulation creates a web of constraints that produce second register policies, that is to say those that aim to transform or "modernize" the material and immaterial foundations of society, notably the systems of social protection. These constraints are asymmetrical insofar as social policy is primarily the responsibility of the member states of the Union who must ensure that national social objectives are "compatible" with the Broad Economic Policy Guidelines that define the economic principles member states have to follow: price stability, healthy public finances and monetary conditions, and stable balance of payments (article 4 of the Treaty of European Union). The aims of social "modernization" policies, as they are called, are thus rigorously subordinated to superior framework objectives regarding economic, monetary, budgetary, and competition policy.

At the same time, these confining macroeconomic policies are not conceived to take into account "national" social problems of the various member states of the Union. Their primary effect is to push member states to enter into inter-national competition to gain a market share. Since there is little if any budgetary room for manoeuvring, member states engage in fiscal and social competition to reduce production costs and enhance national competitiveness. The current debate in Europe around the Greek crisis and the crisis of other "peripheral" economies is a stark reminder of this deplorable fact. These strategies of competitive austerity (Overbeek, 2003) are implemented through various mechanisms such as the reduction of social benefits, permanent wage moderation, the "simplification" of Labor Law, etc. Synthetically said, the *tour de force* of the new

constitutionalism has been to create a corset of constraints that limits the choices of political leaders and that intensifies interstate competition while simultaneously encouraging the devolution of the various European social protection systems towards the subsistence minimum advocated by Hayek.

Since the early 1980's, these strategies of competitive austerity have become increasingly fine-tuned. As far as labor market policies are concerned, a series of incessant restructurings of public and private companies, but also of labor law and more generally of social protection, have profoundly modified national social "models". To varying degrees, all member states of the Union have reoriented their employment policies and their systems of social protections to make them fit into and subordinate them to these strategies of competitive austerity. Through a set of so-called "Strategies", notably the European Employment Strategy launched in 1998, the EU has played a determining role in the coordination and gradual convergence of national social and employment policies. Everywhere, social rights were redefined through the calling into question of universal principles of social insurance and the shift towards systems of assistance, in particular assistance to the poor. Simply, social rights are being reduced across Europe. For instance, EU Member States have significantly hardened the conditions of access to unemployment benefits and have reduced their volume and their length. One could give a series of other examples relating to retirement, health insurance, labor law, etc. Today, some programs exclusively cover the poor and the excluded. I am referring to the means tested benefits that have been widely implemented and which are generally subject to material and/or moral conditions, for instance accepting work, even if it is paid 1 euro an hour in return for assistance as is the case in Germany. Refusals lead to sanctions (Burgi, 2009).²

² The new coalition government in the United Kingdom has announced a series of punitive social measures, linked to the austerity program, including

Responsibility, control, anomie

There is a vast literature on the European social model and national social models (the best known being Esping-Andersen's *Welfare States in Transition*) and many of the most recent research programs have showed that there is indeed a convergence of models that is leading to a new paradigm (among others, Rudischhauser and Zimmermann, 2004; Crouch, 2005; Thelen and Streeck, 2005; Celgg, 2007). This literature is primarily centred on rather technical, institutional or juridical analysis, which is not the primary concern of this paper. What is important here is to bring to attention a far less studied problem that raises interpretative difficulties: Why the weakening of social rights has given rise to an extraordinary expansion of mechanisms of sanction and control, which can be considered part of the new surveillance society? What does this mean, concretely, for individuals? My own fieldwork has concentrated on this issue (Burgi, 2002; 2006; 2007).

A very important part of the answer has to be sought in the individualization of responsibility in the face of social risks, that is to say the transfer of these risks from society onto individuals. Indeed, it is by calling upon individual responsibility and a society of responsibility that public authorities have tried to legitimize the renunciation of equalitarian social policies and the ambition of universal social protection that would correct the social stratifications induced by the market. Individual responsibility supplants longstanding rights in this new configuration.

The growing role of means tested benefits in social protection apparatuses favours the internalization by individuals of this discourse of responsibility. Means tested benefits are financed by all but they only benefit a part of the population. As a result, for some taxpayers

coercive action against the unemployed, who risk losing all benefits for as long as three years if they refuse community work or the offer of a job.

they are felt to be illegitimate or only very feebly legitimate. They are often perceived as unmerited special privileges, a perception that is encouraged by contemporary political rhetoric that obsessively denounces welfare “fraud” and free riders among the poor who are said to be profiting in unmerited fashion from the system. In other words, the idea of solidarity targeted at those in the greatest need, which is at the heart of the new European social model, in fact mobilizes social egoisms and encourages a competitive logic of war of all against all. This is leading to a shift in collective representations: rather than being a universal right, mechanisms of social solidarity are increasingly considered as *favours* given to individuals who, in order to obtain them, must merit them and demonstrate individual responsibility. This is also true in the United States of course (see for instance Chauvin, 2010). The social groups most likely to be suspected of fraud are naturally the most vulnerable parts of the population whose members are *a priori* suspected of being free riders that require surveillance and punishment. This explains the expansion of the mechanisms of control which aim for instance to check whether the unemployed are actively seeking work, and the new systems of sanctions linked to this. Among the control mechanisms, one of the most important and most sophisticated is the use of interconnected databases regarding target populations. These databases and methods threaten civil liberties. So do the diverse intrusive methods used to enquire on the resources of the unemployed and the poor: home visits, interrogations by social services, questionnaires as well as a series of other tools that threaten individual freedom. Seen as a *system*, these methods constitute a framework of coercion linked to the new governmentality.

The psychological pressure exercised by injunctions of individual responsibility and the concomitant threat of sanctions aim to modify behaviours by forcing people to adjust their expectations to market driven constraints, even if this means an existence without sufficient resources to live in a dignified manner, or the failure to find a place in society through forward looking projects that affirm self

esteem and positive identity. As a result, the unemployed are considered responsible for their situation. However, this psychological pressure is not only directed at the unemployed but to other social groups and indeed to most employees in industry and the large service sector companies.

Let me specify what I mean by this. In recent decades, the implementation of new managerial principles in the management of human resources in large firms in the service and manufacturing sectors, public or private, notably the individualized evaluation of performance, has been a very important and efficient tool in transferring social or rather psycho-social risks to employees in the name of responsibility. Employees suffer excessive work intensification and are expected to meet arbitrary quantitative and qualitative objectives that are prescribed to them and over which they are regularly evaluated. As is also the case of the unemployed, failure leads to sanctions. These prescribed objectives are often contradictory. But management does not recognize these contradictions as factors justifying changes of policy or of work organization and work conditions. For instance, even if there is understaffing or other material problems, employees must nonetheless “satisfy the client” and meet production and productivity targets that are prescribed and constantly revised upwards. These problems of understaffing or lack of material means are rarely if ever recognized by management as the reason why employees face great difficulties in accomplishing their work. Rather, employees are considered responsible and are asked to resolve these contradictions by developing their individual capacity of initiative and inventiveness. Failing to do so, they are sanctioned. They will be badly graded during performance evaluations and subjected to further psychological pressure by being made to feel and by being told that they weren’t up to the job and didn’t measure up.

The contemporary workplace has to be looked at carefully to understand what happens to people. Take customers, for instance, whose “satisfaction” is one of the crucial objectives demanded of employ-

ees who are in contact with them. The people we call customers, for instance the people who use the services of a telecommunications company like Orange, or the users of public services who are now called customers, are almost always invariably discontented. They make it known in various ways, with behaviours that range from indifference towards the employee to acts of violence. The employees are on the receiving end of this discontent. This phenomenon occurs in both the public and private sectors and involves everybody. There are for instance recurrent expressions of anger by the unemployed in job centres as a result of exasperatingly long waits or the frequently useless suggestions of their interlocutors. Likewise, the customers of Orange, a firm whose social relations I have studied and which has recently been and is currently still affected by a wave of suicides, go so far as to tell salespeople when they express anger and frustration: "Go and commit suicide!" (Burgi *et al*, 2008). Similar kinds of phenomena have been identified in hospitals, schools, etc. (see for instance Dujarier, 2006; Linhart, 2010).

Employees and the unemployed are both being forced to obey. They are being normalized as Foucault would say. They are being pushed to do the impossible or to make it seem as if the impossible were possible. The unemployed are obliged to accept whatever jobs they are offered even when these are bad jobs, very short-term jobs, badly paid jobs that are disconnected from their competencies or their professional ambitions. They have to submit to constant controls and intrusive interrogations and adapt their behaviours, including the way they present themselves, to the expectations of their controllers. They have to demonstrate that they are actively seeking work even when there are no decent available jobs or any jobs at all. They have to accept training programs even when these are useless. Meanwhile employees are confronted to a work organization that in fact does not allow them to work correctly, which inhibits their ability to accomplish well done work. They have to get along alone and behave as if the contradictory and unrealistic objectives demanded of them are reasonable. They have to pretend that their work condi-

tions are acceptable. This raises ethical problems for the individual since it is impossible to do one's work correctly under such conditions and leads to suffering (Clot, 2010; Pez , 2008; Dejours, 1980).

What we have found in our fieldwork is that the unemployed and employees find themselves chronically in situations in which they are obliged to do things that run counter to their ethics. They are put in situations where they are constantly forced to pretend that their circumstances are normal and possibly even desirable, to pretend that they can meet the expectations of the system even if those expectations are patently disconnected from reality. Generated by a system over which they have no control and in the absence of strong organizations of collective defence, the compulsion to pretend produces corrosive identity effects. Indeed, the repetitive or chronic obligation to "do as if" is a behaviour that is adopted in spite of oneself. It goes hand in hand with the denial of recognition, which has become a major social fact highlighted by Axel Honneth (2007). This situation affects the physical and psychic integrity of the subject. It wounds the subject's identity and generates feelings of shame by weakening self-esteem and self-confidence and the sense that one is a person worthy of affection and respect. It thus leads to a loss of self-respect as a member of a community of equals by right and a loss of self-esteem as a subject contributing to collective life through practice. It is impossible to defend oneself alone against such wounds. One can attempt to escape from the worst effects through individual strategies that anaesthetize suffering: for instance, denials of reality, over-investment in various forms of activity or, just as often, taking it out on people even weaker than oneself such as women colleagues, precarious workers, customers, etc., by having them suffer what one suffers oneself.

What we are seeing emerge in other words is a pathological pattern in society which as I have argued is being produced by a new normative social order imposed on various social groups and on individuals. That order is generating social *anomie*. Paradoxically the

new normative order is depriving us of norms, it is dissolving the norms and moral and civic values that were and that are essential to a healthy society. It is locking people into alienation, fear, and social suffering.

I have just described a pattern of social relations that can be observed throughout Europe today and which represents a significant deviation from the paradigm of the social state. The European social state was an extremely important factor in making the construction of Europe possible in the first place, and indeed can be seen as *the* determining component of its success. The post-war West European social states, which led the construction, were founded on imperfect but essential principles of social solidarity that gave meaning to the notion that individuals were participants in a collective forward looking project. If there is to be such a thing as a European identity, it must be founded on a vision that makes social solidarity a core component of the European project. That however is not at all the direction taken by the EU. The society of competition is overwhelming the notion of solidarity and is breeding widespread social anomie. The current economic and financial crisis has been seized upon to further accentuate the trends described above. Competitive austerity has been openly proclaimed by the EU and by member states as the exclusive horizon of public policy. As Paul Krugman (2010), among others, has pointed out, the crisis is being used to “downsize the welfare state”.

Bibliography

- Apeldoorn Bastiaan Van (2002), *Transnational Capitalism and the Struggle over European Integration*, Londres: Routledge.
- Burgi Noëlle (2009), “La construction de l’Etat social minimal en Europe”, *Politique européenne*, n° 27, p. 201-232.
- Burgi Noëlle (2007), “De la précarité de l’emploi à la négation du vivant”, *Interrogations*, n°4 (www.revue-interrogations.org).
- Burgi Noëlle (2006), *La Machine à exclure. Les faux-semblants du retour à l’emploi*, Paris: La Découverte.

- Burgi Noëlle (2002), “Exiler, désœuvrer les femmes licenciées”, *Travail, genre et société*, n°8, p. 105-122.
- Burgi Noëlle, Crinon Monique, Fayman Sonia (2008). “De l’art de programmer la maltraitance au travail”, in *Orange Stressé*, Observatoire du Stress et des Mobilités Forcées de France Télécom-Orange, Paris.
- Chauvin Sébastien (2010), *Les Agences de la précarité. Journaliers à Chicago*, Paris: Seuil.
- Clegg Daniel (2007), “Continental Drift: On Unemployment Policy Change in Bismarckian Welfare States”, *Social Policy and Administration*, Vol. 41, n° 6, p. 597-617.
- Clot Yves (2010), *Le Travail à coeur. Pour en finir avec les risques psychosociaux*, Paris: La Découverte.
- Crouch Colin (2005), *Capitalist Diversity and Change. Governance and Institutional Entrepreneurs*, Oxford: Oxford University Press.
- Dejours Christophe ([1980], 2000) *Travail, usure mentale – De la psychopathologie à la psychodynamique du travail*, Paris: Bayard.
- Dujarier Marie-Anne (2006), *L’Idéal du travail*, Paris: Editions Le Monde-PUF.
- Esping-Andersen Gøsta (dir.) (1996), *Welfare States in Transition: National Adaptations in Global Economies*, Londres: Sage.
- Fitoussi Jean-Paul (2002), *La Règle et le choix. De la souveraineté économique en Europe*, Paris: Seuil.
- Foucault Michel (2004), *Naissance de la biopolitique. Cours du Collège de France. 1978-1979*, Paris: Gallimard-Seuil.
- Gill Stephen (2001), “Constitutionalizing Capital : EMU and Disciplinary Neoliberalism”, in Andreas Bieler & Adam David Morton, *Social Forces in the Making of the New Europe. The Restructuring of European Social Relations in the Global Political Economy*, Londres: Palgrave.
- Hayek Friedrich A. ([1944] 2001), *The Road to Serfdom*, London: Routledge.
- Holman Otto (2004), “Asymmetrical regulation and multidimensional governance in the European Union”, *Review of International Political Economy*, Vol. 11, n° 4, p. 714-735.
- Honneth Axel (2007), *La Société du mépris. Vers une nouvelle Théorie critique*, Paris: La Découverte.

- Krugman Paul (2010), “British Fashion Victims”, *The New York Times*, October 22.
- Linhart Danièle (2009), *Travailler sans les autres?*, Paris: Seuil.
- Overbeek Henk (dir.) (2003), *The Political Economy of European Employment. European integration and the transnationalization of the (un) employment question*, Londres: Routledge.
- Pezé Marie (2008), *Ils ne mouraient pas tous mais tous étaient frappés. Journal de la consultation « Souffrance et Travail », 1997-2008*, Paris: Pearson.
- Rudischhauser Sabine, Zimmermann Bénédicte, (2004), “De la critique à l’expertise. La “modernisation” de l’action publique: le cas du chômage en France et en Allemagne”, in B. Zimmermann (dir.), *Les Sciences sociales à l’épreuve de l’action. Le savant, le politique et l’Europe*, Paris: Editions de la Maison des sciences de l’homme.
- Thelen Kathleen, Streeck Wolfgang (dir.) (2005), *Beyond Continuity: Institutional Change in Advanced Political Economies*, Oxford: Oxford University Press.

Maurizio Ferraris

Documentality, or Europe

The Belgian Empire

The Europe of Bouvard and Pécuchet

Euroscptics call Europe the 'Belgian Empire', meaning by this that from Brussels a group of bureaucrats governs, through regulations and documents, a mass of larger nations and people, with other histories, other destinies, other interests. Such a label hints also, I believe, at the fact that these bureaucrats may be a bit stupid, like the Belgians in jokes, and like Bouvard and Pécuchet, who, not by chance, were clerks by profession.

I would like to see it from another point of view. The Belgian Empire, the Europe of Bouvard and Pécuchet, the Europe of battles over milk quotas, the Europe of paperwork and documents, is a unique historical case, that of a governing body that has been built only on the strength of documents, and this after all the other attempts at unification, based on blood and land, or on spirit (be this the spirit of nations, a philosophical spirit, a generic 'European spirit' or even the 'common Christian roots') have failed, and have failed all the more, the more they have attempted to impose themselves by force. It's sufficient to say that the last non-bureaucratic attempt to construct a united Europe from the Atlantic to the Urals, that of the Third Reich, ended in the most drastic division of Europe in history, reducing it to a sort of Russian-American condominium.

What I would like to articulate in the pages that follow does not depend on a particular affection that I hold for Europe, but rather my very strong theoretical penchant towards bureaucracy: if Novalis's

work *Die Christenheit oder Europe* constitutes a romantic fantasy, I believe that *Documentality, or Europe* represents an evidence that is plain for all to see. Europe represents the only case of a continent unified by documents: an organism quite different, for example, from the United States, where the declaration of independence was followed by wars against England; and a completely different procedure from the application of the Rule of Law in post-Communist countries, already in possession of a national unity, and which have simply received a constitution from the outside. On the contrary, in Europe we have started out from an ever-more challenging series of documents we have finally reached the highest document, a common currency. This is an experience that is in itself significant. But it is even more so for me, as I intend to deduce how this process has clearly illustrated laws of construction of social reality, consisting of inscriptions and documents, as I have attempted to demonstrate elsewhere¹, and which I will try to articulate here by elaborating upon the notion of ‘documentality’.

To this aim, I would first of all like to propose a contrast between the ideal foundation, that I gather under the name of ‘foundation by spirit’ and the real foundation, ‘by the letter’, which has characterized the actual European unification, of the bureaucratic and documentary type. When I speak of ‘ideal foundation’, I refer to the fact that we quite often read of the vindications of the Europe of peoples against the nooses and snares of the bureaucracy of Brussels, or the calls for the necessity of a reference, in the European Constitution, to Europe’s Christian roots. That which characterizes these critiques is

¹ I refer in particular to *Dove sei? Ontologia del telefonino*, Milan, Bompiani 2005; *La fidanzata automatica*, ivi 2007; *Sans papier. Ontologia dell'attualità*, Rome, Castelvechi 2007. Expositions in English can be found in *Documentality, Or why nothing social exists beyond the text*, Christian Kanzian, Edmund Runggaldie, eds., *Cultures: Conflict – Analysis – Dialogue*, Publications of the Austrian Ludwig Wittgenstein Society. New Series 3, 2007, pp. 385–401 and in “Science of Recording”, in Herbert Hrachovec, Alois Pichler, eds., *Philosophy of the Information Society*, Frankfurt/M, Ontos Verlag 2008, pp. 110–123.

the request for a supplement of soul for that which appears to be an inert construction made up of letters, laws, and documents; a constitution which, basing itself solely upon documents, comes up short, because while the spirit animates and unifies, the letter divides and kills. This, anyway, in theory, since actual historical experience has demonstrated the opposite: the spirit kills and divides, the letter unifies and animates, in a prosaic manner as well, with customs regulations and milk quotas. Let us quickly tackle this point.

Unification by Spirit

My objection to a unification by spirit is quite simple: there has never been one. It's been talked about often, in conversations in support of a unification by spirit, of a proto-form of the European identity under the Roman Empire, and then under the Holy Roman Empire; nevertheless, that which was unified in these international bodies was either much larger or much smaller than that which today (moreover, on the theme of unification by letter, for excellent but purely bureaucratic reasons) we call 'Europe'. And the non-coincidence thrusts itself to paroxysm for a third great organism, the Roman Empire of the East, extremely marginal *vis-à-vis* present-day Europe, largely extensive in Asia and Africa, and at times, for example after the sack of Constantinople by other Europeans and Christians, limited in Anatolia, i.e., in Asia. This last assessment, in all probability, will have an effect when Turkey is admitted to the European Union; demonstrating, however, that the change does not derive from a call to some geopolitical antiquities, but rather from the application of bureaucratic laws.

Above all, that which I would like to point out apropos of these European proto-organisms so often evoked as examples of unification by spirit is that there is not a single trace of spirit, be it spirit of peoples and nations, or Christianity. The populaces were patently diverse, as they deal with international connections of diverse religions (Paganism, Roman Catholicism, and Orthodox Christianity).

What did the unity consist of? Also in this case, in a network of norms that had nothing to do with a European spirit (and not even with some distinguishing geographical characteristic of Europe), essentially depending on the letter, namely bureaucratic and legal transactions whose proto-form can be found in the concession, in A.D. 212, of Roman citizenship to all free citizens of the empire with the Edict of Caracalla. An edict that does not differ at all from the decrees that gradually have conferred citizenship in the European Union upon nations which had completely heterogeneous histories, traditions, and languages.

Hence, the asserted examples of unification according to spirit are examples of unification according to letter. To this given historical fact we may add a theoretical connection, namely the intrinsic obscurity of the notion of 'spirit'², which is already plainly demonstrated when, for example, we point out a religion, Catholicism, that has its *raison d'être* in a universality (*kat'holou*), that transcends any determined reality. The underlying idea is essentially this: unlike Africa or America, Europe does not possess stable and secure natural borders – rather it is a sort of promontory of Asia; this deficiency from the natural point of view is made up for through the imposition of spiritually-based unifications³. These unifications are much easier for Europe which – precisely due to the modesty of its mate-

2 This duplicity has been analyzed (with particular referral to the link between spirit, nationality and nationalism) by Jacques Derrida, cfr. *De l'esprit*, Paris, Galilée 1987 (*Of Spirit: Heidegger and the Question*, trans. Geoffrey Bennington & Rachel Bowlby, Chicago & London, University of Chicago Press, 1989) and *L'autre cap*, Paris, Ed. De Minuit 1991 (in *The Other Heading: Reflections on Today's Europe*, trans. Pascale-Anne Brault and Michael B. Naas, Bloomington & Indianapolis, Indiana University Press, 1992). Allow me also to refer to the developments that I propose in the introduction to the Italian translation of *L'autre cap* ("L'Europa in capo al mondo", in *Oggi l'Europa*, Milan, Garzanti 1992.)

3 P. Valéry *La crise de l'esprit* (1919), in *Œuvres* I, J. Hytier, ed., Paris, Gallimard 1957, pp. 988–1014 (*Crisis of the Mind*, 1919, trans. Denise Folliot and Jackson Mathews).

rial resources, the instability of its geographical determinations, and perhaps also the peculiar characteristics of its climate⁴ – has known how to develop its spirit to the highest degree, through its calling to liberty against dictatorship already manifested in the Persian wars, to philosophy against the myths of Greece, to the scientific and political development that has been the consequence of that which, oxymoronically, we could define as a ‘natural tendency to spirit’⁵.

To expound upon these theses and to assemble their inner incompatibility are two processes that go hand-in-hand. Spirit is a volatile entity called upon to make up for the shortcomings of nature (geography, resources), and together they represent the expression of a national identity and of a natural calling. According to this paradox, Fichte was able to claim⁶ that a national spirit, that of the Germans,

4 “If Europe were rich like India, not rugged like Tartaria, hot like Africa, isolated like America, all this would not have been realized (. . .) The two great rich continents, Asia Africa, embraced this smaller and poorer brother, and sent him their goods and inventions, from the far corners of the world, from countrysides of the most ancient and longest civilization, and in this way whet its ingenuity, its spirit of invention. The climate and the rest of the ancient Greek and Roman worlds contributed also to aiding its development and, therefore, the greatness of Europe is founded on the activity and the spirit of invention, on the sciences and on a common attempt at emulation” J. G., Herder, *Ideen zur Philosophie der Geschichte der Menschheit* (1784-1791), (trans., *Outlines of a Philosophy of the History of Man*, Bergman Publishers, 1966). It is a theme that we see again in Hegel and in Heidegger, cfr. G. W. F. Hegel, *Vorlesungen über die Philosophie der Weltgeschichte* (1822-1823) (*Lectures on the Philosophy of World History*, Cambridge University Press, 1981) and M. Heidegger, *Einführung in die Metaphysik* (1935), (*Introduction to Metaphysics*, trans. Gregory Fried and Richard Polt, Yale University Press, 2000).

5 Which is so natural as to have biological paths: as in the decline of the West described by Spengler in the *Decline of the West* (Oxford University Press, 1991), and, precisely, in the same period, by Valéry: “Nous autres, civilisations, nous savons maintenant que nous sommes mortelles.”

6 J. G. Fichte, *Reden an die Deutsche Nation* (1807-1808) (*Addresses to the German Nation*, trans. R. F. Jones and G. H. Turnbull. Chicago, Open Court, 1922. Reprint Westport, CT: Greenwood Press, Inc., 1979).

is naturally oriented towards a cosmopolitan, and eminently European, calling, Germany being the physical and spiritual center of Europe. It is pointless to ask oneself how geographical centrality can be called upon to justify a spiritual centrality that, in the discourse that we are presenting, is called upon to give the reasons for geographical borders.

Nevertheless, it's a modest circularity in comparison with the idea, likewise developed by Fichte, by which "German" being an essentially spiritual determination, all those who believe in liberty and progressiveness of the spirit are Germans, just as we may take the case of one who, empirically German but insufficiently spiritual, is not part of spiritual Germany, that is a Germany *tout court*⁷. He rightly emphasized the inconsistencies (and above all the consequences) of a reasoning of this sort, which we rediscover, a hundred thirty years after Fichte, in Husserl⁸, who, despite having already experienced exclusion from the German University for being Jewish, maintains that the European spirit is a great spiritual organism (the grandest that has ever existed) which crosses its geographical borders to include America and the British dominions, but which

7 Fichte, *Reden*, Italian trans. cit., p. 375.

8 E. Husserl, *Philosophy and the Crisis of European Man*, Vienna, 10 May 1935, *Phenomenology and the Crisis of Philosophy*, tr. Q. Lauer, Harper Torchbooks, 1965: "We may ask, 'How is the spiritual image of Europe to be characterized?' This does not mean Europe geographically, as it appears on maps, as though European man were to be in this way confined to the circle of those who live together in this territory. In the spiritual sense it is clear that to Europe belong the English dominions, the United States, etc., but not, however, the Eskimos or Indians of the country fairs, or the Gypsies, who are constantly wandering about Europe. Clearly the title Europe designates the unity of a spiritual life and a creative activity-with all its aims, interests, cares and troubles, with its plans, its establishments, its institutions. Therein individual human beings work in a variety of societies, on different levels, in families, races, nations, all intimately joined together in spirit and, as I said, in the unity of one spiritual image. This should stamp on persons, groups, and all their cultural accomplishments an all-unifying character."

excludes those who – like the gypsies or the Eskimos – belong geographically to Europe, but lie outside it spiritually.

That which I would like to point out is that here we are not dealing with simple abstract declarations, but rather with considerations that found true political applications, even apart from the extermination of the gypsies during the Third Reich. In 2006, to justify his voluntary enlistment in the SS-Panzer-Division “Fruntsberg” in March of 1945, Günter Grass stated that it was an international and effectively European army. In fact, this was exactly so. At first strictly reserved to soldiers of pure German race, then to the so-called *Volksdeutsche*, of German ethnicity, with the development of the war the divisions of the Waffen-SS expanded to include French, Belgians, Dutch, Norwegians, Danes, Italians, Ukrainians, Russians, Croatians, Bosnians (because there were some Islamic Waffen-SS), Indians and – it appears – some British. These nationalities were explicitly represented by collar badges, and the divisions were organized by nation, unlike what takes place, for example, in the French Foreign Legion. Hitler at first opposed these recruitments, but increasingly had to change his mind, to the point that in 1944, when presenting a decoration to Léon Degrelle, Belgian commander of the SS division “Wallonie” who had distinguished himself on the Eastern Front, he told him that he would have liked to have had a son like him⁹. And that Hitler’s faith in the European Waffen-SS was well-placed, if you consider that the last defenders of the Bunker of the Chancellery were French SS, belonging (and in this there is undoubtedly an authentic irony of history) to the Charlemagne division. French aristocrats and sub-proletariat come to fight in Berlin the last battle against Bolshevism in the name of the European

9 It was recently discovered that Degrelle is the original of Tin Tin, the character created by a famous citizen of Brussels, Hergé. The same round face, the same tuft of blond hair, the same pink cheeks, the same knickers. The effects of this discovery are many, and in particular this, that Hitler would have liked to have Tin Tin as his son.

spirit. And this was exactly the interpretation that Hitler (advocate since the 1930s of a “common European establishment”) had given to the entire Russian campaign. A unification that would have to take place through spirit and in the name of spirit. It was so in Hitler’s radio speech to the troops on June 21, 1941, the day of the attack on the Soviet Union: “My soldiers, I have made the decision that I had to make not only as head of the German state, but *as representative of the European culture and civilization.*” And so it was in his last speech, on April 16, 1945, when the battle of Berlin began on the Oder: “Orders of the Führer! To the soldiers on the Eastern Front! Asia’s last attack will fail.”

Unification by Letter

Leaving the myth of the foundation through spirit, it is suitable to pass to true history, to the foundation via letter, that not only explains the unification that really took place, which we have before our eyes, but that, somewhat surprisingly, takes shape as the possibility and the foundation of the spirit¹⁰. The European destitution, the progressive decline of the spiritual continent, that has been said to play out like a sort of biological decline¹¹, has in fact been destitution on the plane of letters and documents, a degrading pertaining to inscriptions. Three signs amongst the many: the imposition of the dollar as international currency; the decline, as Schmitt had underlined¹²,

10 In agreement with that which was already intuited by Montesquieu in *Esprit des lois* (1748): “Many things guide men: climate, religion, law, the maxims of government, traditions, customs: where a general spirit is formed that is its result” (*The Spirit of the Laws*, trans. Thomas Nugent, New York, MacMillan, 1949).

11 Typically, in Spengler. The analogy with organic does not oppose the spirit, on the contrary, it goes hand-in-hand with the call to spirit conceived as ‘living spirit’, as I have tried to demonstrate in *La filosofia e lo spirito vivente*, Rome-Bari, Laterza 1991.

12 C. Schmitt, *Der Nomos der Erde im Völkerrecht des Jus Publicum Europaeum* (1950) (*Nomos of the Earth in the International Law of Jus Publicum Europaeum*, trans. G. L. Ulmen, Telos Press Publishing, 2003).

after 1890, of the idea that international law is European law; finally, the circumstance by which in 1919, at the conference of Versailles, the language of the negotiations ceased to be French upon explicit request of the President of the United States, Woodrow Wilson, who did not speak it.

If the destitution takes place on the documentality, it's not surprising that, conversely, the European constitution, the progressive construction of the Union, is a story of essays and documents, from the *Memorandum sur l'organisation d'un régime d'union fédérale européenne*, by Saint-John Perse, of 1930, to the Congress of the Hague of 1948, to then arrive, passing from prehistory to history, at the succession of declarations and treaties that have made Europe. This is a 'making' that should be taken literally, for we find ourselves faced with some performatives: 1950, Schuman Declaration; 1951, Treaty of Paris; 1954, Treaty of Brussels amended for the WEU; 1957, Treaty of Rome; 1965, Merger Treaty; 1970, Treaty of Luxembourg; 1985, Schengen Agreement; 1986, Single European Act; 1992, Treaty of Maastricht; 1994, Ioannina Compromise; 1997, Declaration of the WEU; 1999, Treaty of Amsterdam; 2001, Treaty of Nice; 2001, Declaration of Laeken; 2004, European Constitution; 2007, Declaration of Berlin; 2007, Treaty of Lisbon¹³.

This twofold connection, the fact that documentality plays a primary role both in the destitution and the constitution, confirms the perception from which I started: those who doubt Europe in the name of spirit, or of peoples and nations, and who on that basis perhaps question the authenticity of 'Europe' the social object, in all probability return to an idea of country that has a precise history and geography, the national government devised (and not

13 Obviously, I limit myself to the principals. A more detailed entry on Wikipedia carries at least 200 (http://en.wikipedia.org/wiki/European_integration), and the site of the European Union takes up pages and pages in enumerating treaties and accords.

always accomplished) by the romantics of the 1800s. But romantic projects are the exception rather than the rule. After all, countries dismembered as if they were ordinary land holdings, in the name of hereditary documents, accompany European history, and the same empire of Charlemagne was divided into three parts into something that is France, something that is Germany, but also into a spit of land called 'Lotharingia', precisely because it was left in legacy by Lothario, which stretched from the Northern Sea to the Jura (and whose name survives in the present-day Lorraine, *Lothringen* in German). Of the equivalents, it was not spiritual, nor territorial, nor ethnic unity that brought together the Prussia of the pre-Napoleonic era. Documents are enough to create a nation, and from this point of view Europe has all its papers in order, especially since it has endowed itself with that super-document that is the Euro¹⁴.

14 It is in this spirit that, on a previous occasion, I worked on a project, in collaboration with Barry Smith and Leo Zaibert, of a unified terminology of all that is bureaucratically and administratively relevant in Europe, as a further contribution to the unification by letter. The underlying idea is that if we allow that monetary unification is a good thing, then even more so do we have to recognize that the creation of a unified terminology for all that is administratively and legally relevant constitutes an even more primary need. This may seem to be one of those dreams whose story was told a few years ago by Umberto Eco (*The Search for the Perfect Language*, Wiley-Blackwell, 1997). But when we speak of a 'unified terminology' we do not propose to find, let us say, the language of Eden, or a term which covers 'dog', 'Hund', 'chien', 'cane', and 'perro'. There is already Esperanto. Things change, however, if we move to legal terrain (is there a unified concept of 'contract', in the different judiciary traditions?), medical (is there a uniform, statistically useful terminology in existence?), administrative (what is the Slovak equivalent of Italian trains 'Local', 'Express', 'Intercity' and 'Eurostar?'), university (is there a full correspondence between degrees?) and even military (does a concept like 'division' have a uniform meaning? Are there 'brigades' in every military order? and if not, where will the officials who command be put, in case of unification?). The fallout on the plane of daily life, economy and educational systems of a similar dispersion are pretty obvious. And ontology, as a principle of rational cataloguing of the world, seems to be the right way to a solution that, going beyond words, would find the subjective conceptual structures.

Up to this point, the examples presented, which could obviously go on at length, can be summarized in these terms: when we speak of unifications through spirit, we are dealing with extremely vague notions, that nonetheless do not derive a single true advantage from specification, given that each determination brings us to results that are anything but reassuring. Let us take the Italy longed for by Manzoni in *Marzo 1821*, “one of arms, of language, of altar / of memories, of blood and of heart”. This military, religious, ethnic and linguistic unity, after what took place in the 1900s, ceased to seem attractive even only as an ideal; and concerning memories, if we want to give a precise meaning to an otherwise very vague word, we have to deal precisely with the world of inscriptions and documents. Notwithstanding, what I would like to develop now is a theory of the document that explains unification by letter. The underlying idea is to now respond to the question: how is it possible that a document can do all this? In order to respond to this query it will be helpful, first of all, to ask oneself what institutional reality consists of, then illustrate the nature of the document.

The Powers of the Document

Maps

For us, Europe is something that we see on maps at school, and we cannot rule out that the motive for which Husserl had decided to exclude the Eskimos from the European spirit may have been precisely the fact that at times on these maps the northern part of Scandinavia is not included; while Freiberg is included, the present-day Přebor in the Czech Republic, Husserl’s home town, for all that Gadamer, in turn, to justify its scarce use of land, told me that he “was a native of those lands in which Europe disappears into Asia”. Now, this is not an accidental circumstance. Political maps depend on decisions that, precisely, have been made ‘on paper’, through acts inscribed in documents and treaties. The case of states with

fiat borders¹⁵, such as Colorado, is particularly evident but even *bona fide* borders experience the effects of documentality on the territory. If, as we have just seen, the northern part of Scandinavia is often cut out of maps of Europe, it is often that, with particular craftiness, the Canary Islands are made to fit, although physically they are located opposite Atlantic Morocco.

These circumstances can be easily explained. These nations, inasmuch as they are social objects, depend far more on history than on geography, and – unlike the notions connected to ‘spirit’ – the dependence on history is not at all vague, but recalls with precision the circumstances under which the borders and the nature of a state, the laws that govern it, and the institutions that characterize it, have been established in documents. Maps, in this sense, *represent* for us the geography that has been *determined* by other papers, the political charters which are *de facto* for the inscription of acts which have given life to those social objects that are nations. And the prevalence of cultural inscription over nature seems even more evident in antique geographical maps, in which the dimensions were often altered by the political significance of the portrayed facts, or the orientation of the map was from the position of the capital, and not the cardinal points¹⁶.

Elsewhere¹⁷ I have proposed, to illustrate my ontology of the document, the example of the borders of Poland, a country that has experienced, in the course of its history, pendular oscillations between Orient and Occident that make it difficult to imagine that the governmental unity ‘Poland’ depends on a geographical basis; even

15 On the contrast between *fiat* objects and *bona fide* objects cfr. “Oggetti fiat”, monographic issue of *Rivista di Estetica*, n.s. 20 (2/2002), XLII, L. Morena and A. C. Varzi, eds.

16 F. Farinelli, *I segni del mondo. Immagine cartografica e discorso geografico in età moderna*, Florence, La Nuova Italia 1992.

17 *Dove sei? Ontologia del telefonino*, cit.

besides the fact that in 1815 the governmental unity 'Poland' disappeared after the Congress of Vienna, to reappear in 1921 thanks to the Treaty of Trianon. This principle can be reapplied to Europe, at least in two senses. First, by showing how that which is usually indicated as the source of the spiritual roots of Europe has no geographical base, but only documentary. Second, by recalling that – we have just seen it – the development of the European Union did not follow any geographical or spiritual necessity, but rather always and only that of a progression of written proceedings that prevail largely over the geographical consistency. To illustrate this, it is sufficient to consider that Switzerland, which is at the center of Europe, is not part of the European Union, while territories such as Greenland (from 1973 to 1985), being Danish territory, or the Portuguese Azores, which geographically are extremely distant from Europe, have joined. And on this subject there is a connection that I would like to point out. One could say that this is a paradox, or an anomaly, no different than that of the European spirit as it was presented by Husserl: the Eskimos are physically in Europe, but they lie outside it spiritually, the United States or Australia are not physically in Europe, but they are part of it spiritually. Yet, as can be seen, it isn't this way at all: the United States or Australia are not part of Europe, neither physically nor politically, while the Eskimos enter freely, physically and politically, in Europe, for example as Norwegian or Finnish citizens.

That which is revealed is precisely the power of a document, which can transform for a hundred years a piece of Chinese land into a British territory, or make it so that Gibraltar, physically in Spain, is politically English, while on the other side of the Straits, Ceuta, physically in Morocco, is politically Spanish. The countries of *Ancien Régime*, again, did not operate differently, and from this point of view the much-vituperated phrase of Metternich according to which Italy was only a geographical expression should be reconsidered: geography is not enough to generate a governmental unity, it requires documents. In all that I have said up to this point there is nothing surprising. In nations as in institutions, and even with

individuals, the document serves to give and receive power: a license allows me to drive a car, a credit card allows me to buy one, the green card allows me to take my car out of the country, and the identification card allows the policeman to give me a fine. The question is, however, on what does this power rely, and the answer that I propose is that the document is the formalization of the ingredients that are present in the construction of social objects, as there is a continuous thread that from nods of understanding and handshakes brings us up to credit cards, passports, and contracts.

Social Objects

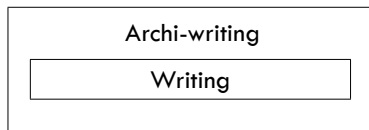
Let us move on then, from maps to other papers, those which determine them. In Yalta, after a long negotiation with Stalin, Churchill pulled out a sheet of paper on which he had traced, respectively, the eastern and western zones of influence in post-War Europe. That piece of paper determined the geography, and with that the destiny, of millions of men. Now, the construction of social reality responds to the law *Object = Written Act*. A social object (for example, a pledge, a title of nobility, the European Union) consists of a social act (involving at least two people), and which has the characteristic of being written, on a piece of paper, in a computer file, or in people's heads¹⁸.

In a principle of this type we attempt to distinguish a *narrow* application and a *broad* application. A broad application is precisely that which can be found in the construction of social reality, where

18 In this sense, we can form relationships of dependence on a theory of the document in the manner proposed by G. Torrenzo, "Documenti e intenzioni. La documentalità nel dibattito contemporaneo sull'ontologia sociale", 2008 (in course of publication): "(a) For each social object O, there exists a document (or, more generally, an inscription) D upon which O specifically depends. (b) For every document D, there exists an act (or event) institutive E such that D and E specifically depend on each other. (c) For each institutive event E of a document D, E and D depend generically on subjects willing to act in the appropriate ways with D."

the inscription can take place in a non-regulated form, and may not even be an inscription in the strict sense. Thus, everyday social reality is made up of appointments, lunch invitations, promises, bets, threats, and in all of these moments the inscription appears in a relatively informal manner, as a handshake, annotation into memory or on a cellphone calendar, or even a receipt, restaurant bill, train or tram ticket, or taxi receipt.

But, as can be seen, as inscriptions in the strict sense come forward, pieces of paper, receipts of legal value, not to mention that omnipresent and powerfully codified document that is money, social reality beings to orient itself towards institutional reality, where the application of the law 'Object = Written Act' is narrow and literal. Here, in fact, we must deal, not with more or less informal uses, with unwritten traditions or rules of etiquette, but rather with true codified inscriptions. It is in this sense that Derrida's distinction between archi-writing and writing must be reopened¹⁹, between a form that in general (as it deals with registration in people's minds) recalls writing and that which in a more particular and stricter sense is defined as writing. Archi-writing, in this sense, is memory, habit, ritual, manners, custom, and the famous 'unwritten laws'; writing is instead that which is found on a piece of paper or in a computer file. In this sense, writing is a species of the 'archi-writing' genre, and the relationships between writing and archi-writing can be represented like so:



19 J. Derrida, *De la grammatologie*, Paris, Ed. de Minuit 1967 (Of Grammatology, Gayatri Chakravorty Spivak Baltimore & London, The Johns Hopkins University Press, 1998).

As we can see, archi-writing encompasses writing (or, in other words, writing is but a modification of archi-writing). In terms of logic sets, all writing set is contained within that of archi-writing²⁰.

Institutional Objects

An analogous relationship to that which occurs between archi-writing and writing can then be asserted in the relations between social and institutional. The underlying hypothesis is that the institution is a specialization of the social, just as writing is a specialization of archi-writing.



If the law Object = Written Act is valid, between the social object and the institutional object an underlying continuity is established, based on inscription, while the discontinuity takes place at a formalization or codification of inscriptions level, that is, precisely in the passage from archi-writing to writing. In short, the law Object = Written Act, in the field of institutional reality, is taken, it must be said, literally. To make this determination less vague, we can illustrate the relations between institutional and social in the following manner:

INSTITUTIONAL	SOCIAL
Linguistic	Not necessarily linguistic
Deliberate	Not necessarily deliberate
Historical	Not necessarily historical
Emendable	Unemendable

²⁰ I thank Luca Morena for this suggestion, and for having pointed out to me that in Searle the rapport between social e institutional is also one of inclusion.

From this table it emerges that the institutional has the characteristics of science, while the social those of experience²¹. By this I mean that, just as you cannot have science without linguistic, deliberate, historically sedimented and constantly regenerating activity, you can quite easily have experience in a non-linguistic, non-deliberate, non-historical manner, and this experience, as a given fact that has taken place, cannot be modified. The same, in the hypothesis that I suggest, takes place in institutions, which are codified structures, deliberate, historical and modifiable, whereas social life is full of tacit agreements, of habits, of events that do not require any form of linguistic expression, and which can in fact be untranslatable in linguistic terms: the movie *mafioso* who says “We kiss your hands” is not performing the equivalent of a hand-kissing at all. As for the contrast between emendable and unemendable, obviously it is necessary to consider it as a contrast that indicates the relative rectifiability of the institutional and a relative un-rectifiability of the social.

In short, institutional objects are far more subject to codified norms which do not take place with social objects. From this emerges the fact that institutional objects can (even if they shouldn't necessarily) produce other norms. A marriage does not produce other marriages, at most it produces a divorce, while the title of mayor confers, amongst other things, the ability to perform marriages. In this sense, the acts that are the basis of institutional objects are, in accordance with the terminology of Znamierowski, ‘tetic acts’, that is, acts that “would not exist if there were no norms”²², and which precisely because of this seem to be peculiarly predisposed to produce norms, bringing the law the Object = Written Act to ever higher levels.

21 I have proposed and commented extensively on this table, as with the notion of “unemendable”, in *Il mondo eterno*, Milan, Bompiani 2001.

22 C. Znamierowski, *Podstawowe pojecia teorii prawa. I. Uklad prawny i norma prawna* [Fundamental Concepts of Philosophy of Law. Juridical Structure and Juridical Norm], 1924-1930; partial Italian trans. by G. Lorini, “Atti tetici e norme costruttive”, in A. G. Conte – P. Di Lucia – L. Ferrajoli – M. Jori, *Filosofia del diritto*, P. Di Lucia, ed., Milan, Cortina 2002, pp. 73-80.

Documentality

Continuing into details, the phenomenology of the institutional and its difference with respect to the social seems to be a relatively secondary operation *vis-à-vis* a point of greater substance, namely highlighting the role that, in social reality and even more so in institutional reality, is accomplished by documents. In my perspective, then, a theory of social objects, and their specialization in institutional objects, evolves naturally into a theory of the document, understood as the study and the definition of that which we call ‘documentality’.

By ‘documentality’ I mean that sphere that includes both the *strong* document, such as the inscription of an act, which regards the sphere of institutional objects and takes shape as a document in the true sense²³, as well as the document in a *weak* sense, that is both strong documents that have fallen to the status of mere records (an out-of-circulation banknote, an expired license) as well as records of facts, often neither public nor intentional, which can, in certain circumstances (for example, traces of DNA in a trial) acquire a documentary value without being, in the strict sense, documents (to understand, it’s sufficient to compare a fingerprint on a passport and a fingerprint left on a safe). In this direction, a separate place is occupied by works of art²⁴, which take shape as documents in a strong sense, that is, they are inscriptions and expressions of acts, but which – unlike expired passports – do not lose, at a certain point, their own purpose, but rather are conceived from the start as endowed with a purely internal purpose, that is, in Kantian terms, as finality without end. Let us examine in greater detail these two types of documents.

23 Cfr. F. Carnelutti, “Documento – Teoria moderna”, in *Novissimo Digesto Italiano* (1957); J. Le Goff, “Documento/Monumento”, in *Enciclopedia Einaudi*, vol. V, Turin 1978; V. Crescenzi, *La rappresentazione dell’evento giuridico. Origini e struttura della funzione documentaria*, Rome, Carocci 2005.

24 *La fidanzata automatica*, cit.

Strong Document and Weak Document

It is commonly said that a document is a representation, but it is not clear what is meant by 'representation'. It would seem that, in the true sense, the document *attests*, a word in which it is helpful to hear the resonance of the *act* that issued the document. Otherwise it would be difficult to explain in what sense the identity card represents me, or my Italian citizenship, or that rather elusive thing that is my identity. To attest is therefore the fundamental activity of documenting, and if my theory of social objects is Object = Written Act, it will not be surprising that attestation is fittingly the inscription of an act.

Thus, the strong document is the *inscription of an act*; the weak one is the *recording of a fact*. The recording of a fact can also be unintentional, that is it can also be simply a clue found by the scientific police, a discovery, a symptom of a disease in a clinical file, which, in turn, is a document in the weak sense, but of an intentional character. In this tableau, the document in the strong sense is predominantly connected to writing, while the document in the weak sense can be – typically, in the case of clues and finds – connected to archi-writing, even if it's not necessarily so, because a clinical file is writing of a very traditional sort.

Ontologically, between the document in the strong sense and the document in the weak sense there is a considerable difference, since the first is an *act*, the second a *proof*, that can eventually be put to use in an act, but not necessarily (as a matter of fact, almost never) is. Reciprocally, some acts can act as proof²⁵: they can use the roll book of a university session in which I participated as a speaker to demonstrate in court that I did not commit a murder which took place during the same time period as the university session.

25 Crescenzi, *La rappresentazione dell'evento giuridico*, cit., p. 19.

However, the document in a strong sense and the document in a weak sense are united by the characteristic of having value only in context. I can use a strong Medieval document, for example a will, as a weak document, for example as evidence of the assets of the will-maker in a micro history article; the strong document has expired in its legal function but finds a new reality, as a weak document valid in a historiographical setting. In both cases, however, there must be an audience (at least two people) willing to consider the document a document. This is even more true of unintentional documents, such as hints and clues, which have never had their own documentary value, and they acquire it through a *fiat* of the context, which can also intervene to make the clue evident, for example when traces of DNA are found, or of carbon-14, which are not visible at all to the naked eye.

Documents and Performatives

Still speaking of the strong document, being the inscription of an act signifies three principal things. First. The strong document is not monological, it is not the objectification of an individual spirit, but rather the potentially public recording of an act which involves at least two people. Second. In this sense, the documentary function, which gives shape to an act, registers it and predisposes it for attestation, is the true equivalent (and the sole concrete realization) of Kant's schematism; and the "art hidden in the depth of the human soul" is that of the notary, of the bureaucrat, of the registrar, etc., who gives form to the document. The form of the document is that which makes it an 'instrumentum', which in the code of Giustiniano means 'written act', 'written document', 'documentary writing'. Third. The strong document does not have, therefore, a descriptive function, but rather performative. It does not intend to essentially transmit knowledge – even if it does so accidentally – but it produces effects, and it does so often with the attestation of an act. These performative characteristics are largely lost in a weak document, which is descriptive, cognitive, often attests to an individual attitude (traces which are left behind). They

are rediscovered, instead, in works, where the non-cognitive representative value, as the performative one, return to the foreground.

The belonging of the document to the sphere of the performative is ontologically decisive, and the fact that we are generally not very attentive to the theory of the performative explains why weak, constative documents are so easily confused with strong, performative documents. On the other hand, the fact that traditionally the theory of the performative has been concentrated in the sphere of linguistic acts, without considering the role of written acts (which on close examination is predominantly in the construction of social reality), has determined the circumstance for which those who have occupied themselves with theory of the performative have only very rarely recognized that strong documents are, more than a type of performative amongst others, the paradigm of the performative. From this point of view, it's necessary to disclose vice versa as the classic theory of the performative worked out by Austin²⁶, which refers primarily to oral expressions, does not seem to consider that it is unlikely that these expressions would reach the performative level in the absence of written records: typically, in weddings, baptisms and in wills, which together with bets are the examples proposed by Austin when he speaks of performatives. And it is notable that the *Totocalcio* forms best demonstrate that even the bet is often formalized in a written form.

In this sense, interpretations of documents as “objectifications of the spirit”²⁷ are mistaken in two ways. On the one hand, strong documents are inscriptions of acts, which would not exist without these inscriptions, and not objectifications of a spirit that could exist even without the objectifications (at the end of the article I will demonstrate the consequences of this definition). On the other hand,

26 J. L. Austin, *How to do Things with Words* (1962) Oxford, Oxford University Press. I developed this topic in *Dove sei?*, cit.

27 E. Betti, *Teoria generale della interpretazione* (1955), new edition, G. Crifò, ed., Milan 1990, p. 68

weak documents do not necessarily display a spirit, and often are not even the expression of an intention.

Documentality and Governmentality²⁸

This is the reason for the power of documents. To produce an act, set it down, make it available beyond the *hic et nunc* that generated it, and transferable outside of the place that produced it, is the secret power of bureaucracy, that in this comes to equal the power of science in terms of recording and transmission. With the sole (and for me extremely relevant) difference that, as we have seen, here we are not dealing with a recording and transport of facts, but, foremost, of acts. Documentality comes to be the foundation of that which Foucault has called “governmentality”²⁹, even if this foundation acts in an antithetical sense with respect to the turn taken by Foucault and his followers, which consists of seeing the ultimate result of power in the dominion over life, in acting as biopolitics³⁰.

With the hypothesis of documentality, on the other hand, we obtain a paradigm capable of making us aware of the fact that citizens feel much more controlled – and therefore subject to multiple instances of power – to a degree that did not take place in totalitarian regimes, and that this, much more than the idea of a control of power over life, is the fundamental sentiment in technologically-advanced nations. Power is more diffuse and efficient today because we have seen a growth in recording systems, both in the sense of weak documents (acquisition of proof, control, interceptions), and

28 Jack Goody, *The Logic of Writing and the Organization of Society* (1987) Cambridge University Press.

29 M. Foucault, “On governmentality” (1978), in *Ideology and Consciousness*, 6, 1979, pp. 5–21.

30 G. Agamben, *Homo sacer. Il potere sovrano e la nuda vita*, Turin, Einaudi 1995 (*Homo Sacer: Sovereign Power and Bare Life*, trans. Daniel Heller-Roazen, Stanford University Press; 1 edition, 1998); R. Esposito, *Bios. Biopolitica e filosofia*, ivi 2004.

in the rapidity of emission of strong documents (delivery of acts, complex bureaucratic executions). The explosion of writing which characterizes the modern world³¹ is an expansion that, in spite of the illusions of a time and the appearances of all times, does not entail a growth of emancipation, but rather of control. And the notion of “documentality” aims to recognize the role of bureaucracy and diplomacy: bureaucracy is not an accident, paperwork is indispensable, to live and to have power³²; whoever has forgotten their wallet at home quickly becomes aware of this. Biopolitics, the power of life and of death, can certainly become more capillary, but this is essentially due to the growing sophistication of bureaucratic apparatus, recording and tracking systems; though in its importance, hence, biopolitics is nothing but a derivative effect of documentality, in which must be sought, as a last instance, the essence of politics.

31 Allow me to refer to my *Sans Papier*, cit.; cfr. also C. Formenti, *Cybersoviet. Utopie postdemocratiche e nuovi media*, Milan, Cortina 2008.

32 And it can even happen that bureaucracy manifests itself in the most unexpected ways. In February of 2008 a robbery via credit transfer took place, a nice encounter between bureaucracy and illegality. A woman of Grado robbed a bank in Trieste by holding a knife to the cashier's throat. She wasn't interested in the banknotes, difficult to transport and perhaps marked. What she wanted was a wire transfer of 400,000 Euros to her account in Grado. To speed the operation, the robber thought to assault a branch of the same bank in which she had an account; you know, it's much easier that way. The director, however, managed to fool her. He gave her a false transfer. So, in contrast to the legalist robber we have a false director, but to good end, in the interest of the bank, at least, because it appears that if the transfer had been real maybe the bureaucratic robber would have kept it. Dostoevsky said that the French are enchanted by pieces of paper, with the supplementary irony that in fact the French were ruined by titles issued to sustain Russia in the first World War. But we don't understand why only the French. After all, the robbery took place in Grado, Friuli Venezia Giulia, and it could have taken place anywhere in Europe, or in the world. Ultimately, if we are so calm about the fact that all of our money (pieces of paper, after all) are safe in a bank where they don't let us see it, but they just tell us, with other pieces of paper, that it's there, it's not clear why the affection for paper would be a French problem, or the deviation of a woman who had urgent need of a loan defeated.

Phenomenology of the Letter

If things rest in these terms, there is no option but to propose a phenomenology of the fields in which documentality takes place, that I would propose to call 'phenomenology of the letter' in contrast to the Hegelian phenomenology of the spirit. In fact, there is, in the Hegelian notion of 'spirit', an underlying misunderstanding, the idea that an autonomous entity exists, which has no physical foundation, and which is objectified in institutions or manifests itself independently from them in the form of the absolute spirit. We think we've left this notion behind, having abandoned it with the old implements of philosophy; and yet, when one claims that there is a European spirit, or, as has been seen, we pit a Europe of peoples and nations against a Europe, let's say, of scribes and Pharisees, or we assert the necessity of recalling the Christian roots to a spiritual foundation of Europe, or we assert that Europe as such is the spirit, the sense of a philosophical mission born in Greece and destined to be diffused throughout the world after having passed through Germany – in all these cases we return to that specter that, unlike the ghost of *The Communist Manifesto*, does not limit itself to hovering about Europe, but constitutes its essence.

To be quite honest, this ghost also hovers around all those who maintain that with the advent of the computerized world we have entered into the virtual, in a spirit that falls over the world and liberates itself from the material – without considering that, first of all, that which falls on the world, supposing that it falls and doesn't rise, is an avalanche of letters, of writing, of recording and registration devices; and that these inscriptions, as is inevitable in an inscription, cannot survive without their supporting materials. These immaterialists, in fact, commit a double error: on the one hand they overlook that there is no spirit without letters; on the other, they do not consider that there is no letter without support. The painful attempt to imagine what could *truly* be a spirit that does not arise from letters, and the even more cumbersome evidence of dumping

grounds of computers, should, I believe, sufficiently demonstrate the indefensibility of these positions.

I believe that a reflection on the role of documentality in the composition of the spirit can be helpful in clarifying these misapprehensions even beyond the question of the European identity. On the provision of all said up to this point, I would like to then demonstrate that all that was ascribed to the spirit in idealistic systems depends on the letter. And in order to do so, I would begin from the sphere of the objective spirit, that closer up can be of interest to our treatment. I will begin therefore with the family, from civilized society, from the State.

Family

“To marry is to say a few words,” ironized Austin. In effect, it is rather, the before, during, and after the rite, the accumulation of documents, of inscriptions of acts, without which the marriage has no legal value. And the fact that in contemporary social debate even other unions (civil unions such as PACs) aspire to documentality best illustrates the centrality of the documentary function, its centrality with respect to everyday life. Because the topic at the basis of PACs is certainly not that of sharing a life, a thing quite possible even without PACs, but rather the enjoyment of bureaucratically-ordained rights, such as the pension of reversibility and others, that only documentality can guarantee. In short, to fight for PACs or, conversely, confirm the sacredness of matrimony, is a contention that, quite legitimately, is centered on paperwork.

Conversely, the annoyance caused by paperwork and perhaps the dream of a simple life is a tribute made to the spirit, that impalpable entity that Don Giovanni evokes when he invites Zerlina to an extremely secret marriage³³, without witnesses, papers, regis-

33 “Quel casinetto è mio: soli saremo / e là, gioiello mio, ci sposeremo. / Là ci darem la mano, / Là mi dirai di sì. / Vedi, non è lontano; / Partiam, ben mio, da qui.” *Don Giovanni*, act I, scene IX.

ters or priest, in short a truly spiritual marriage, of the kind which at one time could still be found in the obituaries, where you could read, after the announcements of the wife, the children and all the grandchildren of the deceased, the final salutation of the lady of the deceased who pronounced herself a “bride in front of God”. So much the less did she have to satisfy that marriage of the spirit, if she experienced the incoercible exigency of belated publications according to the letter and in a newspaper. But the question that we should ask ourselves is: was that poor distraught and aggrieved lady really so different from the philosophers and politicians who assert the spirit over the letter?

Economy

From the family, we come to that other form of objective spirit that is, in Hegel, the civilized society, of which a typical expression is economy. Now, in the context of economy, writing contributes to the rise of new technologies and to the division of labor; to the strengthening of administration (in the form of taxation and censuses as well) and of commerce; to the accumulation of capital; and to the transformation of individual transactions.

It is in this sense that, in accord with De Soto’s hypothesis³⁴, writing produces economic effects: financial riches, stocks, money. In particular, money appears as a document that plays a role of absolute centrality in economic transactions, and together best reveal the fragility of the documental sphere, the extreme ease with which it can be reduced to torn paper, going from the status of a strong document to that of a weak document³⁵. Precisely for this the participation of documentality in economy should not be emphasized

34 H. De Soto, *The Mystery of Capital: Why Capitalism Triumphs in the West and Fails Everywhere Else*, Basic Books; 1st edition, 2000.

35 A. C. Varzi, “Il denaro è un’opera d’arte (o quasi)”, in *Quaderni dell’Associazione per lo Sviluppo degli Studi di Banca e Borsa*, 24 (2007), pp. 17–39.

as De Soto does, whose theory, in the end, does not differentiate between real economy and paper economy, between Albanian pyramids and a healthy economy.

This does not mean that the hypothesis of documentality should be limited at least in the economic sphere, but—quite the opposite—that documentality does not curtail itself to a *sole* economic function, as De Soto seems to believe when he affirms that the difference between North and the South America does not lie in goods, but in the fact that in North America documents are available, in South America no. It's necessary to also keep in mind other factors that reveal a far more complex scenario. For example, the United States secured control of South America, but not of Russia, and this not because in Russia there are more documentary tools suitable for protecting private property (probably, in the early years of the post-Soviet era there were fewer than in South America), but because in Russia there was an army and an administrative machine. With all this, I do not at all intend that the army has nothing to do with documentary transmission: rather it's one of the areas in which documentality has a vital importance, as is moreover demonstrated by the fact that all of the first applications of e-mail, the Internet, cellphones, and of recording and intercepting systems have been military.

Politics

In light of everything said to this point, it seems quite obvious that documentality generates political power, and that as a matter of fact, confirming the hypothesis, documentality is a necessary condition for the existence of a society in which power can arise. Even without going back to the myth of Theut—the scribe of the pharaoh who, thanks to the invention of writing, increased his power to the point of threatening the power of the sovereign—, the image of Talleyrand, capable of dictating six letters simultaneously, of Napoleon who dictated till midnight, even from his bath, of Louis XIV who divided his time equally, with implacable energy, between the inscriptions,

in the broad sense, of parties, receptions and delegations, and the inscriptions in a narrow sense of affairs of state, are the best proof of this connection. And the hypothesis³⁶ by which, amongst the causes of the collapse of the *Ancien Régime*, there was the incapability of the sovereign, overwhelmed by rites, delegations, and mundane manifestations of power, to keep up with the documental requests of the concrete administration of power, does not appear implausible. Documentality acts³⁷ both on an internal administration level (taxation, bookkeeping, census; numbers and control of time; the administration's correspondence in the form of letters, ordinances and treatises); as well as on an external administrative level (international treaties, an area that, with globalization, has expanded in a way that previously would have been difficult to imagine).

In this picture, documentality is not valid only as a production of laws and wealth, but also as protection in the presence of other documentary instances. The simple fact of possessing documents confers not only on the individual, but collectively, a greater strength. The fact that European colonialism would have, on a cultural and political level, a stronger and more devastating penetration in Africa, America and Oceania than in Asia, depends to a great degree on the fact that in Asia there were bureaucratic structures in existence³⁸. This circumstance grows even more evident if we compare the complete disappearance of the North American Indians with the Central and South American civilizations, endowed with script, and that in spite of everything managed impress, on the postcolonial nations that emerged, the mark of their specific civilizations. If in the United States there is no trace of Cheyenne or Arapaho culture, while in Mexico the mark of Aztec or Mayan culture is still quite potent, this must be brought back to the fact (also for that

36 H. Taine, *Les Origines de la France contemporaine. L'Ancien régime* (1876), trans. John Durand, *The Origins of Contemporary France*, Henry Holt & Company, 1881.

37 Goody, *The Logic of Writing*, p. 100 ss.

38 Goody, *The Logic of Writing*, p. 94.

which concerns the construction of cities) that these civilizations had writing at their disposal.

Furthermore, bureaucracy, on the strength of the recourse to writing, enables a fundamental element in the exertion and growth of power, and that is the separation between the office and the individual who fills the position. Undoubtedly, even the creation of archives contributes to the constitution of something like an office, and again, to the separation between the position and the individual³⁹. But the question is not simply of the birth of bureaucracy. Writing reinforces the social and ownership bond by indicating genealogies, and on the other hand introduces a social stratification, distinguishing between the varying degrees of literacy. Finally, on the plane of links between writing and power, consider the power of the verbalist, of the secretary, of the notary, that is, of all of those who are delegated to the practice of writing; and the value of responsibility that is connected to writing: all that is written, from the point of view of power, is far more binding than that which is not. Even the birth of responsibility seems to be intertwined with the development of inscription, as the request for 'written orders' in any strongly hierarchical structure illustrates.

Law

The connection to documentality is, after all, obvious in the case of law. 'Law' appears to have derived from a Scandinavian root that means 'to lay' (*lie*), and '*loi*' derives from '*lex*', perhaps related to '*legere*'. It is a feature of the law, with respect to custom, the fact that the inscription: '*legem figere*' is to engrave the law in bronze and post it

³⁹ It should be noted however that currently the localization of the archives on the personal computer of an employee tends to reduce this difference, as well as to weaken the notion of an "office". After all, the office that was the ticket office in a station now tends to be delocalized in a customer's computer who buys a ticket, and in the little printer of the ticket collector who prints a receipt for him after having typed in the code.

in the forum; this is why, in reference to the material on which it was written the expression 'to break the law' (*legem delere*)⁴⁰ exists. Obviously, custom and habit are also documental; when we speak of 'unwritten laws' we always mean 'laws written somewhere else and in a different way', namely recorded through archi-writing and not writing. The French Medieval distinction between *Pays du Droit Ecrit*, which went back to the Latin and Italian tradition, and *Pays du Droit Coutumier*, tied to local customs, could also be reformulated in a distinction between *Pays du Droit Ecrit* and *Pays du Droit Archi-écrit*.

That which I am presenting is not a conjecture. The fact is that the same notion of law, as something which remains permanently, poses some obligations, must be carried out, etc. presumes that the law be recorded, at least in the hearts of the citizens. From a logical point of view, the connection between law and recording (writing or archi-writing) is just as binding as the connection between language and code: there cannot be a language in which syntax, grammar and the meaning of words change continually; and a law without a fixation and stability over time would not be a law. This fixation, which is also valid for individual resolutions (to keep a vow, to intend to quit smoking, etc.) is already manifested at the level of archi-writing, through that which is called 'the weight of habit'.

Certainly, however, the presence of writing in a true sense entails some transformations. Written law can be interpreted much more than habits, but together they can emerge far more detailed. The same is valid for written acts with respect to customary acts: marriages, contracts, mortgages, wills; and, obviously, the entire monetary sphere, of which the check, an exclusively written practice, is emblematic. In the case in point of the will, finally, it is worth observing that originally a will was drawn up only when one intended to set apart that which was normally arranged by custom; today the same thing happens, but in reference to written arrangements.

40 Goody, *The Logic of Writing*, p. 128.

In general, it can be observed that the fact that writing bestows a particular solemnity on an act demonstrates how the circumstance of being, in a way of speaking, on the road towards writing is immanent to the nature of law.

Art

Thus far, however, we have dealt with the objective spirit. Nevertheless, we can expand our reasoning to the absolute spirit: art, religion, philosophy. Here it will be noted how the letter of documentality is the cause of the spirit in the same manner (if no longer) as in the constitution of those which for Hegel were the formations of the objective spirit. I emphasize the absolute spirit because that is the one most often called into play when one speaks of 'European spirit', of 'a crisis of the spirit' as a crisis of Europe, and obviously of 'Christian roots of Europe'.

The case of art is particularly revealing. In a story by Hoffmann, there is a musician who claims to give violin lessons to everyone, but when he finally takes in the instrument in hand, he brings forth from it only unbearable squeals. It's difficult to sustain that the violinist is truly a violinist, that he who claims to have an entire novel in the head but who hasn't yet written a word is truly a novelist, that he who affirms that he has the idea of a painting, but not the painting, is truly a painter. Even the most conceptual artist cannot limit himself to the spirit, but must come to terms with the letter, otherwise all those who find themselves in a poetic state of mind would be poets (obviously, it is not enough to write poetry in order to be a poet, but this is a different matter).

As I have articulated extensively elsewhere⁴¹, the expression, that is the inscription, the manifestation of a letter, constitutes an indispensable element of an activity which normally, and rightly so, is

41 *La fidanzata automatica*, cit.

considered spiritual, as art is. There is no art without works, which is to say that there cannot be any spiritual activity without letters, and works are inscriptions. The general law of constitution of objects $\text{Object} = \text{Written Act}$ can be specified in the case of art as $\text{Work} = \text{Written Act}$, precisely because the work of art is a social object that is born from an act, that of the artist who operates always in reference, at least ideally, to a recipient (when you write or you paint 'for yourself' you are not truly writing or painting), and that necessarily requires an inscription (a work of which no trace remains is no longer a work of art just as a banknote that has disappeared can no longer serve to pay the check in a restaurant).

Obviously, a work of art, unlike paperwork, constitutes, as I recalled above, finality without an end, and it is probably to this lack of an end that we must attribute the attitude of approval that we normally have towards works of art, unlike that which is manifested towards documents, aside from, however, growing bored at an opening or in a museum just as much as one might be bored in a registry office, with the sole difference that at an opening wine is offered, and at the museum at least we're on vacation and not in a hurry. But the lack of finality allows the work of art to manifest a circumstance to the highest degree, the fact that the spirit does not precede inscriptions, it does not objectify itself in them, but rather it is a product of them. The plot of a novel is not a novel, the subject of a painting is not the painting, and it is not at all surprising that a novel can change plot and title in the process, that a poem can derive from a verse which the poet does not fully comprehend, and that a painting can be entitled only after completion. The fact that the genesis of works of art is often presented by artists as accidental, born from an image, a refrain, a sketch traced without thinking, says a lot about the circumstance by which works of art can also be considered the 'sensitive appearance of an idea', but only on the condition that the idea is a function that presents itself a second time and is in many cases recognized retrospectively: first comes the trace, then the meaning.

Religion

These considerations can also be applied to the second form of absolute spirit, where the determination of the spirit by letter, and of meaning by technique, is so icastically synthesized by the saying “pray, pray, faith will follow”. Religion is characterized by the rite, and moreover even has the case of rites without myths, of religions that consist solely of actions, as in the case of Buddhism.

But also in the case of religions that place great confidence in the spirit, as is typical in monotheism, it is not difficult to observe that this spirit rests upon (and is motivated by) the letter. In short it is difficult to consider as purely accidental the circumstance for which the religions of the spirit are also to the highest degree religions of the Book, which in turn seems to take the place of more corpulent materials, be them the destroyed temple of Jerusalem, or the black stone of Mecca. In a religious sphere, writing contributes to the fixation and generalization of principles, which are similarly conditions for the creation of universal religions: if therefore something like a universalistic instance is possible, this certainly does not depend on the spirit, but rather on the letter. From this, also the creation of moral practices, with an alternative function (and often competitive) with respect to law; here writing works alongside, and progressively replaces, rituality.

From this point of view, Roman Catholicism would seem to take an opposite direction, for the sacred scriptures, and in particular the Old Testament, take second place with respect to the ecclesiastical teachings and to the Papal figure, but it is only a change of inscriptions. From the Book which must be updated to a hermeneutics, that is by other scriptures, as takes place in Judaism and Protestantism, Catholicism passes directly, with an extreme dynamism, to a bureaucratic community, the ecclesiastical system, which takes advantages of its own system of offices, titles, registrations, even apart

from a reference to a some spiritual content⁴². This explains why the interference of the church in civilian life is not, with regards to Catholicism, a chance or accidental circumstance, but constitutes a true realization of its essence.

In this sense, if strictly understood, the appeal to the Christian roots of Europe is not an appeal to a spirit, which is besides, as we have seen, extremely problematic, but rather to a letter, to a political and bureaucratic structure that is wholly and fully the inheritor of the Roman Empire, and that in this guise has always offered itself as an alternative with respect to other imperial or governmental organisms. Perhaps in the polemics that have characterized the arising of the European constitution insofar as it concerns the reference to the Christian roots we can see a final chapter in the dispute between the Pope and the Emperor, or, more graciously, the attempt of the Pope to invest the emperor again, as in the consecration of Charlemagne by Leon III⁴³. But, leaving aside these too-imaginative interpretations, I believe that the dependence of the spirit on the letter in the case of Catholicism, which is not a true religion of the book only because it is a religion of documents – of gospels to acts of the apostles, from the Letter of Donation of Constantine, to the covenants, to the official Papal letters – it cannot be better expressed than in the saying “*sine ecclesia ulla fide*”; a saying that, characteristically, does not hold true in the converse.

Philosophy

We have only to discuss, before concluding, the last term of the Hegelian absolute spirit, philosophy. I say ‘philosophy’, for compliance with the Hegelian lexicon, but I should say ‘science’. I have

42 I articulated this point in my *Babbo Natale, Gesù Adulto. In cosa crede chi crede?*, Milan, Bompiani 2006.

43 After all, Aquisgrana, the imperial seat of Charlemagne, is not far from Brussels (143 km – about an hour and 24 minutes according to Google Maps).

underlined above the analogy between science and institutions: just like the act for institutions, the discovery, for science, would be nothing if it were not set linguistically, communicated to the interior of the community, and traditionalized through writing⁴⁴. In both cases, hence, documentality accomplishes a constitutive role, even if this constituency does not intervene, as Husserl believes, in the construction of ideal objects, nor, as the postmodernists believe, in the construction of natural objects, but rather in the *socialization* of those objects: documentality, in short, does not produce theorems or atoms, but lays out the conditions for the transmission of knowledge, the progress of science, the assignment of teaching posts and the conferment of Fields or Nobel medals.

Here we find ourselves in a situation partly different from that of art, where nothing is a necessary condition for inscription. We have an ideal world and a real world to which science refers. But that which science consists of as a system of knowledge is strictly dependent on documentality. This is to say that the essence of science is dependent on the letter. Now, consider this: if Husserl maintains that Europe is intrinsically philosophy, but then he runs into aporias and the difficulties of the European spirit, does it not appear politically and ethically preferable the circumstance by which science is in fact inscription, constitutively inscription (and therefore also constitutively institution)? We could not only avoid the call to the spirit, with its isolating power, but also explain why the essence of Europe according to Husserl, namely science, is best practiced today in the United States by Far-Eastern researchers.

44 J. Derrida, intr. to Edmund Husserl, *L'origine de la géométrie* (1962) (*Edmund Husserl's Origin of Geometry: An Introduction*, trans. John P. Leavey, Jr., Lincoln & London, University of Nebraska Press, 1989).

Giacomo Marramao

Beyond Recognition Europe and the Occident in the “Post-Hobbesian” (Dis)Order

Abstract

In introducing his argument – which resumes and develops the philosophical analysis of the phenomenon of globalisation advanced in his book *Westward Passage* (forthcoming by Verso, London-New York) – Giacomo Marramao takes the film *Babel*, by the Mexican director Alejandro González Iñárritu, as the point of departure for his discussion: the film depicts the globalised world as a complex space, at once interdependent and differentiated in character, constituted like a mosaic, composed of a multiplicity of “asynchronic” ways and forms of life which are brought together by the manifold flux of events that traverse them. This cinematographic depiction perfectly captures the disconcerting bi-logic of globalisation: the logic through which the mix of the global market and of digital technologies operating in “real time” generates an increasing diaspora of identities. The Babel of our contemporary world thereby reveals itself as a kind of planetary extension of the world of Kakania described by Robert Musil: a cacophonous compendium of proliferating and mutually untranslatable languages. In order to conceptualise, and produce a suitably fluid and dynamic account, of this new “world picture,” we must not only dissolve the spurious dilemma between universalism and relativism, but move beyond the current

impasse encouraged by a normative political philosophy which tends to reify “cultural identities” and “struggles for recognition” by treating these as givens rather than as problems. The philosophical approach pursued in the following discussion attempts to liberate the concept of “the universal” – despite the etymology of the word – from the logic of the *reductio ad unum*, and apply it instead to the realm of multiplicity and difference. Developing a double phenomenology of the increasingly homogenising phenomenon of the market on the one hand, and of the internally conflicted pandemic of identitarian and communitarian approaches on the other, the author indicates a variety of *universalising tendencies* whose potential can only fully be evaluated in the context of a new theory and practice of *translation*. Marramao’s proposal for a *universalism of difference* is predicated on the failure of the two principal models of “democratic” inclusion that have previously been attempted in the West: the republican or assimilationist model (the “*République model*” that is founded upon what could be called a universalism of indifference) and the “strong” multiculturalism model (the so-called “*Londonistan model*” that derives from a mosaic of differences that also provides fertile ground for the growth of fundamentalist ideas). But the advancement beyond the antagonistic complexity generated by this dilemma calls for a *re-enchantment of the political*: the only way in which we may be able to read the *prognostic signs* of our present.

Thinking Babel: a Multiple Universal

It is a daunting task, certainly, to try and grasp the intrinsic character of the present: to identify its logic and structure beyond the hubbub of contemporary events and to conceptualise this logic and structure in an adequate and appropriate fashion. It has always been a daunting task, whether in the time of Hegel and Marx, or in the time of Weber and Lenin. But it appears, if this is possible, even more so today: in the “finite world” of our present, one that is compressed in spatial terms and accelerated in temporal terms, yet is increasingly difficult to reduce to a mono-logic. It is a world that seems in reality to be dominated by the disconcerting effects of a *bi-logic* in which the standardising structure of the techno-economy and the global market finds itself confronted by an increasing diaspora of values, identities, and forms of life. In order to describe this “state of things,” I have often turned in the past to evocative metaphors drawn from great literature, such as the *Kakania* of Robert Musil: for can we not perhaps regard our own world as a globalised version of *Kakania*? Or to images drawn from those “crucial scenes” (rather in the sense of Freud’s “primal scene”) that belong to the mythico-religious heritage of our civilisation, such as the tale of Babel: does not our standardised world, like the Tower of Babel, also increasingly resemble a cacophonous recapitulation of proliferating and untranslatable languages? Yet it is difficult today to find a literary text or essay that would be capable of capturing the bewitching bi-logic of our global Babel (apart, perhaps, from George Steiner’s splendid collection of essays *After Babel*, which was published as long ago as 1975¹) with the same intensity and symbolic power as certain films, or perhaps we should say certain cinematographic texts. For films too are texts – or, according to the inimitable contribution of Roland Barthes, *textures* – which with respect to expressive dignity or thought-provoking depth have little cause to envy written texts.

1 G. Steiner, *After Babel. Aspects of Language and Translation*, Oxford: Oxford University Press, 1975.

Babel is the title of a suggestive film from 2006 by the Mexican director Alejandro González Iñárritu. It presents the globalised world as a Babel-like space, as a mosaic composed of multiple dispersed forms of life – at once materially heterogeneous and culturally differentiated – that are connected and brought together by the flux of events that traverse them. By events on the macroscopic scale, such as major financial crises, or by events on the microscopic scale, such as that which furnishes the starting point for the plot of the film: a stray bullet that is discharged from a highly sophisticated rifle, ineptly handled by a young boy who got it from his father, a shepherd in the desert mountains of Morocco, ends up hitting a tourist bus and critically injuring a young American woman (Cate Blanchett) who is travelling abroad with her husband (Brad Pitt). The repercussions of this random event make themselves felt, through the mechanical process of a chain reaction, in different contexts and parts of the world which suddenly become interdependent through the explosive immediacy of the initial event: from a still largely archaic country like Morocco to the opulent environs of California where the tourist couple live; from the combination of modernity and tradition in a Mexican village (the original home of the nanny who looks after the couple's children) to the existential and inter-generational problems of teenage communities in the metropolitan reality of contemporary Tokyo (the home of the Japanese “global hunter,” a widower whose wife has committed suicide, who has an ambiguous relationship with his own deaf-mute adolescent daughter, and who, before returning to Japan, had given the rifle to the Moroccan shepherd in the first place.)

It is difficult to deny that the richly suggestive character of the film depends on its paradoxical descriptive topicality: on the effectiveness with which it recognises the enigmatic interdependence of what has been called the “glo-calised” world, a world where differentiation unfolds hand in hand with unification, where centrifugal, independent, and idiosyncratic tendencies are inextricably entwined with the technological-economic homogenisation of styles

of life and patterns of consumption.² Nonetheless, something essential seems to escape this otherwise relevant and perspicuous snapshot of our global era. The true issue at stake in the dramatic transition which we are living through today, namely the transition from the modernity of the nation state to the modernity of the global world, from the no-longer of the old order between states that was dominated by the West, to the not-yet of a new supra-national order which can only be constructed multilaterally, can neither be reduced to the alternatives of liberalism and communitarianism – or rather of *liberal* individualism and *communitarian* holism – nor resolved by some compromise or synthesis between a redistributive universalism and an ultimately identitarian conception of differentiation. As Seyla Benhabib has rightly and relevantly pointed out in her more recent writings³, the task now is not merely that of resolving the false dilemma between universalism and relativism, but that of addressing the impasse produced by a normative political philosophy which tends to objectify “cultural identities” and “struggles for recognition” by treating them as givens rather than regarding them as problems. But this situation of stalemate (which fatefully affects the force of liberal contractualist theories as well as the Rawlsian notion of “overlapping consensus”) can only be overcome on two conditions:

- (1) by challenging the equation between culture and identity;
- (2) by liberating the universal – despite the etymology of the word – from the logic of homogenous unification, from the *reductio ad Unum*, and applying it instead to the realm of multiplicity and difference.

2 Cf. G. Marramao, *Passaggio a Occidente. Filosofia e globalizzazione*, Turin: Bollati Boringhieri, 2003 (new edition 2009); P. Sloterdijk, *Im Weltinnenraum des Kapitals. Für eine philosophische Theorie der Globalisierung*, Frankfurt am Main: Suhrkamp, 2005

3 Cf. S. Benhabib, *The Claims of Culture*, Princeton: Princeton University Press, 2002; *Another Cosmopolitanism*, Oxford: Oxford University Press, 2006.

This is equivalent, in short, to “breaking the mirror,” to rupturing the “specular” relation that we tend to set up between “ourselves” and “others.” Such a rupture cannot consist in a simple reversal of perspective (understanding how others see us rather than how we see others can be extremely instructive, but this alone will not suffice to dismantle our various forms of “Orientalism”), but must rather involve an ability to discover *an autonomous and original universalising perspective* at work amongst the others themselves. The important thing, in the light of the problem posed by the Babel of the present, is not so much to understand how so-called “cultural differences” or outlooks see one another (in the double sense of reflexivity and reciprocity), but to understand how each of these different outlooks thinks and imagines the universal. And not only, I would add, how each outlook thinks or imagines the latter, but how, collectively, it has transcribed and codified the universal in terms of its own judgements of value and its own declarations of principles and fundamental rights.

Other Constitutions, Constitutions of the Others

It is for this decisive reason that the debate surrounding multiculturalism – a debate that is currently replete with ambiguities – can only become genuinely fruitful and relevant to the future if we are prepared to extend the comparative spectrum to embrace the different conceptions of rights and values that serve to ground different constitutional arrangements. The founding texts and documents for such arrangements – whether they be charters or declarations of fundamental rights or constitutions in the narrower sense – always represent, with varying degrees of closeness, a certain concentration or condensation of specific socio-cultural dynamics. Far from constituting an abstract ideal dimension or a merely ideological superstructure, such texts and documents, if the most recent approaches to legal and constitutional history are to be believed, furnish the traces of real processes: of the attainments and developments of new values which have been acquired, depending on the

particular cases, through bitter conflicts or attempted compromises. It is particularly instructive, for example, to consider the dynamics of constitutional development in Africa precisely because these dynamics seem to suggest an alternative to the European model of authoritative codified law based on a rigid hierarchy of relevant sources, pointing instead to a different kind of logic that is based on the infra-systemic circulation of a plurality of “issues.”

Once we have abandoned the old 19th and 20th century approaches which are predicated on the binomial schema of substructure and superstructure, many of the processes that are now unfolding in different parts of the world will appear to us as so many manifestations of the phenomenon of the “contemporaneity of the non-contemporary:” as different ways in which the most fundamental rights strive for expression within a constitutional framework that is capable of legitimising and consolidating them. The tendency that we can see emerging in various quarters to suggest the outlines of a post-state conception of right is nothing but an expression – on the juridical plane – of the way in which the synchronicity of the asynchronous, or the all-pervasive character of global interdependence, exercises its effects in local contexts. At this point, the argument would naturally become very detailed and highly technical if one were to attempt to furnish specific and differentiated analyses. But limiting ourselves simply to general comparative considerations, it is possible to argue, albeit only in extremely abbreviated form, that we are confronted with a very serious problem here: the problem regarding the network of rights and therefore the constitutional dynamic itself (where the latter is understood as the search for a bridge between morality and law, a way of translating axiological principles into the positive form of fundamental rights). In short: the different sources and foundations of rights enter into relation with one another and thereby generate an entire complex of reciprocal implications. This question presents a number of analogies with the issues that have arisen from the attempts to develop a constitution for the European Union. But from this point of

view, it is also highly instructive to consider the results of some of the more innovative research which has been conducted with reference to Africa for some years now – and specifically in the context of an extended comparison between western declarations of rights and the “declarations of the others.” In light of these analyses, the entire area of that great (and neglected) continent turns out to be far more complex in character than has generally been believed: it reveals itself in fact as a true and authentic space with variable geometries of its own. I believe that it is necessary to examine this question in greater depth for the decisive reason that the African continent can no longer be treated as an object of undifferentiated neglect or of populist demagoguery – and both approaches are basically two sides of the same coin. In this connection the demand for a more differentiated analysis appears to me to be particularly important: in this sense the approach pursued by recent research with regard, on the one hand, to the role of the two “superpowers” of South Africa and Nigeria, and with regard, on the other, to the “shadowy line” – to employ a well-known literary expression – between Islamic Africa and Black Africa (and it is no accident if this question has hitherto attracted the special and hardly disinterested attention of the United States), provides us with a number of emphatic hints and pointers.⁴

And on the other side, it is also necessary to underline some of the decisive theoretical implications of these precise and differentiated analyses of the Arabo-African context (covering myself, for what it is worth, with this hyphenated expression) which seem less inclined to exploit the current journalistic themes of radical Islam, or “jihad,” or the “clash of civilisations,” and which encourage us to avoid conflating deep-seated social dynamics with the more immediately striking and dramatic expressions of change, or identifying the transformations of the Muslim masses that are internally

4 See G. Calchi Novati and L. Quartapelle (eds.), *Terzo Mondo addio*, Rome: Carocci, 2007.

linked to certain material and symbolic conditions with a trans-national network of individual subjects (largely equivalent to certain educated and “westernised” strata of the Islamic diaspora)⁵. Some of these analyses have even suggested the necessity of interpreting the codes and charters of the Arabo-Islamic area with a comparative approach that draws on the idea of secularisation.⁶ On the other hand, we must also recognise that the process of secularisation, if in Europe it facilitated the creation of the sovereign secular state, *superiorem non recognoscens*, along with the concept of the separation of powers, it also gave rise to a further and equally important development: the progressive (though by no means simply linear) tendency towards the de-territorialisation of right which can be traced in the trajectory that leads from the American *Declaration of Independence* and the *Declaration of the Rights of Man* in 1789 to the *Universal Declaration of Human Rights* in 1948.

The other aspect which clearly emerges from the contributions which we have just mentioned is that we can no longer conceptualise the universalising processes in question by reference to a simple model of modernity as a standard. In other words: universalism can no longer be understood in a merely uniform manner but must be reformulated in the knowledge – to adapt Hamlet’s famous remark – that there are more roads to liberty and democracy than have been dreamt of in our poor philosophy. But in addition to the poverty of philosophy we must recognise other forms of poverty today as well: such as the poverty of sociology itself. And we are not speaking merely of the worst sociology either.

5 Cf. R. Norton (ed.), *Civil Society in the Middle East*, New York-Leiden: Brill, 1995-1996; S. Ben Nefissa (ed.), *Pouvoirs et associations dans le monde arabe*, Paris: CBRS Éditions, 2002.

6 Cf. V. Colombo and G. Gozzi (eds.), *Tradizioni culturali, sistemi giuridici e diritti umani nell'area del Mediterraneo*, Bologna: Il Mulino, 2003.

Exception and Contingency

Several recent contributions in the field of Oriental studies (from the comparative philosophy of Amina Crisma⁷, Francois Jullien⁸, Giangiorgio Pasqualotto⁹ to the investigations of Renzo Cavalieri¹⁰ and Luigi Moccia¹¹ concerning the evolution of Chinese law, not to mention the pioneering works of Jürgen Osterhammel¹² on the “disenchantment” of Asia and of Heinz Roetz¹³ on the “Chinese ethics of the axial era”) have now convinced me, confirming the claims I advanced in *Passaggio all’Occidente*, of the necessity of attempting a serious and detailed revision of the most extensive (and conceptually most suggestive) comparative examination of civilisations that is still available to us, namely the *Religionssociologie* of Max Weber. The section of this work that dealt with Confucianism and Taoism contained an analysis of the Confucian model which was in many respects very careful and precise. Yet the conclusion which Weber drew was an extreme one: the Confucian model was presented as the polar opposite of ascetic Puritanism and interpreted as entirely antipathetic to the emergence of a productive and dynamic capitalist society¹⁴. The historical experience of the last few decades has shown us just how erroneous and premature this judgement actually was. And it is particularly relevant in this connection that one of the most authoritative Italian commentators of Weber’s work has recently claimed that now, almost a hundred years on, “the Weberian approach must be significantly re-examined and corrected” in light

7 *Il Cielo, gli uomini. Percorso attraverso i testi confuciani dell’età classica*, Venice: Libreria Editrice Cafoscarina, 2000.

8 *Traité de l’efficacité*, Paris: Le Livre de Poche, 1997.

9 *East & West. Identità e dialogo interculturale*, Venice: Marsilio, 2003.

10 *La legge e il rito. Lineamenti di storia del diritto cinese*, Milan: Angeli, 1999.

11 *Il diritto in Cina. Tra ritualismo e modernizzazione*, Turin: Bollati Boringhieri, 2009.

12 *Die Entzauberung Asiens*, Munich: Beck, 1998.

13 *Die chinesische Ethik der Achsenzeit*, Frankfurt am Main: Suhrkamp, 1992.

14 See my book *Passaggio a Occidente*, new edition, Turin: Bollati Boringhieri, 2009, pp. 72 ff.

of our radically transformed “image of the European societies on the basis of which Weber proclaimed the exclusive connection between rational capitalism and the Protestant ethic, and thus the distinctive character of the development of the modern West”.¹⁵ In contrast to the proponents of the *exceptionalist thesis*, we must accept that the so-called “European miracle” is not a presupposition from which to begin, but rather the *contingent result* of a specific complex of historical circumstances (within which techno-scientific rationalism and the potential of what Carlo Cipolla has called the combination of “sails” and “guns” has certainly played a considerable role) which has allowed a relatively limited and marginal area of the globe to assume a hegemonic position in relation to other civilisations.¹⁶

As far as the judgement regarding Asian civilisations is concerned, it seems to me plausible to claim today that it has been framed, not only by Weber but also by Marx himself, on the fateful presumption of what I have formerly defined as the standard model of modernity: a model that is ultimately dependent on a linear theory of the stages of socio-economic development which declares that the “Asiatic mode of production,” on account of its intrinsically despotic structural logic, effectively lacked the internal dynamic factors capable of encouraging an eventual “transition” to modern capitalism. But how, on these paradigmatic assumptions, are we to explain the Asian economic miracle that is currently unfolding before our eyes? It is true that this miracle – in which the demand of productivity is coupled with that of technological innovation – is accompanied by an apparently conservative vindication of the communitarian and paternalistic values typical of the Asian tradition. And it is true that the appeal to *Asian values* represents a kind of propaganda manifesto developed by the governing elites of the south east Asian countries in response to the “Orientalising” Western stereotype.¹⁷ Yet we

15 P. Rossi, *L'identità dell'Europa*, Bologna: Il Mulino, 2007, p. 172.

16 Cf. C. Cipolla, *Vele e cannoni*, Bologna: Il Mulino, 1983.

17 On this question, see the interesting comparative analysis of the Italian philosopher Emanuela Fornari, *Modernity Out of Joint. Global Democracy and*

are also dealing with a strategic response here, and not merely with a purely reactive mechanism. From this perspective, the well known critical observations of Jürgen Habermas and Amartya Sen with regard to the “Bangkok Declaration” of 1993 (drawn up in the preparatory Asian meeting of the World Conference on Human Rights held in Vienna), while they may be entirely relevant and legitimate in a theoretical context, appear less well-directed when considered in the political context. The problem posed by a strategy based on “Asian values” cannot be resolved simply by pointing out – incontestably enough – that it provides an ideological legitimisation for the “dictatorial authoritarianism – more or less ‘soft’ – of the developing countries”;¹⁸ nor again by justifiably stigmatising the instrumental character of an undifferentiated approach which ignores the specific character of different experiences, histories, and cultures, and “utilises the political force of anti-colonialism to strengthen the attack on fundamental civil and political rights in post-colonial Asia”.¹⁹

The question we must answer is whether, and to what extent, the slogan of “Asian values” has proved politically effective, helping to build a broad range of consensus and promoting the said economic growth in the context of very different realities and situations. The “Bangkok Declaration” attempted to square this circle in a very singular manner by combining universalism and contextualism, the principle of globality and the principle of territoriality, cosmopolitanism and national sovereignty, and including a denunciation of the strategic-instrumental exploitation of “human rights” on the part of the West. The text of article 8 of the “Declaration” is particularly instructive in this respect: “*We recognise that while human rights are universal in nature, they must be considered in the context of a dynamic and*

“Asian Values” in Jürgen Habermas and Amartya K. Sen, Aurora (CO): Davies Group Publishers, 2007.

18 Cf. J. Habermas, *Die Einbeziehung des Anderen*, Frankfurt am Main: Suhrkamp, 1996.

19 A.K.Sen, *Human Rights and Asian Values*, New York: Sixteenth Morgenthau Memorial Lecture on Ethics and Foreign Policy, 1997.

evolving process of international norm-setting, bearing in mind the significance of national and regional particularities and various historical, cultural, and religious backgrounds". The underlying reasons and motivations for this declaration are anything but merely "occasional" in character. As many different informed observers have noted, they are ultimately rooted in an ethico-cultural hinterland which has been particularly concerned – not since yesterday, as it were, but since the 6th century BC – (and especially in China) with two crucial issues: 1) the question of the connection between individual autonomy and the "network" of communal relations (*guanxi wang*) in which the individual is imbedded; 2) the question of the bi-univocal relation between "law" and "rite" (*li*), between explicitly codified norms and that complex of social and behavioural rituals to which we are accustomed in the West, in a long philosophical tradition that stretches from the three *Ethics* of Aristotle to the *Essays* of Montaigne, to associate with the practical efficacy of "custom" and "habit." And it is at this point of intersection between the situation of the present and the *longue dureé* of the past that we must reconsider the problem of the contemporary relevance and continuing efficacy of Confucian ethics in the context of an encounter between the "Occidental" and the "Asiatic" model of rights: "when we speak today of the minimal common denominators in terms of which we may pursue a universal reflection on human rights, we must recognise that the world possesses narratives and experiences which are significantly different from our own, but which must also be taken into account, and that we can no longer simply content ourselves with claiming that East Asia is a world where despots exploit traditional Confucian thought, and contrasting this with a more mature position which we insist on regarding as natural and progressive in relation to the individual rights and liberties of the citizens".²⁰

If we examine the matter more closely, therefore, we find ourselves confronted by a project which, far from being a mechanism of mere

20 R. Cavalieri, "La Carta asiatica e la Cina", in *Parolechiave*, 37 (2007), p.p. 74-75.

“reaction,” is beginning to present the outlines of an alternative notion of globalisation, one which is no longer based on the primacy of competitive individualism, but rather on a commitment to the productive efficacy of a more hierarchical community where the goal, the objective, is not so much the singular individual as a “collective individual” understood as a true and genuine expanded family, whether it be the company, the municipality, the region, or the state. We are thus witnessing the emergence of a model of modernity which is radically different from the occidental model: a model which breaks the ideal-typical nexus of rationalisation and disenchantment, of modernisation and deracination, and is generating an economic growth of awesome proportions, one which is destined, in the course of the next two or three decades, to turn China into the greatest economy of the world. And this process will undoubtedly be encouraged by the specific character of the Confucian ethos: for while this conception of order is indeed hierarchical, it is not immutable, in contrast to the Indian conception of “karma,” for it clearly envisages the possibility of change and social advancement.

Cartographies of the World of Modernity: From the “Fact of Pluralism” to the “Reality of the Hybrid.”

One of the most pernicious effects which the responsive identitarian strategy of appealing to “Asian values” has exercised upon the theoretical debate in the European and American context is the way in which it has so often provoked an undifferentiated account of the West itself. This risks lending publicity to positions of an ideological (rather than genuinely geocultural and geopolitical) kind which invoke the so-called “clash of civilisations” and find their corresponding reflection in a world that is ever more interdependent and intimately hybrid in character. And it is this situation which has motivated the critique of the paired terms of “us” and the “others.” This critique springs from the fundamental recognition that – despite the specular antithesis of identitarian logics which underlies our contemporary global disorder – we are actually confronted not

with a *single* Orient or a *single* Occident, but with an irrepressible (or as Hannah Arendt would say, an “unrepresentable”) plurality that is internal to both poles of the distinction. And if we are right to accept Edward Said’s invitation (as formulated back in 1978) to abandon the stereotype of “Orientalism,”²¹ it is just as necessary to apply the same treatment to the stereotype of “Occidentalism.” For the “Orient” and the “Occident” must be read as cartographical labels which embrace an internal plurality of phenomena in each case. It has rightly been pointed out before that Asia does not exist as a unity, that there is no such thing as a *single* Asiatic culture. When I had the opportunity of delivering a number of lectures in Hong Kong in 1997, my colleagues at the Hong Kong Baptist University never tired of reminding me that it was we, the Westerners, who appeared to the Chinese in terms of standardised sameness, while they perceived themselves as extremely diverse and internally differentiated. And when, some time later, I was invited by Marc Augé to present a paper at an international conference under the title *Dynamiques culturelles et mondialisation* (held in Avignon in October 2003), I was able to hear from the comparative analyst Wang Bin how Chinese cultural identity, far from being homogeneous in character, is actually a historical construct which has been elaborated over centuries as a collage of various different experiences, histories, and forms of life. Confucianism itself must thus be understood not as some sort of static basis or original invariable, but rather as a practical and ethical attitude which has been subjected over the centuries to innumerable adaptations and reinterpretations. We must speak therefore of several “Orients” and several “Occidents.” And not only of synchronic plurality, but also of diachronic mutation.

Whenever we find ourselves confronted with the “others,” with forms of culture that are different from “our” civilisation, we must never lose sight of the fact that many of the prerogatives of which we are rightly proud – the constitutional state, liberty, equality,

21 E. Said, *Orientalism* [1978], New York: Vintage, 1979.

suffrage extended to all, including women, and so forth – are in fact extremely recent achievements of the West (and are never simply achieved once and for all). And on the other hand, leading representatives of the Anglo-Indian intelligentsia, such as Amartya Sen or Homi Bhabha,²² will also rightly continue to remind us that at a time when we still countenanced witch-hunts, the Inquisition, the burning of heretics, etc, in Europe, enlightened principles were prevailing in India. And a Muslim could likewise remind us that, in 12th century Spain, the Caliphate of Cordoba was tolerant enough to accommodate individuals such as Mosheh Ben Maimon, commonly known as Maimonides, and Ibn ‘Arabi, that is to say, the greatest Jewish philosopher and the greatest Islamic philosopher of the Middle Ages. It seems to me, therefore, that we must constantly bear in mind the double synchronic/diachronic character of the plurality presented by our global Babel: for diachrony harbours not only the possibility of evolution, but also the risk of involution. From this point of view, a decisive example of such an involution with regard to the process of secularisation can be recognised in that indigenous fundamentalism of the West that is represented by the *neo-con* ideology in the United States today.

The cartography of problems exhibited by the world of modernity confirms that the only way of comprehending what is transpiring today is to acknowledge that we inhabit a sort of *double movement of contamination and differentiation*. All the examples we have mentioned clearly reveal, on the one hand, the all-pervasive phenomenon of interdependence and contamination (and Islamic charters and constitutions – as the investigations we have already cited remind us – have also been affected in their own way by western values), and on the other, the transverse character of the specular-oppositional phenomenon of the diaspora. I believe that both of these

22 Cf. H. K. Bhabha, *The Location of Culture*, London: Routledge, 1994; “Sul dubbio globale”, in A. Martinengo (ed.), *Figure del conflitto. Studi in onore di Giacomo Marramao*, Rome: Valter Casini Editore, 2006, pp. 277-286.

aspects must be incorporated, not independently but contextually, into any genuine analysis. In other words, we must take the *reality of the hybrid* as our point of departure, rather than simply appealing to the “fact of pluralism,” as many political philosophies variously inspired by the neo-contractualist model of Rawls propose.²³ For the plurality in question is not only a plurality of the between, of the *infra*, but a plurality of the within, of the *intra*: it is not only inter-cultural, but also infra-cultural, not only inter-subjective, but also intra-subjective, not only between identities, but also internal to the symbolic constitution of each and every identity – whether it be individual or collective in character. And this is the decisive reason why I have been driven, in the course of my reflections over the last few years, to formulate a *cosmopolitanism of difference*, understood as a way of escaping the paralysing theoretical and practical dilemma posed between identitarian universalism on the one hand (as defended by assimilationist conceptions of citizenship) and anti-universalistic differentialism (as defended by emphatic versions of multiculturalism): or, to simplify matters rather drastically, between the “*République* model” and the model of what has been dubbed *Londonistan*. A number of important interdisciplinary studies appear to me to move in the same general direction insofar as they relate the insights of comparative law and cultural anthropology, and suggest possible ways of codifying an intercultural democracy based upon a multiple and “hybrid” conception of law.²⁴ For my own part, I have been convinced for some time that the subterranean tendencies leading towards a hybrid cultural and institutional reality have already been active for some time, and that the dominant form of the conflict of our time can be traced back to a symbolic mechanism of reaction to the phenomena of growing hybridisation and to what a pioneering scholar such as Ernest Gellner,²⁵ adopting a celebrated expression of Quine’s, has described as the experience

23 Cf. J. Rawls, *Political Liberalism*, New York: Columbia University Press, 1993.

24 Cf. M. Ricca, *Oltre Babele*, Bari: Dedalo, 2008.

25 *Culture, Identity and Politics*, Cambridge: Cambridge University Press, 1987.

of “cosmic exile” (or “universal deracination”) which has affected all cultures to varying degrees. The nature of this mechanism appeals to the logic of identity and identification: in other words it exhibits markedly identitarian features. In the first edition of my book *Pasaggio a Occidente* (2003) I argued, before Amartya Sen propounded the same thesis in his brilliant essay *Identity and Violence*,²⁶ that the conflicts of the global era present certain characteristics that are more reminiscent of the fundamental conflicts which marked the civil and religious wars in Europe in the era that preceded the Peace of Westfalia than they are of the conflicts of interest which were typical of the industrial era. The dramatic character which is beginning to attach to the nexus of identity and violence today can only be explained in the light of a detailed and careful diagnosis of the mechanisms which have generated the emergence of the *dominant identitarian logic of conflict*.

Beyond Recognition

How then are we to throw some kind of bridge between the “Occidents,” the different variations of the Occident, and “the others,” others that are already diverse within themselves? Over the last few years I have often had the opportunity to discuss with Jürgen Habermas what he has described as the “divided West”.²⁷ I think that this formula can only properly be employed on behalf of the self-diagnosis of our own cultural context. But it risks becoming little more than an edifying phrase if we understand this talk of the “divided West” – as I fear Habermas does in part understand it – to mean that a a kind of recomposed or reconstituted West is already capable, in terms of its own cultural tradition and drawing on its own resources, of resolving all of the problems of a potential global democracy. I do not believe that this is possible, for I am convinced – as I have already attempted to argue with my thesis of the

26 New York: Norton, 2006.

27 J. Habermas, *Der gespaltene Westen*, Frankfurt am Main: Suhrkamp, 2004.

passage – that the Occident cannot be regarded as self-sufficient in this sense. In this regard, I find myself in “conflicted agreement” with those contemporary writers who have attempted to rehabilitate the ingenious structure of “western rationalism” represented by the tradition of normative law. I do not believe that the tradition of modern rationalism – even in the noblest forms that it has assumed in the West, such as the moral universalism of Kantian philosophy, or the principle of legally guaranteed rights – is ultimately self-sufficient, is capable of offering on its own a solution to the conflicts of our time, of enabling us to build a truly “cosmopolitan republic.” Or to put the point in the language of Raimon Panikkar: the house of the universal is not already there, waiting to be occupied, but must be constructed in a genuinely multilateral manner. We cannot simply say to the others: come, and you will be accommodated in our house, integrate, and you will be included within our civilisation that is based on the concept of right. On the contrary, what we need to do is precisely to negotiate a new common space, to construct together a new house of the universal. If we are capable of looking at other forms and contexts of experience in a way that is less clouded by prejudice, we will be able to recognise the existence, in other parts of the world, of conceptions of freedom and notions of human dignity which are just as noble as our own (or in any case no less respectable than our own). So it is that when Martha Nussbaum felt obliged to re-emphasise the idea of happiness as human “flourishing” or *fulfilment*, she could draw both upon the noble tradition of Aristotelian ethics, so important to the history of Western culture, and upon a specifically Indian cultural tradition.²⁸ It clearly emerges from such considerations that freedom remains an empty word if it is merely taken to mean “freedom of choice.” The category of *choice*, understood as an expression of a “preference,” already seems to have been seriously prejudiced by its ever more pervasive economic and commercial meaning. We are thus increas-

28 Cf. M. Nussbaum, *Cultivating Humanity*, Cambridge (Mass.): Harvard University Press, 1997.

ingly encouraged to believe that the choice of one's own "life style" or "life plan" is entirely analogous to the way in which we choose a particular article of clothing or a particular type of hamburger in the global emporium. Yet the deliberate decision – the free and responsible decision – which permits an individual man or woman to develop their own possibilities is qualitatively different in character: this cannot merely be a *rational choice* for the simple but decisive reason that it intrinsically involves the relational dimension of our affects and emotions. And that is why we must place the idea of happiness as human flourishing at the centre of our understanding of human action and political endeavour: namely the unfolding of human talents, abilities and emotions, of the personality of each and every man or woman.

Before bringing these reflections to a conclusion, I should simply like to offer a few further considerations. I believe that we should endorse the criticisms which Seyla Benhabib has raised with regard to the monolithic conception of culture: for the idea of multicultural tolerance, insofar as it simultaneously postulates a reified image of different civilisations conceived as monolithic entities, itself prepares a particularly fertile ground for the growth of various forms of fundamentalism. But I am equally convinced that we must go further than this, and acknowledge the radical crisis which today afflicts both models of democratic inclusion which have been attempted in the modern world: the assimilationist republican model and the "strong" multiculturalist model (or what Benhabib describes as the "mosaic" model). The French case has clearly shown us how the emphatically assimilationist approach only encourages the growth of clandestine identities which organise themselves in a subterranean manner and can suddenly explode into violence. It is no accident that the thematic of recognition, of conflicts of recognition, of the relationship between redistributive conflicts – I am referring to the now famous pair of terms *recognition/redistribution* – is the crucial question that agitates current political theory in Europe and the United States. In this regard, the confrontation

between the binary approach defended by Nancy Fraser (distinction/cohabitation between redistributive conflicts and conflicts of recognition) and the monistic perspective advocated by Axel Honneth (subordination of redistributive conflicts to the struggle for recognition)²⁹ represents an important attempt to address the two aporias which have been clearly identified by the legal theorist Amy Gutmann, one of the most perceptive participants in the recent international debate.³⁰ According to Gutmann, the notion of multicultural “recognition,” when it is applied to groups rather than to individuals, already implies a double danger: in the first place, public authority becomes powerless to exercise any influence upon the criteria by which each group selects those who govern or represent it or upon the ways in which it responds to its own internal disagreements; and in the second place – and this is an even more important consequence – individuals who cannot acquire self-recognition by belonging to any specific group enjoy little chance of seeing their own rights respected and guaranteed. This approach thus tends to produce a kind of delegated or abrogated relation to the norm of universality. In order to counter this tendency, it is necessary to draw a clear and precise distinction between the right to difference and a difference of right. We must never forget that the first difference is the difference of the single individual, that the first and fundamental right is the right of singularity. Naturally, this immediately opens up a whole range of delicate questions: we must be very careful, when we enter into relation to “others,” to see that they are effectively “represented” by those who put themselves forward as such representatives in a “self-appointed” manner. It is often the case that the most active and well-organised elements of a given cultural or religious group are those that are accepted as its effective representatives, whereas in reality, in most cases, they

29 N. Fraser and A. Honneth, *Redistribution or Recognition? A Political-Philosophical Exchange*, London-New York: Verso, 2003.

30 Cf. C. Taylor, *Multiculturalism*, ed. by A. Gutmann, Princeton (N.J.): Princeton University Press, 1994.

only represent a limited minority of the group in question. But this phenomenon does not merely concern the different groups of immigrants within the western democracies, but also concerns the very countries from which they have come. A number of years ago – on 13 November 2002 to be precise – I participated at the University of Rome in a seminar led by Rima Khalaf Hunaidi, Assistant Secretary-General and Regional Director of the Regional Bureau for Arab States in the United Nations Development Program. On that occasion, when she presented the Arab Human Development Report, Hunaidi drew our attention to the fact that the majority of the population of the Arab countries was substantially in favour of the process of modernisation and democracy – albeit understood in a way rather different from that which prevails in the West – while only a limited minority declared themselves in favour of “integralist” positions, and an even more limited minority claimed to support the violent methods of terrorist or jihadist groups. This implies that we must proceed maieutically here, helping the voices that emerge from the civil society in these countries to make themselves heard in their full significance. But to this end we must remember, once again, Hamlet’s advice to Horatio: there are more things in heaven and earth than are dreamt of in our poor philosophy; for there are more paths to freedom and democracy than Western rationalism has ever dreamt of. A politics that is genuinely capable of engaging with “the others” must appeal, therefore, not to the notion of “exporting” freedom, but to that of encouraging processes that promote rights and democracy on the basis of methods and approaches which are themselves wholly autonomous. The global dynamics that has unfolded since 1989, the watershed year of the fall of the Berlin Wall, is beginning to show us that any attempt to impose a standardised, ethnocentric, and supremacist model of modernisation can only lead to a further extension and intensification of conflicts. And here is the crux of the matter. It is here that the West courts the danger of failure, of precipitating the entire world into a state of endemic civil war.

Signa prognostica – Some Prognostic Signs

Finally, last but not least, I come to the vexed question of the validity and significance of the proceduralist interpretation of democracy. The proceduralist model constitutes the presupposition, or, if one prefers, the *conditio sine qua non*, of a conception of democracy which permits a profound form of self-recognition: without specific procedures, without the certainty of guaranteed right, without the dimension of juridical formalism, not a single one of us could claim to be truly free. Nonetheless, democracy is not simply a matter of procedure, not simply a matter of rights: it involves other things too. For this decisive reason, in a modern world that is marked by a close confrontation between great planetary civilisations, it is more imperative than ever to redefine basic principles in a way that expressly acknowledges the different visions of the world, the religious conceptions and the “key forms of metaphysics” which underlie those principles. We cannot gloss over the fact that the attempt to establish an axiologically univocal definition of terms, far from producing a state of peace, has always produced a state of war. It was Thomas Hobbes himself who reminded us, in *Leviathan*, that moral philosophers, exactly when they have attempted, armed with the best of universalistic intentions, to define the Good and the nature of peace in a purely univocal manner, have precisely produced wars. And for his part, Voltaire – looking back in his *Traité sur la tolérance* on the earlier confessional conflicts between the Catholics and Huguenots – felt compelled to recall that we Europeans have almost “destroyed ourselves on behalf of gods defined in paragraphs.” If it is indeed the case that the formal rigour of specifically defined procedures is essential, it is equally true that the obsessive concern with univocal definitions has frequently generated fatal struggles and conflicts in turn. I believe that we should open ourselves instead to what an old and noble anthropology used to describe as “functional equivalents,” adopting an ultimate and decisive theoretical task for our programme: the transition from the *method of comparison* to the

politics of translation.³¹ We ought to be capable of retracing, in other cultures, normative principles, values, and criteria which are equally valid, even if they are defined differently from our own – without yielding to the temptation to impose our definitions on these principles, without surreptitiously reintroducing the ancient Manichaean distinction between the good and the evil. We should not forget that the categories of good and evil must be handled with extreme care. For this reason, I feel just as distant towards the sort of political philosophy which takes the good as its starting point as I do towards that which is primarily motivated by the normative significance of evil. I am thinking rather of a political approach which, from a perspective “beyond good and evil,” is capable of drawing instead on the influential scene that is represented by the experience of pain or suffering. Perhaps we ought to begin by thinking of democracy as a paradoxical sort of community, as a community without community, one whose constitutive principles derive directly from the *normative priority of suffering*, or, to adopt the formulation of a certain political theology, from the “authority of those who suffer.”

One may legitimately object that, when we consider the emphatic and dramatic character of the various conflicts and hostilities which afflict our globalised world, a proposal such as this still clearly belongs to the domain of the purely counter-factual. Yet the refusal to acknowledge just how much this demand is already rooted in our global Babel, and just how much it already pervades the dynamic character of the subjects who inhabit this space, is simply a refusal to grasp the “signs of the times:” those prognostic signs of our present which indicate a possible change of course, one which might help to guide the different historical dynamics along an alternative anti-identitarian trajectory.

In the direction, that is to say, of a *cosmopolitanism of difference*.

31 For this perspective, see my book *La passione del presente. Breve lessico della modernità-mondo*, Turin: Bollati Boringhieri, 2008.

David Chandler

The EU and Southeastern Europe: the Rise of Post-Liberal Governance

Abstract

This article suggests that EU governance in South-eastern Europe reproduces a discourse in which the failures and problems which have emerged, especially in relation to the pace of integration and the sustainability of peace in candidate member states such as Bosnia-Herzegovina, have merely reinforced the EU's external governance agenda. On the one hand, the limitations of reform have reinforced the EU's projection of its power as a civilising mission into what is perceived to be a dangerous vacuum in the region. On the other hand, through the discourse of post-liberal governance, the EU seeks to avoid the direct political responsibilities associated with this power. Rather than legitimise policy-making on the basis of representative legitimacy, post-liberal frameworks of governance problematise autonomy and self-government, inverting the liberal paradigm through establishing administrative and regulative frameworks as prior to democratic choices. This process tends to distance policy-making from representative accountability weakening the legitimacy of governing institutions in South-eastern European states which have international legal sovereignty but lack genuine mechanisms for politically integrating society.

Introduction

The EU's discourse of governance enables it to exercise a regulatory power over the candidate member states of South-eastern Europe¹ while evading any reflection on the EU's own management processes which are depoliticised in the framing of the technocratic or administrative conditions of enlargement. In this way, the responsibility for the integration process and any problems which might arise are seen to have their roots in the institutional frameworks (both formal and informal) which are held to reproduce non-rational, non-liberal, or politically 'immature' outcomes in the autonomous political processes of South-eastern European elites and their interaction with their societies.² The discourse of governance reinterprets the limits to the EU's external attempts at social and political engineering its 'near abroad' as indications that the EU should try harder and be more 'hands on' in its assistance to external support for institutional change, often referred to as state building.³ In this discourse the problem is the autonomy or the sovereignty of candidate states, rather than their lack of independence to make and implement their own policies.

The post-liberal discourse of governance is very different from the modern liberal discourse of government. While government presupposes a liberal rights-based framing of political legitimacy in terms of autonomy and self-determining state authority, the discourse of

1 This article focuses on the pre-accession states, Albania, Bosnia-Herzegovina, Croatia, Macedonia, Serbia, Montenegro and Kosovo.

2 For example, see the UK Shadow Foreign Secretary, William Hague's view of the need to extend the EU's 'strong outside pressure' to overcome the political blockages to reform in Bosnia, in N Morris, 'Bosnia is Back on the Brink of Ethnic Conflict, Warns Hague: Shadow Foreign Secretary Fears "Europe's Black Hole" is Slowly Falling Apart Again', *Independent*, 12 August 2009, at <http://www.independent.co.uk/news/world/europe/bosnia-is-back-on-the-brink-of-ethnic-conflict-warns-hague-1770638.html>, accessed 18 September 2009.

3 See, D Chandler, *International Statebuilding: The Rise of Post-Liberal Governance*, London: Routledge, 2010.

governance focuses on technical and administrative capacity, or the way of rule, rather than the representative legitimacy of policy-making or its derivational authority.⁴ This shift is vital to understanding the discursive framework in which the EU can export good governance and claim a legitimate authority to judge the capacities of new member and of candidate states in South-eastern Europe. The discourse of governance is, in this respect, one in which the external engagement of the EU is seen as a prerequisite for policy progress rather than as an exception to the norm in need of special justification, and one where the legitimacy of this intervention, and of the policy prescriptions attached to this, is judged in technical or administrative terms rather than liberal democratic ones.

The governance discourse critiques sovereignty, not on the basis of a liberal discourse of external intervention, undermining formal political and legal equality, but on the basis of the need for external expertise to develop and capacity-build the institutions of rule. In the terminology of influential policy analysts, Claire Lockhart and Ashraf Ghani, this external governance assistance does not undermine sovereignty but rather it supports it through overcoming the 'sovereignty gap': the technical and administrative weaknesses of South-eastern European new members and candidate states.⁵ The

4 European Commission, *European Governance: A White Paper*, Brussels, 25 July 2001, at: http://eur-lex.europa.eu/LexUriServ/site/en/com/2001/com2001_0428en01.pdf, accessed 18 September 2009. For a development of the policy discourse of governance see, for example, the seminal World Bank papers highlighting the shift towards institutionalist approaches: *Sub-Saharan Africa: From Crisis to Sustainable Growth: A Long-Term Perspective Study*, Washington, D.C.: World Bank, 1989; *Governance and Development*, Washington, D.C.: World Bank, 1992; *The State in a Changing World: World Development Report 1997*, New York: Oxford University Press, 1997; *Assessing Aid: What Works, What Doesn't, and Why. A World Bank Policy Research Report*, New York: Oxford University Press, 1998.

5 A Ghani and C Lockhart, *Fixing Failed States: A Framework for Rebuilding a Fractured World*, Oxford: Oxford University Press, 2008.

European Union has become the exporter of governance par excellence, through the enlargement process, in which candidate states have been member-state built.⁶

The EU has been keen to promote itself as a policy-leader in the field of governance and this has been taken up supportively by the academic commentators, keen to emphasise that the EU is unique as a policy-actor, exercising ‘soft power’, ‘normative power’, or building a ‘voluntary empire’.⁷ In this way the EU’s exercise of power and influence is contrasted positively to the ‘neo-colonial’ or ‘hard power’ approaches of the US or of the individual member states. This article seeks to problematise some of these assumptions about the EU’s governance discourse on South-eastern Europe and suggests that the technocratic and administrative legitimisation of external intervention is not beyond criticism in both normative and practical policy terms.

This article briefly reviews the EU’s governance framework, both in terms of the institutionalist paradigm and the mechanisms of implementation in South-eastern Europe, operationalised through the rubric of member-state building, and traces their development since 1999, particularly in relation to the Stabilisation and Association process. It seeks to highlight briefly how the EU has denied its power in the very processes of exercising it, through:

6 See, for example, F Trauner, ‘From Membership Conditionality to Policy Conditionality: EU External Governance in South Eastern Europe’, *Journal of European Public Policy*, 16(5), 2009, pp 774-790; H Grabbe, *The EU’s Transformative Power: Europeanization through Conditionality in Central and Eastern Europe*, Basingstoke: Palgrave, 2006; M Leonard, *Why Europe Will Run the 21st Century*, London: HarperCollins, 2005.

7 See, for example, I Manners, ‘Normative Power Europe: A Contradiction in Terms?’, *Journal of Common Market Studies*, 40(2), 2002, pp 235-258; H Sjørusen (ed.), ‘Special Issue: What Kind of Power? European Foreign Policy in Perspective’, *Journal of European Public Policy* 13(6); R Cooper, *The Breaking of Nations: Order and Chaos in the Twenty-First Century*, London: Atlantic Books, 2003.

- presenting its diktat in the language of ‘partnership’ and country ‘ownership’;
- internationalising the mechanisms of its domination through engaging a multitude of external states and international organisations;
- internationalising or Europeanising the candidate state’s core institutions of governance; and
- engaging with and attempting to create a policy-advocating ‘civil society’.

It concludes by considering some of the limitations to the post-liberal governance discourse of member-state building.

The Institutional Paradigm

The West European states, collectively operating as the EU, could not avoid being the determining influence in the political and economic affairs of South-eastern Europe with the end of the Cold War. The problem that the EU faced was how to manage this position of power and influence. According to the report of the International Commission on the Balkans, chaired by Giuliano Amato, former Italian Prime Minister, *The Balkans in Europe’s Future*:

If the EU does not devise a bold strategy for accession that could encompass all Balkan countries as new members within the next decade, then it will become mired instead as a neo-colonial power in places like Kosovo, Bosnia and even Macedonia. Such an anachronism would be hard to manage and would be in contradiction with the very nature of the European Union. The real choice the EU is facing in the Balkans is: Enlargement or Empire.⁸

⁸ International Commission on the Balkans, *The Balkans in Europe’s Future*, 2005, p 11, at <http://www.cls-sofia.org/en/books/the-balkans-in-europe-s-future-28.html>, accessed 18 September 2009.

This quote sharply sums up the dilemma facing the EU, which appeared to face two unpalatable options: either to leave the South-eastern European states to manage their own affairs and problems or to take on an increasingly formalised responsibility of managing them themselves. The response of the EU has been to develop a 'Third Way', a method of intervention and regulation, but one that does not formally undermine the sovereignty and legal independence of South-eastern European states. This third way approach is that of the post-liberal discourse of governance: external regulation without the formal responsibility for governing and policy-making in the region. In this way the governance discourse of enlargement has enabled discussion of EU engagement to be framed outside the traditional understandings of sovereignty-based international relations: either respecting sovereign autonomy or coercively intervening to undermine sovereignty in the establishment of protectorate relations.

The discourse of governance asserts that it is supportive of autonomy and sovereignty but as a policy aim or policy goal to be achieved in the future.⁹ This framework enables interventionist practices and conditionalities to be posed as capacity-building the South-eastern candidate states rather than as impositions denying or undermining their sovereignty. The policy practices bound up with the discourse of governance are those of state building.¹⁰ Whereas

9 See, Michel Foucault's discussion of the development of institutionalist approaches in the critique of liberal assumptions of the autonomous subject in inter-war Germany, especially the links between the Frankfurt school of critical theory and the Freiburg school of *ordo-liberalism*, both heavily influenced by the phenomenology of Edmund Husserl: M Foucault, *The Birth of Biopolitics: Lectures at the Collège de France 1978-1979*, Basingstoke: Palgrave Macmillan, 2008, p 120.

10 For institutionalist approaches, the problem is not the economic and social relations *per se* but the formal and informal institutions of the societies concerned, which are held to prevent or block the market from working optimally. See the theoretical framing developed in D C North and R P Thomas, *The Rise of the Western World: A New Economic History*, Cambridge: Cambridge

traditional liberal discourses presupposed sovereignty and political autonomy as the condition of statehood, the governance discourse sees statehood as separate from sovereignty (seen as the capacity for good governance). The institutionalist approach of governance understands the problems at economic, social and political levels as a product of poor institutional frameworks, which have been unable to constrain actors' pursuit of self-interest in irrational or destabilising ways. This discourse operates at the formal levels of state institutions and the informal level of civil society.

The formal level of state institutions

Institutionalist approaches to governance are legitimised on the basis that the autonomy of state-level political processes is potentially dangerous and destabilising. The starting assumption with regard to member-state building in South-eastern Europe was that external engagement was necessary for both the interests of the European Union and for the citizens of South-eastern European states themselves. The European Commission asserted that:

The lack of effective and accountable state institutions hampers the ability of each country to co-operate with its neighbours and to move towards the goal of closer integration with the EU. Without a solid institutional framework for the exercise of public power, free and fair elections will not lead to representative or accountable government. Without strong institutions to implement the rule of law, there is little prospect that states will either provide effective protection of human and minority rights or tackle international crime and corruption.¹¹

University Press, 1973; D C North, *Structure and Change in Economic History*, New York: Norton, 1981; and D C North, *Institutions, Institutional Change and Economic Performance*, Cambridge: Cambridge University Press, 1990.

11 European Commission, *Regional Strategy Paper 2002–2006: CARDS Assistance Programme to the Western Balkans*, 2001, p 11, at http://www.reliefweb.int/library/documents/2001/ec_balkans_22oct.pdf, accessed 18 September 2009.

The problems identified in the governance sphere were not with the formal mechanisms of democratic government or the electoral accountability of government representatives but were concerns that went beyond procedural questions of 'free and fair elections' to the administrative practices and policy choices of governments and the attitude, culture and participation-levels of their citizens. Where the traditional liberal agenda focused on processes rather than outcomes and free and fair elections were seen to be the main indicator of representative and accountable government, under the post-liberal framing of governance, institution-building was now held to be the key to democratic development. According to the Commission, strengthening state institutions was vital for 'assuring the region's future, being as relevant to human rights and social inclusion as it is to economic development and democratisation'.¹²

The EU's approach to institutional governance reform has been described as implying no less than the 'reforming and reinventing [of] the state in South-eastern Europe'.¹³ As the European Stability Initiative observed:

A new consensus is emerging among both regional and international actors that the most fundamental obstacle to the advance of democracy and security in South Eastern Europe is the lack of effective and accountable state institutions. Strengthening domestic institutions is increasingly viewed as the key priority across the diverse sectors of international assistance, as relevant to human rights and social inclusion as it is to economic development and democratisation.¹⁴

12 *Ibid.* See also, H Storey, 'Human Rights and the New Europe: Experience and Experiment', *Political Studies*, 43, 1995, pp 131-151.

13 EastWest Institute and European Stability Initiative, 'Democracy, Security and the Future of the Stability Pact for South Eastern Europe: A Framework for Debate', 2001, p 18, at http://www.esiweb.org/pdf/esi_document_id_15.pdf, accessed 18 September 2009.

14 *Ibid.*, p.18.

The international institutions, involved in stabilising and integrating the South-eastern European states within European structures,¹⁵ have consistently viewed the governance agenda as their central concern in the region. Today, the argument is still often repeated that many states in the region lack sufficient capacity and suffer from historical ‘path dependencies’ which have undermined the relations between states and their societies.¹⁶ One typical expression of this framing was that of Valentin Inzko, the Austrian official serving as the EU’s High Representative in Bosnia when, in August 2009, he put the lack of political progress down to the fact that he felt that Bosnia suffered ‘from a “dependency syndrome” that dates back centuries, to when it was part of the Ottoman Empire’.¹⁷

The informal level of civil society

In the discourse of governance, the concept of civil society is used very differently from the conceptualisation in traditional political discourses of liberal modernity. Whereas, for traditional conceptions of civil society, the autonomy of civil society as a sphere of association and citizenship was seen as a positive factor, for the EU, civil society is seen as problematic and in need of external intervention and regulation. Civil society highlights the problematic nature of autonomy, understood as irreducible differences which risk conflict if they would not be regulated via the correct institutional

15 The EU’s process of governance regulation of Southeastern Europe has involved close integration with a large number of non-EU actors, such as the OSCE, UN agencies and the international financial institutions and a variety of informal and ad hoc institutional experiments, with leading examples being the Contact Group, the EU-led Stability Pact, the Peace Implementation Council (for Bosnia) and the International Steering Group (for Kosovo).

16 See, North, *Institutions*, pp 93-94.

17 C Whitlock, ‘Old Troubles Threaten Again in Bosnia: 14 Years After War, Leaders Suggest U.S. Should Step In to Rewrite Treaty’, *Washington Post*, 23 August 2009, at: <http://www.washingtonpost.com/wp-dyn/content/story/2009/08/22/ST2009082202479.html?sid=ST2009082202479>, accessed 18 September 2009.

mechanisms. In the distinctive use of difference in this context of external engagement, the concept of civil society is used in ways which reflect and draw upon pre-modern concepts problematising and essentialising difference, especially the pre-existing discourses of race and culture.

Regarding civil society, the European Commission was even more forthright in its condemnation of the aspiring Southeastern European members involved in the Stabilisation and Association process:

[N]one of the countries can yet claim to have the level of vibrant and critical media and civil society that is necessary to safeguard democratic advances. For example, public and media access to information, public participation in policy debate and accountability of government and its agencies are aspects of civil society which are still largely undeveloped in all five of the countries.¹⁸

In this case, the potential accession states from the region could apparently not even make a 'claim' that they could safeguard 'democracy' in their states without external assistance in the form of civil society capacity-building. In fact, the Commission was clearly concerned as much by society in the region as by government, arguing that the aim of its new programmatic development was necessarily broad in order 'to entrench a culture...which makes forward momentum towards the EU irreversible'.¹⁹

The way in which civil society relates to earlier framings of race and especially of cultural distinctions can be seen in the understanding of the problems of ethnic or regional divisions within South-eastern

18 European Commission, *Regional Strategy Paper 2002–2006*, pp 10–11.

19 European Commission, *The Stabilisation and Association Process for South East Europe: First Annual Report*, COM(2002)163 final, 4 April 2002, p 8, at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2002:0163:FIN:EN:PDF>, accessed 18 September 2009.

European societies. Here civil society is seen as weak or problematic and as undermining external attempts to reform and improve governance. Education is often highlighted as especially important in terms of transforming societal informal institutional structures. For example, Claude Kiffer, who runs the OSCE education department in Bosnia, suggests that '[t]he absence of genuine education reform designed to bring future citizens together undermines all other reforms so far... The system is producing three sets of citizens who do not know anything about the others and have no intercultural skills.'²⁰ David Skinner of Save the Children further argues that education systems are problematic in the region as they apparently fail to 'produce citizens with critical thinking skills'.²¹

The good governance agenda with its institutionalist emphasis on state-level institution-building and civil society development developed in the 1990s, reflecting the regulatory power which the EU had over the region, enabling external institutions to take an active interest in questions which were previously seen to be ones of domestic political responsibility. This transformation in relations of power and influence is a crucial determinant for the governance discourse and in explaining the post-liberal interventionist thrust of external policy-making. The Commission argued that its focus on building the capacity of state institutions and civil society development reflected not only the importance of this question and the clear needs it had identified, 'but also the comparative advantage of the European Community in providing *real added value* in this area'.²² It would appear that the South-eastern European states were fortunate in that their wealthy neighbours to the West had not only

20 A Cerkez-Robinson, 'Bosnia's Ethnic Divisions are Evident in Schools', *Associated Press*, 22 August 2009, at <http://www.google.com/hostednews/ap/article/ALeqM5jtMzf4gX7WCrEYoZz7aMNZV7uP3gD9A82CJGo>, accessed 18 September 2009.

21 *Ibid.*

22 European Commission, *Regional Strategy Paper 2002–2006*, p 9 (emphasis added).

identified their central problems but also happened to have the solutions to them already at hand.

Co-Production of Sovereignty

In the governance agenda, sovereignty is no longer understood as something that inheres to state institutions per se, but rather is understood to be a variable quality or capacity for good governance. For those tasked with building the 'sovereignty' or the governance capacity of other states, the traditional liberal discourse, which assumed sovereign autonomy to be a positive quality, has little purchase. Stephen Krasner, Robert Keohane, Ashraf Ghani and Clare Lockhart and other commentators have commented positively on the EU's approach to the 'co-production' of the sovereignty of South-eastern European states, or the EU model of 'shared sovereignty' or 'conditional sovereignty'.²³ This post-liberal framing of sovereign rights and legitimacy has been shaped by the governance discourse of 'partnership' and 'country ownership'. These concepts have been central to the Stabilisation and Association Process (SAP) which was launched in May 1999, to cover Albania, Bosnia-Herzegovina, Croatia, Macedonia, Serbia and Montenegro.

The SAP is the cornerstone of EU policy of exporting its governance agenda through 'anchoring the region permanently to the development of the EU itself'.²⁴ This 'anchoring' is seen as crucial to the encouragement of reforms in the governance sphere, relating to the

23 R Keohane, 'The Ironies of Sovereignty: The European Union and the United States', *Journal of Common Market Studies*, 40(4), 2002, pp 743-765; S Krasner, 'The Case for Shared Sovereignty', *Journal of Democracy*, 16(1), 2005, pp 69-83; Ghani and Lockhart, *Fixing Failed States*.

24 European Commission, *The Stabilisation and Association Process and CARDS Assistance 2000 to 2006*, European Commission Paper for the Second Regional Conference for South East Europe, 2001, p 3, at http://ec.europa.eu/enlargement/archives/seerecon/region/documents/ec/ec_sap_cards_2000-2006.pdf, accessed 18 September 2009.

rule of law and democratic and stable institutions. The legitimacy of the EU's relationship of regulation is based on two grounds, the recognition by South-eastern European elites of the need to reform to meet the governance prescriptions of the EU and the EU's offer to provide financial assistance with the promise of EU membership at some point in the future. The policy of aid in return for the EU's regulatory control over the reform process was underpinned by the CARDS assistance programme providing €4.65 billion over 2000-2006. In 2007 this process was streamlined as the Pre-Accession Assistance Programme (available to candidate countries and potential candidates in the region) with €11.5 billion available from 2007 to 2013.²⁵ The legitimacy of this buying of external influence is bolstered by the promise of EU integration, i.e. 'on a credible prospect of membership once the relevant conditions have been met'.²⁶

In 2000, the EU Zagreb Summit endorsed the SAP objectives and conditions, namely the prospect of accession on the basis of the Treaty on European Union and the 1993 Copenhagen criteria, the CARDS assistance programme, and the countries' undertaking to abide by the EU's conditionality and to participate fully in the SAP process. Ahead of the EU-Western Balkan summit in Thessaloniki in 2003, the General Affairs and External Relations Council adopted the Thessaloniki agenda for moving towards European integration, strengthening the SAP by introducing new instruments to support reform and integration efforts, including European Partnerships, this time including Kosovo, as governed under the auspices of UN Security Council Resolution 1244, within its remit.²⁷ The European Council argued that, for the South-eastern European states, the

25 European Commission, *Instrument for Pre-accession Assistance (IPA)*, at http://ec.europa.eu/enlargement/how-does-it-work/financial-assistance/instrument-pre-accession_en.htm, accessed 18 September 2009.

26 European Commission, *The Stabilisation and Association Process and CARDS Assistance 2000 to 2006*, p 3.

27 See, for example, European Commission, *Kosovo (under USCR 1244) 2005 Progress Report*, SEC(2005)1423, 9 November 2005, at <http://europa.eu.int/>

process of formulating the SAP contract would be ‘both pedagogical and political’.²⁸ The ‘pedagogical’ aspect of the process highlights the relationship of subordination involved. As the EU reported, this process: ‘has proved an effective means of focusing authorities’ minds on essential reforms and of engaging with them *in a sustained way to secure implementation*’.²⁹

The European Commission stressed that there is ‘a close *partnership* with SAP countries’.³⁰ This partnership was held to start by involving countries closely in the programming, including discussions on CARDS and Pre-Accession Assistance strategies; countries would also be involved in ongoing dialogue on developing annual action plans. The European Commission strongly emphasised the importance of country ‘ownership’:

This partnership helps promote each country’s sense of ownership over Community assistance that is crucial if it is to have the desired impact on the ground. This national commitment is all the more important for... institution building, which require the countries to undertake reforms if the assistance is to be effective.³¹

Country ownership is clearly central to the EU SAP. However, it is clear that the promotion of ‘ownership’ was being pushed by the EU itself and does not involve any real equality of input over policy guidelines. While the formal regulatory mechanisms stress ‘part-

comm/enlargement/report_2005/pdf/package/sec_1423_final_en_progress_report_ks.pdf, accessed 18 September 2009.

28 European Union, *Review of the Stabilisation and Association Process*, European Union General Affairs Council Report, 11 June 2001, No. 9765/01, at http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/misc/09765.en1.html, accessed 18 September 2009.

29 *Ibid*, IIIc (emphasis added).

30 European Commission, *The Stabilisation and Association Process and CARDS Assistance 2000 to 2006*, p 7 (emphasis in original).

31 *Ibid* (emphasis in original).

nership' and 'country ownership', at the informal level real ownership is exercised by the European Commission which guides donor coordination and works closely with the major international institutional actors, such as the World Bank.³² For example, once the Stabilisation and Association Agreements (SAAs) were signed the relationship of regulation became fully institutionalised (the SAAs are legally binding international agreements).³³

The first SAA agreement was signed with Macedonia in April 2001 and entered into force in 2004. The second, with Croatia, was signed in October 2001 and entered into force in 2005. Albania signed up to the formal process of negotiating the SAA in 2003 and Serbia and Montenegro and Bosnia-Herzegovina in November 2005. The agreements were 'the principal means to begin to prepare themselves for the demands that the perspective of accession to the EU naturally entails'.³⁴ These demands were determined by the EU and considered to be so onerous that the South-eastern European states would need the additional encouragement of conditionality:

The Stabilisation and Association Agreements, then, are posited on respect for the conditionality of the Stabilisation and Association process agreed by the Council. But they also bring with them a dynamic means of operationalising that conditionality and give the EU the leverage necessary to get the countries to adopt genuine reforms with a view to achieving the immediate objectives of the agreements. The mechanisms of the Agreements themselves will enable the EU to prioritise reforms, shape them according to EU models, to address and solve problems, and to monitor implementation.³⁵

32 *Ibid*, p 8

33 European Commission, *The Stabilisation and Association Process for South East Europe*, p 4.

34 European Commission, *The Stabilisation and Association Process and CARDS Assistance 2000 to 2006*, p 3.

35 European Union, *Review of the Stabilisation and Association Process*, III.

The EU attains the necessary ‘leverage’ over states in the region through conditionality at three levels – the SAP, programme and project levels. At the SAP level, lack of progress in the reforms advocated by the EU in the economic, political and social spheres can lead to financial assistance being frozen or ‘granted through other means’.³⁶ If the EU chooses it can invoke ‘programme conditionality’, threatening to close certain aid programmes if the country concerned fails to satisfy the external administrators with regard to ‘specific reform targets or adoption of sectoral policies’.³⁷ ‘Project level conditionality’ can apply to ensure that the candidate state meets ‘specific conditions’ judged to be related to the project’s success.

The SAP is a contractual relationship. But a contract made between two unequal parties, with only one party being the judge of whether the conditions of the contract are met and in a position to coerce the other. From the EU perspective, the political strategy towards the region ‘relies on a realistic expectation that the contract it enters into with individual countries will be fulfilled satisfactorily’.³⁸ The contracts commit the South-eastern European states to a relationship of subordination to EU mechanisms. They establish formal mechanisms and agreed benchmarks which enable the EU to work with each country towards meeting the required standards and focus attention on key areas of EU governance concern.³⁹

CARDS programmes of assistance, the major external aid associated with the SAP, focused clearly on EU-defined priorities. The first priority institution-building area in terms of overall CARDS support is:

36 European Commission, *Regional Strategy Paper 2002–2006*, p 24.

37 *Ibid*, p 25.

38 European Commission, *The Stabilisation and Association Process and CARDS Assistance 2000 to 2006*, p 3.

39 *Ibid*.

Familiarisation of the *acquis communautaire* as countries start to move their legislation – especially on areas covered under the SAA – more into line with the approaches used inside the EU. This will focus on core *acquis* issues relating to the internal market.⁴⁰

This is followed by civil service reform to develop ‘administrative procedures in conformity with EU standards’, fiscal and financial management reforms, trade and customs regulation and reform of the legal and administrative framework of justice and home affairs.⁴¹

The European Commission’s desire to impose a pre-established governance agenda of institutional reform seems to assume that there is a ‘one size fits all’ method of strengthening South-eastern European government institutions as it enforces its ‘leverage’ over the region through a number of similar mechanisms of conditionality with the stress upon EU managerial control and ‘co-ordination’ of external directives, together leaving little doubt that the SAP process is far from one of ‘partnership’. Yet, the ‘partnership’ element has been central to keeping the EU’s options open with regard to the membership process. As Christopher Bickerton notes, partnership does not just conceal the power inequalities involved in the process of integration, preventing candidate states from negotiating the transitional measures adopted by existing members. It also helps to mitigate tensions and uncertainties of existing member states about enlargement by creating a flexible framework in which the vicissitudes of internal EU institutional wrangling can be played out as problems with the pace of capacity-building and ownership in the applicant states.⁴²

40 European Commission, *Regional Strategy Paper 2002–2006*, p 37.

41 *Ibid*, p 38.

42 C Bickerton, ‘Rebuilding States, Deconstructing Statebuilding’, Paper Presented at the SAID Workshop, University of Oxford, 28 April 2005, at <http://www.said-workshop.org/Bickerton.paper.doc>, accessed 18 September 2009. See also J Heartfield, ‘European Union: A Process without a Subject’, in *Politics without Sovereignty; A Critique of Contemporary International Relations*, C J Bickerton, P Cunliffe and A Gourevitch (eds), London: UCL Press, 2007, pp

The process of relationship management with the candidate countries in the region has been much more interventionist and regulatory than the enlargement process that involved the states of Central Eastern Europe. Allegedly, the South-eastern European states are too weak to be left to their own devices in meeting the conditions of the accession process. The more 'hands-on' approach of the SAP is held to be essential for the EU to replicate the success of the enlargement process in earlier rounds. Here, where states are weaker, state building is part of the enlargement process itself. For the process of state building, the EU needs to have much more leverage than in relation to the Central Eastern European states. From the perspective of the EU administration, the reforms being insisted upon are in South-eastern European states' own interests; they are held to be legitimate policy goals in their own right and so cannot be left to publics to decide upon. In these circumstances, EU conditionalities operate as a process of relationship management rather than merely establishing the end goals of membership of the EU club.

The centrality of conditionality in the Stabilisation and Association process in South-eastern Europe is rarely fully drawn out. There is an assumption that conditionality is explicitly projecting the EU's norms and values in a way which promotes democracy and strengthens state institutions. In fact, the reality is very different. Accession states have formally decided to accede to the EU and, in this respect, their decision is a voluntary and autonomous one. However, the decision to sign up to the Stabilisation and Association process blurs the clarity of the relationship between the EU and aspirant states. This is because the accession states are signing up to a process where the conditionality is an ongoing one. The democratic and voluntary aspect of the process, in effect, ends with the signing of the agreement as the ongoing steps and conditions are

131-149; H Grabbe, 'Europeanisation Goes East: Power and Uncertainty in the EU Accession Process', in *The Politics of Europeanism*, K Featherstone and C M Radaelli (eds), Oxford: Oxford University Press, 2003.

managed through bypassing the democratic political process. From the position of the EU, the candidate countries only need to make one democratic decision, which is to subordinate themselves to the accession process. The process of aligning policy with the needs of the EU *acquis* then allows little room for democratic consideration as the policy process becomes an external one, where the external advisers state why policy reforms need to be made and when they need to be achieved, leaving the specific content up to the local authorities, albeit with external advice and support.

It is important to realise that the incremental use of conditionalities is not some technical process, it is entirely political. When the EU is considering which 'benchmarks' are important or what level of reforms are necessary for the next stage, a large number of factors come into play, including: 'enlargement fatigue' which tends to add further conditions to satisfy member states which are more hostile to enlargement; broader policy concerns with security or crime and corruption; and specific views with regard to the perceived needs of state building in particular aspirant states. Incrementalised conditions are designed to ensure that the process of EU relationship management continues: this blurs the clarity of goals with a focus on the means; i.e., the process of external state building takes centre stage.

Governance not Government

In many ways, the relationship of inequality between elected representatives in the region and the external regulatory bodies, such as the EU, is highlighted in the international regulation of Bosnia and Kosovo. Bosnia and Kosovo, rather than standing out as exceptions because of the restrictions on local sovereignty and self-government – thereby institutionalising a relationship of inequality and external domination – in fact, indicate with greater clarity the problems of post-liberal governance, at the levels of institutional reform and civil society intervention, in the context of an unequal 'partnership'. In both Bosnia (under the administrative regulation

of the international Office of the High Representative) and Kosovo (where the highest civilian power is the International Civilian Representative) – both these positions being ‘double-hatted’ with the position of EU Special Representative (EUSR) – there are elected governments at local, regional and state levels. In both cases the international administration is held to be part of a contractual process moving towards ‘ownership’, self-government and integration into European structures.⁴³

In Bosnia, the EU is in the process of winding down the executive powers of the High Representative and the key question is how conditionality can be used to provide the leverage previously provided by the threats of dismissals and direct imposition by the Office of the High Representative.⁴⁴ The SAP is seen to be contractually tying-in and committing politicians to work on the EU road. Conditionality is not about final membership conditions, which are open-ended due to uncertainty over enlargement criteria – which depend on a number of political considerations not some abstract set of technical or administrative factors. Conditionality is a process of relationship management which aims at incremental progress to ensure that reforms happen without stand-offs between politicians and EU administrators. The conditionality of the SAP is seen to be about the day-to-day management of the accession and reform process, with the EU officials wary of conflict if they ask for ‘too much too soon’. This delicate process of reform management transforms the political centre from the domestic sphere to the international one. The EU is not just deciding upon its own standards for new

43 See, for example, W van Meurs and S Weiss, ‘Qualifying (For) Sovereignty: Kosovo’s Post-Status Status and the Status of EU Conditionality’, Discussion Paper, 6 December 2005, Guetersloh: Bertelsmann Stiftung, 2005; D Chandler (ed.), *Peace without Politics? Ten Years of International Statebuilding in Bosnia*, London: Routledge, 2006.

44 ‘Little Chance of Bosnia Joining EU by 2014’, *B92*, 22 August 2009, at http://www.b92.net/eng/news/region-article.php?yyyy=2009&mm=08&dd=22&nav_id=61301, accessed 18 September 2009.

members; the EU policy engagement in the states of the region and the EU Special Representatives are important political factors in the societies which they seek to manage, attempting to make delicate political decisions on how to move the reform process forwards.

Here, the distinction between ‘hard’ and ‘soft’ powers in the context of the EU’s relationship with South-eastern European states is not of fundamental importance. Once tied into the SAP, the alleged ‘pull of Brussels’ (EU conditionality) is no different from, for example, the ‘push from Bonn’ (the executive powers of the OHR). The EUSR does not need to use executive powers once the policy process is institutionalised and incremental conditionality is used to oversee the policy process, setting the timetable for reforms and the policy content. While the fact that Bosnian politicians themselves vote for the requirements of EU accession is vital for the EU’s own credibility, the fact that policy is presented to the legislature as a *fait accompli* makes the policy process little different when viewed from the domestic perspective.⁴⁵ Whether the policy is brought with the ‘hard’ threat of dismissals or with the ‘soft’ threat of funding withdrawals and the stalling of the accession process, there is still little opportunity for political parties to debate upon policy alternatives. The external framework of policy-making means that political parties negotiate with the international administrator behind closed doors rather than with each other in public.⁴⁶

This process of political management under the auspices of the SAP, or the ‘soft power’ pull of Brussels, results in not just an externally-driven political process but one that is openly manipulative. Rather than clarifying what EU membership will involve, the pressure is

45 See P Ashdown, ‘The European Union and Statebuilding in the Western Balkans’, *Journal of Intervention and Statebuilding*, 1(1), 2007, pp 107–118.

46 D Farrell, *Democracy Promotion, Domestic Responsibility and the Impact of International Intervention on the Political Life of Republika Srpska*, unpublished PhD Thesis, National University of Ireland, Maynooth, January 2008.

for elites to evade open or public discussion and instead to attempt to buy social acquiescence. The strategic use of conditionalities also means that the EU openly seeks to turn political issues into technical ones in order to massage and facilitate the reform process.⁴⁷ This was clear in Bosnia when police reform was billed as a technical necessity and conditional for signing the SAA, at a time when there was no agreed EU framework for centralised policing.⁴⁸ This was an attempt to reshape the Dayton framework and weaken the powers of the Bosnian-Serb entity but framed as a technical necessity. This instrumental and manipulative use of conditionality can also be seen in ongoing discussions to use human rights requirements to reform the tri-partite voting for the Bosnian Presidency. Rather than openly state policy goals, which would be controversial, the dynamic is to push controversial reforms under the guise of technical or administrative necessity. The political shaping of Western Balkan society by external managers tends to degrade the entire political process, highlighted by the hollowing out of the opportunities for domestic debate and engagement, encouraging the collaboration of political elites and external administrators against the wishes and aspirations of citizens of West Balkan states.

It is in this context that the post-liberal conception of the role of civil society becomes important. The EU argues that it is more democratic than elected representatives and has shared interests with the citizens of South-eastern European states. For example, opinion polls in Bosnia show that 85 per cent of the population support join-

47 G Venneri, *The EU "Hands-Off" Statebuilding: From Bosnia-Herzegovina to Kosovo*, Paper Presented at the International Studies Association's 49th Annual Convention, San Francisco, USA, 26 March 2008.

48 See, European Stability Initiative, *The Worst in Class: How the International Protectorate Hurts the European Future of Bosnia and Herzegovina*, Berlin: ESI, 2007, at http://www.esiweb.org/pdf/esi_document_id_98.pdf, accessed 18 September 2009; T Muehlmann, 'Police Restructuring in Bosnia-Herzegovina: Problems of Internationally-led Security Sector Reform', *Journal of Intervention and Statebuilding*, 2(1), 2008, pp 1-22.

ing the EU, including over 80 per cent of each of the three main ethnic constituencies. For the EU, its interests are therefore the same as those of the Balkan peoples: there is a mutual interest in a better future of peace, stability and prosperity. The claim is that the EU is therefore not forcing anything on anyone.

However, the passive opinion poll support for the EU is not reflected in major political party positions. The national question still plays a defining role for many South-eastern European states for fairly obvious reasons. Rather than take on board the realities of the region, EU officials argue that the EU needs to 'help bridge the gap' between political elites and the people. This 'gap-bridging' is held to be the task of civil society. Civil society groups are funded and encouraged to talk about single issues which the EU is keen to promote – from the importance of small and medium enterprises to issues of jobs, crime, corruption and healthcare. The EU argues that its missions and Special Representatives listen to the people and civil society, while the elected politicians do not.

This 'democratic' discourse, which portrays the EU as the genuine representative of the people against the illegitimate or immature politicians, fits well with the allegations that politicians do not have the citizens' public interests at heart and therefore must be motivated by private concerns of greed and self-interest. It also tends to discount the votes expressed in elections as being the product of elite manipulation or electoral immaturity. The process of conditionality around an external agenda is then seen to be stymied or blocked by the processes of domestic representation (much as the Irish electorate were seen to be irrationally blocking the Lisbon treaty, implying that the votes of the public should count for less than the consensus of international experts).

This elitist discourse then results in a manipulative view of conditionality, where political decision-making seeks to evade public

accountability. In Bosnia, EU experts and political elites talk about a 'window of opportunity' for reforms; this window is alleged to be after the last municipal elections in October 2008 and before the next state-level elections in 2010. A process of manipulation develops where politics is actively excluded from the public sphere and decision-making is a matter of elite negotiation with Brussels. In short, the EU is reproducing itself in South-eastern Europe. EU member state building in the region is a clear example of the limitations of the post-liberal governance discourse. Where states have a tenuous relationship to their societies the relationship management of the EU sucks the political life from societies, institutionalising existing political divisions between ethnic or national groups through undermining the need for public negotiation and compromise between domestic elites.

The externally-driven nature of the policy process means that political elites seek to lobby external EU actors rather than engage in domestic constituency-building. Even more problematically, the fact that it is in political elite and EU officials' interests to keep the process of relationship management going means that local political elites are increasingly drawn away from engaging with their citizens (in a similar way to political elites in member states). Rather than exporting democracy and legitimising new state structures, the process of EU member state building in South-eastern Europe is leading to a political process in which the voters and the processes of electoral representation are seen to be barriers to reform rather than crucial to it.

The Post-Liberal State

States that are not designed to be independent political subjects in anything but name are a façade without content. States without political autonomy may have technically sound governance and administrative structures on paper but the atrophied political sphere hinders attempts to reconstruct post-conflict societies and

overcome social and political divisions. The states created, which have international legal sovereignty but have ceded policy-making control to external officials in Brussels, lack organic mechanisms of political legitimation as embodiments of a collective expression of the will of their societies. Their relationship of external dependency upon the EU means that the domestic political sphere cannot serve to legitimise the political authorities or reconstruct their societies.

Bosnia is the clearest case of a new type of post-liberal state being built through the EU enlargement process of distancing power and political responsibility. To all intents and purposes Bosnia is a member of the European Union; in fact more than this, Bosnia is the first genuine EU state where sovereignty has in effect been transferred to Brussels. The EU provides its government; the international High Representative is an EU employee and the EU's Special Representative in Bosnia. This EU administrator has the power to directly impose legislation and to dismiss elected government officials and civil servants. EU policy and 'European Partnership' priorities are imposed directly through the European Directorate for Integration.⁴⁹ The EU also runs the police force, taking over from the United Nations at the end of 2002, and the military, taking over from NATO at the end of 2004, and manages Bosnia's negotiations with the World Bank. One look at the Bosnian flag – with the stars of the EU on a yellow and blue background chosen to be in exactly the same colours as used in the EU flag – demonstrates that Bosnia is more EU-orientated than any current member state.⁵⁰ However, the EU has distanced itself from any responsibility for the power it exercises over Bosnia; formally Bosnia is an independent state and

49 See, for example, the 280 page document outlining the timetable for implementing the EU's medium priorities, European Partnership for Bosnia and Herzegovina, *Medium Term Priorities Realisation Programme*, Sarajevo: European Directorate for Integration, n.d.

50 See further, J Poels, 'Bosnia and Herzegovina: A New "Neutral" Flag', *Flagmaster*, 98, 1998, pp 9-12

member of the United Nations and a long way off meeting the requirements of EU membership.

After fourteen years of state building in Bosnia there is now a complete separation between power and accountability.⁵¹ This clearly suits the EU which is in a position of exercising control over the tiny state without either admitting it into the EU or presenting its policy regime in strict terms of external conditionality. Bosnia is neither an EU member nor does it appear to be a colonial protectorate. Bosnia's formal international legal sovereignty gives the appearance that it is an independent entity, voluntarily engaged in hosting its state capacity-building guests. Questions of aligning domestic law with the large raft of regulations forming the EU *aquis* appear as ones of domestic politics. There is no international forum in which the contradictions between Bosnian social and economic demands and the external pressures of Brussels' policy prescriptions can be raised.

However, these questions are not ones of domestic politics. The Bosnian state has no independent or autonomous existence outside of the EU 'partnership'. There are no independent structures capable of articulating alternative policies. Politicians are subordinate to international institutions through the mechanisms of governance established which give EU bureaucrats and administrators the final say over policy-making. The Bosnian state is an artificial one; but it is not a fictional creation. The Bosnian state plays a central role in the transmission of EU policy priorities in their most intricate detail. The state here is an inversion of the sovereign state central to liberal modernity. Rather than representing a collective political expression of Bosnian interests – expressing self-government and autonomy, 'Westphalian sovereignty' in the terminology of state builders – the Bosnian state is an expression of an externally-driven agenda.

51 See Chandler, *Peace without Politics?*

The more Bosnia has been the subject of external state building, the less it has taken on the features of the traditional liberal state form. Here, the state is a mediating link between the 'inside' of domestic politics and the 'outside' of international relations, but rather than clarifying the distinction it removes the distinction completely. The imposition of an international agenda of capacity-building and good governance appears internationally as a domestic question and appears domestically as an external, international matter. Where the liberal paradigm of sovereign autonomy clearly demarcated lines of policy accountability, the post-liberal paradigm of international governance and state building blurs them. In this context, domestic politics has no real content. There is very little at stake in the political process. In fact, political responsibility for policy-making disappears with the removal of the liberal rights-based framework of political legitimacy.⁵²

Conclusion

For external state-builders, the subordination of politics to bureaucratic and administrative procedures of good governance is a positive development. In functional terms they argue that sovereignty, and the political competition for control of state power that comes with it, is a luxury that South-eastern European states often cannot afford. Robert Keohane, for example, argues that many states, now negotiating EU ties, are 'troubled societies' plagued by economic, social and ethnic divisions, which mean that elections can be highly problematic 'winner-take-all' situations. In these states, unconditional sovereign independence is a curse rather than a blessing and conflict can be prevented by enabling 'external constraints' on autonomy in exchange for institutional capacity-building.⁵³

52 See Friedrich Ebert Stiftung, *Arithmetic of Irresponsibility – Political Analysis of Bosnian Domestic and Foreign Affairs*, Sarajevo: FES, 2005

53 Keohane, 'Ironies of Sovereignty', pp 755-756; see also R Paris, *At War's End: Building Peace after Civil Conflict*, Cambridge: Cambridge University Press, 2004, pp 187-194.

Post-transition and post-conflict states, such as those in South-eastern Europe, stand in desperate need of a state building project which can engage with and reconstruct society around a shared future-orientated perspective. What they receive from European Union state-builders is external regulation, which has, in effect, prevented the building of genuine state institutions that can engage with and represent social interests. These weakened states are an inevitable product of the technical, bureaucratic and administrative approach exported under the paradigm of post-liberal governance.

Graham Avery

Serbia on the Way to the European Union

Will Serbia join the EU?

The countries of the Western Balkans all have the promise of EU membership – it's a promise that was made by the EU's leaders at Thessaloniki in 2003. At their summit in Brussels in 2006 they reaffirmed that “the future of the Western Balkans lies in the European Union” and they added “Serbia remains welcome to join the European Union”. So for me the question is not whether Serbia and the other countries in this region will join the EU, but when.

The countries of the region are all at different stages on their way to the EU. Croatia applied for membership in 2003: they have made good progress with reforms and are well advanced in their negotiations. Macedonia applied in 2004, but regrettably its progress is still blocked by the dispute with Greece over the name of Macedonia. Personally I am pleased that Serbia applied for EU membership in 2009 – it was an important step forward and I look forward to the next stage which will be the European Commission's Opinion on Serbia's application.

The answer to the question ‘when will Serbia join?’ depends on Serbia. The progress of a country towards the European Union depends on its individual efforts to comply with the conditions for membership, and each country is judged on its own merits. It's as simple as that – and Serbia still has a lot of work to do both in terms of European standards and in the field of ‘governance’ which means particularly the system of justice and public administration.

Let me put my remarks about Serbia in a historical perspective. In the 13th and 14th centuries Serbia occupied a central place in Europe

in terms of power and culture, but since then it has (alas) been more on Europe's periphery. In my view, it has never had such a good opportunity to rejoin the European mainstream as now with the prospect of entering the EU. It's up to Serbians now to decide – either to make the voyage in that direction, or to stay on Europe's periphery.

Why has the EU accepted so many other countries before Serbia?

When the Cold War ended, Serbia and the rest of Yugoslavia entered a vicious circle of conflict and civil war, while other countries such as Romania and Bulgaria made their political and economic transition more rapidly and effectively. Compared with them, you in this region have wasted a lot of time, and you are still a long way from fulfilling the conditions for EU membership. That's the main reason why others have joined the club before Serbia.

The importance of democracy

Democracy is one of the EU's founding principles. The EU's new Lisbon Treaty says that 'the Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities' and the Treaty adds that you have to respect these values if you apply for membership. In the past, the EU has been strict in assessing the quality of democracy when judging whether applicant countries are qualified,; for example we told Slovakia in 1997 that we would not open negotiations unless it made improvements in its practice of democracy.

The problem of Kosovo

If we look at Serbia's path towards EU membership, it's clear that the question of Kosovo is a complication. The general view in the

EU is that countries should not be accepted as members if they have unresolved territorial disputes. There have been exceptions to this rule in the past, for example in the case of Cyprus, but many of us regret that the island was admitted without a solution to the problem of its division. I realise how difficult Kosovo is for Serbians – it’s a neuralgic question in historical and political terms. As an outsider I’m not going to give you detailed advice, but I have to say that in my view your cooperation in solving the Kosovo problem will be a continuing factor in the accession process, and it’s an illusion to imagine that you can join the EU without finding a satisfactory *modus vivendi* with Kosovo.

Reconciliation

When the EU was founded fifty years ago, the idea was to bring together peoples who had fought and killed each other, so that economic and political integration would make war between them impossible. The aim was reconciliation, or what the Germans call “Vergangenheitsbewältigung” (coming to terms with the past). Serbia has had a difficult history, but I believe that its European perspective allows it to open a new chapter – and the title of that chapter must surely be ‘Reconciliation’.

04/11/2010

Vladimir Kantor

The Russian European as Russia's Objective

Slavophilism and Westernism: the Romantic Vision of the West and Russia

Whenever there is talk about tendencies that determined the spiritual, political and social progress of Russian culture, and even of Russian statehood, Slavophiles and Westerners are inevitably remembered. Ultimately, all the movements in Russia's social life are typically reduced to these two. Common sense consciousness, also characteristic of most research efforts, invariably opts for one of the two sides in the unfolding drama of confrontation. At the same time, many of the Russian thinkers used to read affinity rather than difference into the two antagonists' position. Suffice it to recall Alexander Herzen's description of Slavophilism and Westernism as a two-faced Janus with a single heart. Actually, in moments of historical crises, many people start looking for a synthesis between the two trends. Both synthesis and unity, however, have been there anyway, and they are not difficult to pinpoint. Looking for the unity that is already there, is pre-found, as it were, would hardly be fruitful. As historical experience shows, the affinity between "Westernizers" and "Originalists" was a lot more profound than even Herzen imagined, and resulted in disastrous consequences, producing a special personality type – the "contrary personality" that denied both the legal public institutions and its own self.¹ Thus in the actions of Lenin, for instance, one can detect both ultra-Western features (hatred of Orthodox Christianity, of the Russian inertia, etc.) and elements of extreme nationalism (making Moscow the capital, declaring the bourgeois West Russia's fundamental enemy, and so on).

¹ See my article "The Contrary Personality" in *Oktyabr*, No.4, 1998, pp.112-137

So what's it all about? How did the phenomenon emerge? What are the metaphysical, historical, philosophical and cultural prerequisites of this kind of socio-cultural "lycanthropy"? And who opposed this paradoxical unity of antagonists in Russian culture?

Apparently, the very lineup of social forces in pre-revolutionary Russia should now be seen as containing the structures and the human type that managed to move away from endless arguments and concentrate on creating culture, on tangible practical work; as well as containing the prerequisites and causes of that anti-European synthesis of Slavophilism and Westernism that eventually produced Bolshevism.

Западник; Westerner

Briefly, it was not just love of one's country, but a certainty that Russia was the exact opposite of Europe. Let us recall that at their entry into intellectual space both Slavophiles and Westerners absorbed West European theories, starting, moreover, by *idealizing the West*. The most graphic expression of this feeling can be found in prominent Slavophile Alexei Khomyakov's reference to the West as "a distant land of holy wonders." Everything created in the West had an all-human nature – such is the departure point of both trends. For instance, historian Nikolai Karamzin started out as a Westerner and European, author of *Notes by the Russian Traveler* that gave an eyewitness account of the West as a sacral wonderland where "spirituality" and "humanism" flourished (the latter term was Karamzin's own contribution to the Russian language). More than that, he learned in the West the idea of historicism and applied it to his great work (*A History of the Russian State*). Towards the end of his life, however, he became fiercely critical of Peter the Great's reforms and fearful of cataclysmic developments in the Europe of the time (the French Revolution), and thus formulated what a Russian with a European education felt about the West: "Things national are as nothing compared to those of humankind. It is essential to be

human beings, not Slavs. What is good for human beings at large, cannot be bad for Russians; what the English or the Germans have invented for the benefit of mankind must needs be mine, for I am human.”² Almost blind faith in Western Europe stands out clearly here. All the more devastating was his disenchantment. Appalled by the inhumanity of the French Revolution, Karamzin looked to the *enlightened Russian autocracy* for humanism potential. Herzen went through an almost identical evolution: shocked by the defeat of revolutions in Europe, and after that by the far from ideal Western manners and mores, he looked to the Russian peasant’s way of life for the basis of future civilization.

Moving away from idealizing the West, Slavophiles and many of the Westernists ended up idealizing Russia, explaining its future grandeur in terms of its mission as a would-be implementer of Europe’s loftiest ideas: it was no accident that the Slav element was Europe’s genuine soil (said Alexei Khomyakov). By a feat of fantastic etymology, he derived *anglichane*, the English, from *Uglichane*, the natives of the old Russian city of Uglich. This idealization of one’s country was something Slavophiles learned from West European Romanticists: “One of the branches of European Romanticism, classical Slavophilism, was by its very nature engendered by a passionate drive to ‘discover one’s identity.’ Putting it like that necessarily implied that one’s identity had been lost in the first place, as had been the connection with the common people and their fundamental culture – something that was yet to be acquired and given top priority.”³

Both Slavophiles and Westernists were upset by the real misfortunes and contradictions of the West at the time. To them Europe’s way seemed dubious and problematic, it did not offer a guaranteed entry into the “kingdom of truth and happiness.” From idealizing

2 N.M. Karamzin. *Works in 2 volumes*. Leningrad, 1984, Vol. 1, p. 346

3 Yu.M. Lotman. “Modernity between the East and the West.” In: *Znamya*, No. 9, 1997, p.160

the European world they came to idealizing themselves *as the bearers and, most important, implementers of the highest idea* the West had yet produced – i.e. socialism and other brands of revolutionism (here one could mention Herzen, Bakunin, and Ogarev too).

Russian Europeanism: from Romanticism to Realism

The antithesis of that romantic (Slavophiles and Westerners) idealization of humankind's social development has to be the kind of realistic and historical view of Russia's and the West's destiny that held the living reality more important than utopian hopes for some hypothetical ideal system. The people who expressed this view were what I would call "Russian Europeans"; they *knew themselves, and proceeded from their needs, and from the real needs of the people*. The term was invented as far back as the nineteenth century, but it was usually applied to Russian Westernists. Arguably the first person to have used it was Alexander Herzen as he opposed "Moscow Pan-Slavism" to "Russian Europeanism." Admittedly, Dostoevsky considered both to be the outcome of Russian gentry's lack of roots. However, since he saw precisely Westernists as his main adversaries, he seemed to refer primarily to them.

In his novel *A Raw Youth*, there is an amazing character, Versilov, representing the author's idea of the Russian European: a man convinced that he has grasped the essence of European culture and of the European spirit in its entirety, seeing it not as an individual idea of countries constituting Europe (not as a French, German or British idea), but as one that is Pan-European, uniting as it does the whole of Europe. This claim to universality, to understanding Europe's centre is both the greatness and weakness of this Russian who is supposedly also a European, of this citizen of the world (according to Diogenes and Petrarch); a certain conventionality, phantasmal quality of his Europeanism; for *genuine Europeanism grows from within its culture, but does so through overcoming and reinterpreting its roots and its basis, giving it a soul and transubstantiation. Such were the founders of*

great European cultures – Dante and Cervantes, Rabelais and Shakespeare, Goethe and Pushkin. A Russian person with a European education who failed to come to terms with his roots and was therefore rootless, was a typical specimen of the *majority* of intellectual gentry who were yet to sense the value of their personal being, that basis of the European world perception. What was left were delightful ideas pleasing to the self-esteem of that typical Russian Westernist, “all-but-a-European.” “There may be over a thousand of us in Russia; in fact, no more than that, but this is ample, isn’t it, for the idea to stay alive. We are the bearers of this idea, my dear.” Now, what idea is this? “At that time especially there was a sort of funeral bell tolling over Europe. I am not referring to the war alone, nor to Tuileries; I have known all along that everything is transient, that the entire countenance of Europe’s old world will disappear sooner or later; but as a *Russian European* (italics mine. – V.K.) I could not allow that. [...] As a bearer of supreme Russian cultured thought I could not allow that, for supreme Russian thought is the ultimate conciliation of ideas. And whoever could then appreciate this thought in the whole world? I was wandering on my own. I am not talking about my own person – I mean Russian thought. There was warring and logic over there; there a Frenchman was merely a Frenchman, and a German but a German. [...] At the time there was not one European in the whole of Europe! I alone, [...] as a Russian, was then *the only European* in Europe. I am not talking about myself, I am talking about the entire Russian thought.”⁴

Versilov’s phrase about a Russian being a genuine European was not accidental, for all that. People like that were already in evidence. The enlightened minority in Russia felt European not only in Europe but at home as well. As G.P. Fedotov wrote, “the Petrine reform has indeed taken Russia into the vast spaces of the world, placing it at the crossroads of all the great cultures of the West, and has

4 F.M. Dostoevsky. *Complete Works in 30 volumes*. Leningrad, 1975, Vol. 13, pp. 374-376

developed a breed of *Russian Europeans* (italics mine. – V.K.). They are distinguished above all by the freedom and scope of the spirit, in which they differ not just from Muscovites, but also from real Europeans in the West. For a long time Europe as an integral entity lived a more real life on the banks of the Neva or the Moskva than on the banks of the Seine, the Thames, or the Spree River. [...] The Russian European was everywhere at home.”⁵ But in that sense he is the exact opposite of the Russian Westernist who deluded himself with dreams of Europe and so quickly lost heart in the face of real contradictions in Western Europe. The kind of Westernist who did not feel at home anywhere – whether in the West or in Russia.

Therefore, putting it more correctly, what Dostoevsky can be actually said to have described was not a Russian European, but a Russian Westernist disenchanted by his failure to find among the denizens of the real West Themistocles and Alcibiades, St. Francis of Assisi and Loyola, Voltaire and Schelling, Shakespeare and Bacon, but finding there instead ordinary petty bourgeois, wily and mercenary Catholic priests, blunt and dull Protestant pastors, and a political setup that was not yet formed, but constantly rocked by revolts, while society was torn by cruel social and class conflicts. Thus the romantic ideal was shattered by grim reality, and so, for his psychological and ideological self-salvation, the Russian Westernist had to view himself not simply as an heir to Europe’s highest ideas, but as someone who could give the most adequate expression to them. Yet they were impossible to implement single-handedly. Therefore the thing to do was to look among the Russian people for a chance to establish socialist ideals – community, equality, and fraternity. This is the idea that nurtured the revolutionary Populist movement in Russia. There, as Georgy Plekhanov rightly observed, occurred the obvious merging of Westernism and Slavophilism. And the radical Populist constructions of Tkachev and Nechaev gave rise to Lenin’s totalitarianism.

⁵ G.P. Fedotov. “Letters about Russian Culture.” In: G.P. Fedotov. *The Destiny and Sins of Russia*, in 2 volumes. St. Petersburg, 1992, Vol. 2, p.178

Renouncing Europeanism Is a Road out of History

The European individual interest seemed hostile to the idea of brotherhood (although people tended to forget that that idea came to Russia from a European religion, i.e. Christianity, and overlook that individual interest ultimately presupposed a better life for everyone (as implied by the concept of “enlightened self-interest,” so brilliantly divined by Nikolai Chernyshevsky). This applied not only to private life but also to the development of all European states (which, however, did not exclude wars etc.). It was in the interest of Europe itself to see education, progress, europeanisation and, as a result, political predictability and stability in its north-east neighbour, for the entire system of European states to enjoy stability and scientific, technological, and humanitarian progress. Let me cite here a passage from Gustav Shpet: “The 17th century in Western Europe was a century of great discoveries, free movement of philosophical ideas, and thriving cultural life. The latter could not fail eventually to reach Moscow – much against its will. *The splendid isolation of Eastern barbarity in Europe was beginning to be a hurdle to Europe’s own development. Starting from the second half of the century, Western influence increasingly penetrated Moscow with every passing decade, if not year. In Moscow’s nocturnal gloom dreams of light and knowledge gradually started to shine* (italics mine. – V.K.). These dreams drove some, like Kotoshikhin, out of Moscow to the West, while others, like Rtishchev, tried to make them a reality at home but, condemned as “evil-doers,” they paid dearly for “undermining” the Orthodox faith. Both groups’ cultural efforts were destined to yield virtually nothing. The Russian people shielded its ignorance behind impenetrable armor and knew how to shut up the dreamers.”⁶ The result was, however, that quite a bit had sunk in. But the ignorant rejection of these teachers of the past, which Pushkin saw as a manifestation of barbarity, created a kind of

6 G.G. Shpet. “An Outline of the Development of Russian Philosophy.” In: G.G. Shpet. *Works*. Moscow, 1989, pp. 25-26

national smugness. Having found the teacher wanting, they, oddly enough, ascribed the desired perfection to themselves. Mocking the Slavophile-Westernist self-glorification, Chernyshevsky wrote: "Let us wish that we might some time in the future work with the others, as hard as the others, to acquire new benefits; do not let us shout in self-praise, before we have done anything worthwhile: You are nothing but a useless, rotten lot, while we here are really smart!"⁷ Practically every movement, from left-wing radicals to radical conservatives like Nikolai Danilevsky or Konstantin Leontyev, rejected Western Europe as something that Russia would inevitably surpass. At the same time, they preferred the European style and mode of existence for their daily life. The poet Tyutchev, who wrote about Russia's special "stature of her own" and admired the "long-suffering patience" of his native land, spent half his life in Western Europe. And it is hardly by accident that he coined the phrase "I suffer not from home sickness but from foreign-land sickness."⁸ It may be worth adding that he called Russia "a land un-peopled and unnamed," an "unnoticed country" (the poem "To the Russian Woman"), a country where "one merely dreams of oneself in one's sleep" ("On the Way Back"). Highly symbolic and significant slips, those!

However, one little thing was overlooked here: by striking Russia from the contemporary European process, they might as well have struck her from history, which is the product of European civilization. As a result, this circumstance had to be either a source of pride or a source of suffering. In Soviet times the former was the case. Now those willing to return to historical existence no longer believe that this can be achieved together with Russia: artists try to sell their pictures in the West; intellectuals, famous and not so famous, leave the country to teach in Western Europe or the United States; athletes hope to find appreciation of their talents there; to say nothing of

7 N.G. Chernyshevsky. *Complete Works in 15 volumes*. Moscow, 1950, Vol. 7, p. 617
 8 *Tyutcheviana: Epigrams, Aphorisms and Witticisms by F.I. Tyutchev*. Moscow, 1922, p. 21

specialist intellectuals who are aware that the only way to see their work adequately remunerated is to get employment in the West. As experience has shown, the view that we are not Europe is fraught with cultural stagnation, developing nationalist and fascist complexes, etc. Why? Because to us, in contrast to China, Persia, India, etc., the universal yardstick is Europe. Those countries are self-sufficient, while we feel our genetic bond with European culture. Even in the context of a hundred years ago – the assimilation of socialist ideas – it was not Asia but Europe that we were emulating, measuring their significance and depth against Western movements.

It is hardly an accident that in Dostoevsky's novel the idea repeatedly stressed is this: it is not the Versilov character that really matters, but the fundamental objective of Russian thought – to become the centre and expressive means of the very spirit of Europe, its quintessence. Such is the meaning of the 15th century ideologically charged maxim "Moscow is the third Rome" that alleged that precisely Muscovy was the true custodian of proper Christianity, i.e., in fact, of Europeanism. The same idea recurs in the writings of the famous Slavophile Khomyakov who loved Western Europe as Europe's beautiful past, but who saw Europe's future in Russia: "We are the center in the humanity of the European hemisphere, the sea to which all notions flow."⁹ Underlying this mindset is the rejection of Christian equality of cultures and pagan lack of trust in historical processes, a failure to understand the complexity of the European path, a catastrophist consciousness. Whenever reality falls short of our exaggerated fanatical beliefs, we despair and lose heart. And then we begin to dream how we will become "a land of holy wonders" instead ("Holy Rus"), and carry out what the West has failed to do. But when, having cursed the West and renounced the Western principle of the individual, we try to assimilate a single European idea even, it instantly

⁹ A.S. Khomyakov. "A Few Words on Philosophical Writing." In: A.S. Khomyakov. *Works in 2 volumes*. Moscow, 1994, Vol. 1, *Works on the History of Philosophy*, p. 450

loses all of its European essence. Such is the phenomenon of Leninist-Stalinist Marxism that plunged Russia in confrontation with the West. Russian emigrants wrote of that almost as soon as the October revolution occurred: “Lenin, having married Marx with Bakunin, achieved Bolshevism as a *special type of anti-European Marxism* (italics mine. – V.K.): setting the truth of ‘proletarian’ Russia against the evil and corruption of ‘bourgeois’ Europe is the resuscitation [...] of the old nationalistic rejection of the West.”¹⁰

Europeanism as a Means of Overcoming the Nationalistic “Soilnik” Concept

Meanwhile genuine Europeanism is born of surmounting the oyster-like nationalism of every given culture. The first step in this direction was made in a small province of the Roman Empire that produced the ideology of Christianity, which was neither Greek nor Jewish. Later, Christianity formed the basis of the expanding European world whose borders first reached the Rhine and eventually spread as far as the Urals. One of the characters in Vladimir Solovyev’s *Three Conversations*, the Politician, reasons in the following way: “What is ‘Russian’ grammatically speaking? An adjective. And which noun does it modify? [...] The proper noun for the adjective ‘Russian’ is *the European*. We are *Russian Europeans*, in the same way as there are English, French, and German Europeans. [...] Originally the only Europeans were Greeks, then Romans, and in the course of time various other kinds were added to the lot; after that in the east there also appeared Russian Europeans, and then American – across the Atlantic, and next it will be the turn of Turks, Persians, Indians, Japanese, and possibly even Chinese. The European is a notion with a certain intensional and ever expanding extensional.”¹¹

10 S.L. Frank. “Pushkin on Relations between Russia and Europe.” In: S.L. Frank. *Russian World Outlook*, St. Petersburg, 1996, p.,278

11 V.S. Solovyev. “Three Conversations.” In: V.S. Solovyev. *Complete Works*. Second edition in 10 volumes, St. Petersburg, Vol. 10, pp. 149-150. Italics by the author

Lower down Solovyev shows that the Politician's optimistic faith in progress is problematic, that first there is bound to occur a global catastrophe, the arrival of the Antichrist, but in the age of apocalyptic resistance to the Antichrist the three creeds – Catholicism, Protestantism and Orthodoxy – will finally merge into a single powerful Christianity. According to Solovyev, to be a Russian European is impossible unless the entire depth of the Christian religion is accepted. For Europe to become some kind of a single whole, and for Russia to become Europe's lawful component, its currently split ideological basis that is Christianity has to unite.

And in this profoundly historical understanding of the development of the European idea he was certainly right. For even in the best of our research works Russian Europeanism is assessed not from a historical vantage point but in geographical terms, as a spiritual fruit produced by the country wedged between East and West, between Europe and Asia, that joined within itself a small civilized European section and a vast savage Siberia. Meanwhile, if we talk of the genesis of the Russian state (of Novgorod-Kievan Rus), it was a perfectly European type of entity that consisted of semi-state cities united by feudal and ducal families. Later that European entity (Old Rus), after three centuries of European development, endured a shock comparable to the shock that had shattered the Roman Empire and the world of antiquity in the 4th and 5th centuries. Already Karamzin noted the parallels between the invasion of Rome by barbarians and the invasion of Rus by the Tartars. And that was not a rift between Europe and Asia, but Asia of the steppes engulfing part of Europe. As for the annexation of the vast Siberian expanses, that happened much later, when the yoke had been shaken off, when Muscovy attempted to resume contact with Western Europe trying to secure a place for itself among European states. Naturally, civilizing and developing Siberia's boundless space slowed down that return. It was Siberia that gave the Russian autocracy the double-faced Janus look, whose one face, as Marquis de Custine observed, had "European civilization" written on it, while the other sported such "words

as ‘oppression’, ‘exile’, ‘suppression’ or the word ‘Siberia’ that stood for all of them.”¹² But that did not exclude the fact that Russia acted in Siberia as a europeanising force.

Such was indeed the kind of reality that Russians who wished also to be Europeans had to accept as their legacy – without leaving Russia but together with it. What this approach required was not sarcasm, denial, and still less romantic admiration (as epitomized by the much-quoted Tyutchev line “The mind’s unable to fathom Russia”), but bringing light into the initial darkness of human existence in any culture. A romanticist found it easy to love Russia whether “blessed in slavish aspect by the King of Heaven” (Tyutchev), or represented by “a social revolutionary brigand” – i.e. Razin, Pugachev and their ilk (Bakunin, Herzen, Lavrov), or yet as Marei the peasant consoling a gentleman’s child (Dostoevsky), thus remaining within the habitual sphere of idealization. The true Russian European, however, had to see reality for what it was and think without illusions.

Russian Europeans: Their Place in Russian Culture

From the Petrine reforms on this breed of people began to appear. They are the “birds of Peter’s nest,” as Pushkin referred to them in *Poltava*, and also the “eagles of Catherine the Great,” and finally, the choicest fruit of Russia transformed by Peter I – the poet Pushkin. Let me once again cite the over-complex and poly-semantic Dostoevsky: “If Pushkin had not existed, our faith in our Russian independence might never have taken shape with such unshakeable force, nor would our now conscious hope for our people’s strength, and then also faith in our independent purpose *within the family of European nations*”¹³ (italics mine. – V.K.). Russian Europeans are those who saw that Europe, too, had to have experienced monstrous

12 Astolphe de Custine. *La Russie en 1839*, in 2 volumes Moscow, 1996, Vol. 2, p.14 (Translated into Russian).

13 F.M. Dostoevsky. *Complete Works in 30 volumes*. Leningrad, 1984, Vol. 26, p.145

calamities – mutinies (Wat Tyler, the Jacquerie, Thomas Münzer), wars (the 100 Years' War, the 30 Years' War, etc.), plague epidemics, atrocities by the powers that be, poverty of the masses, inevitable horrors of revolutions, the venality of the Catholic Church, cruel, frequently bloody battles between reformist movements, you name it; that Europe was still torn by social conflict; that it did not boast it could settle its problems once and for all, yet its principal, possibly even its only merit was that, instead of turning a blind eye, it did indeed try to settle them.

Say, our nationalists exclaimed sarcastically, that the West was looking for the communal spirit, was anxious to counter individualism, while we here had the commune as the basis of life. To that the Russian European Konstantin Kavelin replied: "We should not, contrary to our practice to date, borrow from Europe the results of its reflection ready-made, but should create at home the same kind of attitude to knowledge and to science as exists over there. [...] To do that we must first of all critically review the results of European thought, and discover its prerequisites that are everywhere implied but nowhere expressed. They conceal the living bonds between theoretical tasks and practical needs. [...] Following the Europeans' example, we shall have to ponder over the sources of evil that are gnawing at our hearts. Then pointing to the means of removing or weakening it will not be difficult either. This way would be a European way, and only when we embark on it, will European science be engendered here; with that the conclusions of learning will no longer be as futile as they are now, but will be linked to solutions of our major problems, as is the case in Europe. Very possibly, these conclusions will differ from the ones Europe has come to; yet for all that our learning and science will then be infinitely more European than now, when we accept uncritically the results of research carried out in Europe. That our conclusions will be different can be safely assumed because the conditions of life and development in Europe and in this country differ enormously. *Over there the theory of the general, of the abstract has been brought to perfection, because*

the general was weak and in need of support; our foible is passivity, blurred features of the moral individual. Therefore we shall have to work out a theory of the personal, of the individual, of personal initiative"¹⁴ (italics mine. – V.K.).

Little by little this kind of personality gained a foothold in Russia. It had to be firmly distinguished from the wandering Russian pseudo-Europeans as described by Dostoevsky, and the real people he used as prototypes – Bakunin, Herzen, and others, who at first abhorred Russian life, convinced that a worse life was simply impossible, particularly against the backdrop of the sacral European space, but then grew disappointed with Europe's ability to live according to the ideal, which they deemed a *sine qua non* for life in a sacral wonderland. Apart from the wanderer and the "superfluous man," writes Fedotov, "we also know another type of the Russian European – the one who has not lost touch with his country, and occasionally with his forefathers' religion as well. It was this kind that built the Empire, fought wars, made laws, and introduced enlightenment. Those were the true 'birds of Peter's nest,' although in all fairness one has to admit that they had come into this world before Peter. Their genealogy goes back to Boyarin Matveev, Ordin-Nashchokin, possibly even Prince Kurbsky. [...] In administration, in court, in every liberal profession, in *zemstvo*, and of course above all at the university, the Europeans bore the brunt of the culture work that was so excruciatingly hard in Russia. Nearly all of them shunned politics saving their energy for the only cause they deemed possible. Hence their unpopularity in a country that for generations lived by the fumes of civil war. Yet these culture devotees left traces in every town, in every district – a school or scholarly society here, a well-tended estate there, or just grateful memory of a selfless doctor, a humane judge, a noble person. It was they who would not let Russia settle into the cold ooze and freeze when attempts were made to turn it into an ice-house from

¹⁴ K.D. Kavelin. *Our Mental Makeup*. Moscow, 1989, p. 317

above and a bonfire from below. If the Muscovite carried Russia on his backbone, *the Russian European built it up*¹⁵ (italics mine. – V.K.). Romantic idealism was countered by the idea of returning to real Europe: from Petrine reforms to the “small deeds” theory that emerged at the turn of the century. In connection with the latter I would like to cite a modern philosopher: “What appeared in the West under the name of ‘vocation ethics’ that had grown in the bosom of Puritan asceticism here in Russia became known as the ‘philosophy of small deeds. [...] The small deeds philosophy espoused by the *zemstvo* movement is a strategy of autonomous, competent, ascetically persistent work.”¹⁶ This trend clearly exemplifies patriotic reliance on one’s own strength, yet not in order to oppose some “third way” to Europe (leading to a “Third Rome,” “Third Reich,” *Third World*, i.e., leading outside history), but in order to work painstakingly and break a *path of our own* into Europe.

Russian Europeans realized that Europe was a “real thing” that existed not by some miracle but through labor and tireless efforts; that only by overcoming its faults and weaknesses, fighting against its own self, could it achieve anything. Loving Europe, they certainly did not sacralise it, or indeed their own country, and so, without crooning over the slavish, uncomplaining, long-suffering submissiveness of the Russian people, they believed that Russia, too, was capable of joining this process of self-determination and self-improvement. And these people were a goodly few; let me make a list at random: Peter the Great, Mikhail Lomonosov, Nikolai Karamzin, Alexander Pushkin, Alexei Khomyakov, Ivan Kireevsky (who, incidentally, published the journal *Yevropeyets* “*The European*”), Mikhail Lermontov, Nikolai Lobachevsky, Alexei Tolstoy, Ivan Goncharov, Ivan Turgenev, Nikolai Chernyshevsky, Konstantin Kavelin, Vasily

15 G.P. Fedotov. *Letters about Russian Culture*, p. 179

16 E.Yu. Solovyev. “Human Rights in Russia’s Political Practice (Contribution and Lessons of the 20th Century).” In: *Reformist Ideas in the Social Development of Russia*. Moscow, 1998, p. 139

Klyuchevsky, Sergei Solovyev, Vladimir Solovyev, Ilya Mechnikov, Dmitry Mendeleev, Anton Chekhov, Ivan Bunin, Pyotr Stolypin, Georgy Plekhanov, Pyotr Struve, Yevgeny Trubetzkoy, Ivan Pavlov, Pavel Milyukov, Vladimir Vernadsky, Fedor Stepun, and many others. All of them keenly felt their mutual spiritual ties and continuity. It may be worth reminding the reader of the following little-known fact: Chekhov had a monument built in his native Taganrog to Peter the Great (by sculptor Mark Antokolsky). These people, as we can see, make up the glory, pride, and spiritual foundation of Russian culture.

It is sometimes said that Russian Europeans are primarily members of the elite. Let me counter this with a statement, which, despite a degree of paradox in it, contains an understanding of the turn of the century as an age of the obvious and fundamental europeanisation of a considerable proportion of the population. That period (end of the 19th and beginning of the 20th centuries. – *Ed.*) is often described as a time of dejection and dreariness, of social stagnation and decline, as portrayed by Chekhov. Yet, according to Boris Paramonov, in “the Chekhov age” one can “see its positive content. We would define this content as *Westernisation of democratic strata in Russian society*. The Russian gentleman, and following him, also the déclassé intellectual, was a Westernist or a Slavophile. The man destined to become the Russian *European* (not a Westernist!) was a person of more humble origins, remote from the movements of metropolitan quasi-European life. Russia’s true europeanisation is occurring where historians have still failed to detect it – in the depth of Russian life, in the provinces. Chekhov is at once a symbol and a tangible achievement of this process.”¹⁷ Alas, this process was aborted, although it was by no means accidental but had continued the movement started, contrary to what Paramonov alleges, by the Russian gentry and the enlightened minority of the preceding decades and even centuries.

17 B. Paramonov. “Chekhov the Herald.” In: B. Paramonov. *The End of Style*. Moscow, 1999, pp. 259-260

Should Russian Europeans Flee from Russia?

Over the last couple of years there has been continuous talk of Russia's "non-European karma." What this country does not have, they said, it just does not have... Europe's place, they said, is taken up by Europe itself (Alexander Zinovyev). Yet somehow no one seems to worry about Western Europe's "non-European karma" as it continues to fail to become a Europe that would fully conform to the values it has proclaimed. Why isn't this taken into account? Let me quote Vladimir Solovyev once again: "The European is a notion with certain intensional and an expanding extensional." All the European nations follow the way to genuine europeanisation, and everywhere this way is difficult, for ideally developing social structures and conditions do not exist. When after the October 1917 disaster most poets and thinkers capable of spiritual independence were driven out of the country, they, who had lived through their own country's disintegration and had dreamt of Western Europe, nevertheless took a fairly sober view of its potential. The first thing that put them on their guard was the gap between their idea of European culture as preserving Christianity's reason, true to its basic values, and the European reality of the time. "Here we are [wrote Fyodor Stepun] – banished from Russia to the very Europe we have been so ardently yearning for all these years, and what do we see? However incomprehensible, it is a fact: by being banished to Europe we turned out to be also banished from Europe. Loving Europe, we, the 'Russian Europeans', apparently loved it merely as a gorgeous view out of that 'window' Peter the Great had cut through on Europe; once the window sill gave way under our elbows, the charm of the scenery was gone."¹⁸ Western Europe proved to be in the same kind of problem situation as Russia. In Russia it was Bolshevism that triumphed – an infernal mixture of Slavophilism and Westernism, while in Western Europe fascism was advancing on democracy. In 1931 Fedotov wrote: "Against fascism and communism

18 F. Stepun. "Thought about Russia." Essay 3. In: F.A. Stepun. *Works*. Moscow, 2000, p. 219

we are defending the eternal truth of the individual and of individual freedom – above all freedom of the spirit.”¹⁹

It is this position, i.e. defence of basic European Christian values in any country that has any links to Christianity, that moulded the stoic nature of Russian Europeans, helping them to preserve their identity amid the chaos and disarray of the 20th century. More than that, this position allowed them to preserve the vision of Russia as a European country, which, merely by a quirk of fate, happened to be temporarily the other side of Europe, as did many West European countries (such as Germany or Italy).

It can be said to the people fleeing Russia today that their country, gone savage, torn to pieces by nationalist and regional ambitions, will catch up with its errant sons by nuclear power plant disasters or a nuclear strike of any point on the globe; that the only alternative to this apocalyptic manner of settling global issues by our country is the ideology of Russian Europeanism – the ideology that allows a *critical* view of Russia as well as of the West, for neither of these parts of Europe is alien to the Russian European, and so he has the right to desire their improvement. But this is a criticism very unlike the kind that “Russian patriots” adopt with regard to the West, and that Western chauvinists apply to Russia – aiming to defeat the adversary. This is internal criticism of European culture conducive to a *normal* existence *throughout the European world*. Then a Russian poet’s wish will be granted at last – *to live in Europe without leaving Russia*.

I believe that realism, rejection of idealizing the West as well as the East of Europe (which includes Russia), understanding the difficulties and cruelties of the European historical path are the necessary prerequisite for moulding the feeling of self-respect that is so important to the Russian European’s self-awareness, since he is not a

19 G.P. Fedotov. “The New Jerusalem.” In: G.P. Fedotov. *Russia, Europe and Us*. Paris, YMCA PRESS, 1973, p. 139

mere consumer of Western technological innovations (this is the position of the barbarian), but a co-creator, co-producer of the values which necessarily emerge in the bosom of the personality-based European Christian culture. It may be worth citing here yet another contemporary European historian, Rémi Brague: "I would say this to the Europeans: 'You do not exist! There is no such thing as Europeans. Europe is a culture. And culture means working on oneself, cultivating oneself, an effort to assimilate that which surpasses the individual. Consequently, Europe cannot be inherited; each has to conquer it himself. You cannot be born a European, you can work hard to become one...' Addressing the non-Europeans, I could then say: 'You do not exist either.' There is no such thing as non-Europeans. Europeans have extensively traveled all over the world, fortunately for it or otherwise; the world has been affected by European (in the neutral sense of the word) phenomena, those that originated in Europe. In the face of these phenomena the rest of the world, if I can put it like that, is following the same patterns as the world that is 'already' European (or thinks it is)... If Europeanism is a culture, then everyone is equidistant from what is to be acquired – in terms of geography, economics, etc. Europe should not present itself as a paragon; on the contrary, it should set itself, as well as the world at large, the task of becoming European."²⁰ Thus the coming into being of the Russian European, far from being an easy process, is historically just as difficult as was the process of coming into being of any Western European (French, British, Spanish, etc.).²¹

20 Rémi Brague. *Europe. La voie romaine*. Dolgoprudny, 1996, pp. 121-122 (Translated into Russian)

21 *Editor's note*: Russian titles of articles and books in the above have been translated into English

Dr Dušan Pajin

The Dawning Consciousness of a Common Predicament: Promoter of European Identity in the 20th C. – Dimitrije Mitrinović

Abstract

This is a resume of ideas and actions of Dimitrije Mitrinovic (1887-1953), who devoted forty years (1913-1953) to promoting the idea of creating the Union of European republics (European federation). He considered that the European identity is connected with a new, cosmopolitan identity and citizenship of man. For many (in the 20's and 30's), this was utopianism. Nevertheless, with British co-workers, Mitrinovic organized the "New Europe Group" in London (in 1931), in order to promote this idea and platform. For him, the idea of unity and federation for Europe was the solution for economic, political and ecological issues, that will also end the history of wars.

The Visionary

Dimitrije Mitrinovic (born in Donji Poplat, Bosnia-Herzegovina in 1887) became one of the key figures in the 'Young Bosnian' movement, a nationalist grouping of south Slavs (mostly Serbs), who sought a cultural and moral renaissance as part of the struggle against the Austro-Hungarian empire – with the ambition to create a state of South Slavs (later, Yugoslavia).

The *Mlada Bosna* (Young Bosnia) group was especially active among university and high school students. It had its radical wing, inculcating immediate action (which came to the front with actions by Gacinovic in 1910, and by Gavrilo Princip, in 1914), and the universalist, cultural wing, whose actions were on the culture front, represented by Mitrinovic¹.

Between 1905-1912 Mitrinovic published a substantial number of poems, art and literary critiques, and essays in periodicals in Bosnia, Serbia, and Croatia: *Bosanska vila*, *Nova iskra*, *Delo*, *Srđ*, *Brankovo kolo*, *Srbobran*, *Pokret*, *Hrvatski pokret*, *Slovenski jug*.²

Mitrinovic came from Bosnia to München in 1913, to study art history and modern art under Heinrich Wölfflin. He was involved with the

1 In May 1913 Oskar Potiorek, head of the provincial government in Sarajevo, closed various Serb societies, urging the adoption of more stringent measures. Potiorek and archduke Francis Ferdinand decided that the latter should attend the military manoeuvres in Bosnia, on June 28th, 1914 (the date of the visit and manoeuvres were a provocation – June 28th is the Serbian holy day – Vidovdan – related to the Kosovo Battle in 1389). These circumstances partly explain the assassination of the archduke and his consort Sophia, during their visit to Sarajevo. This was followed by an ultimatum of Austro-Hungary to Serbia, and the Empire started its aggression against Serbia, involving other European countries into the conflict, starting WWI.

2 Recently a new book on his poetry was published – Milenković, Slađana (2009): *Pesničkim stazama Dimitrija Mitrinovica*, Srem. Mitrovica

modern art group *Der Blaue Reiter* (The Blue Rider), led by Franz Marc, and Wassily Kandinsky. He became an active member and propagator of the group, and delivered a lecture “Kandinsky and the New Art” in the Great Hall of the Museum of München on February 27th, 1914.

In the first half of 1914, Mitrinovic became more and more involved with another project – and with W. Kandinsky, and E. Gutkind, initiated an international movement, whose goal was “Towards the Mankind of Future through the Aryan Europe” – trying to establish a network including many other European intellectuals, beside those already gathered round *Der Blaue Reiter* group. The program and gathering was to be promoted in a Yearbook *Aryan Europe*.³ They were supposed to form the *Blut-Bund* (Blood Union) of people

3 For Mitrinovic and others from the Blood Union “aryan” meant an attribute related to the best capacities, and potentials of Europe. However, since “aryan” and “blood and soil” shortly became part of the racist vocabulary in the Nazi ideology, we should warn against the possible misreading of “Aryan Europe” and “Blood Union” in the context of what Mitrinovic and all had in mind.

Speaking about “Aryan Europe” Mitrinovic had **no inclination**, either to racism, or Eurocentrism. This will be confirmed by his later ideas. Mitrinovic developed a truly multicultural perspective, from 1920, onwards. For example, in his texts in “World Affairs” column, in *The New Age*, and *New Britain*, he underlined the following:

- *Europe as a cultural and Aryan entity is still nonexistent, and therefore its relationship with Asia and Africa has been instinctual, and aggressive, defined by power, instead of being intelligent and cooperative (The New Age, Oct. 21. 1920);*
- *It can be said that China will be permanent as the human race, and from its peace will emerge actions immensely important for the future of humankind (The New Age, Dec. 9, 1920);*
- *Is not the internationality of Israel, is not the Jewish race a spiritual internationality, capable to initiate the reconciliation of West and East (New Britain, 1933);*

After 1933, Mitrinovic was aware “of the impending danger in Europe; of the possibility that Germany will exterminate ‘Israel’, and Europe, and Germany itself; that Europe will destroy itself to death, through the ‘titanic madness’ of Germany; that the West will shake in its foundations” (excerpts from his texts in *New Britain*, summer 1933).

willing to influence the public in their countries toward peace, instead of war, and to unify Europe, creating a “pan-European culture”.

Union of European Republics

In the spring of 1914, Mitrinovic launched an announcement for *Aryan Europe* (International Yearbook for Culture Politics), where he wrote:

- *The initiative for Aryan Europe believes that the future of mankind cannot be created by the blind instinct of history and destiny, through world wars that are being prepared everywhere, nor through world civilization supported by the state unworthy of humanity, with its laws, industry and commerce...*
- *The true solution of culture problems of humanity overall is not possible until Europe stops its suicide in mutual strife, and permanent danger of war. Europe has to establish the future culture-humanity through through its self-creation.*
- *The peoples of Europe should create mutual fraternity, with one another, with Western and Southern Slavs, as well as Russians. The Aryan Europe should also include non-Aryans: Hungarians, Finns, and Jews.*
- *The movement for Aryan Europe believes that progressive institutions and movements in Europe will take us towards the unity of peoples, and the fraternity of peoples will develop prosperity.*
- *The new humanity can be self-created only in the Union of European republics.*
- *The international politics of Aryan Europe, as well as social and cultural policy must be compatible with internal politics.*⁴

4 Summary principles of the Aryan Europe – source: announcement for Aryan Europe, International Yearbook for Culture Politics, by Dimitrije Mitrinovic, spring 1914.

Mitrinovic was the first who spoke of the “Union of European republics”. He further developed his ideas after WWI and again after WWII, until his death in 1953, in London. He had in mind the European Union when he wrote about “New Europe”. However, this first initiative was cut short by the war in the summer of 1914.

During the war, G. Britain gathered people from Austria-Hungary, who were to be the new leaders in post-war times. Tomas Masaryk (1850–1937) moved to London in 1915 where he contributed to the influential monthly periodical “The New Europe”. In 1918 he went to the USA, to convince Woodrow Wilson of the importance of a new state for the Czech and Slovak people. Robert William Seton-Watson (1879–1951) was largely responsible for the British propaganda that was disseminated to the Austro-Hungarian people, and he published a weekly periodical “The New Europe” (1916–1920), informing a wider public of the situation in the region. However, Masaryk and Seton-Watson were considering the “new Europe” in terms of nation-states that were to be created after WWI, as a result of the breakup of the Austro-Hungarian Empire. They did not have in mind European Federation, or Union – as was the case when Mitrinovic wrote or spoke of a new Europe.

Britain Years (1914-1953)

In June 1914 – after the assassination of Archduke Ferdinand – Mitrinovic understood that he must leave Germany. Being Serbian (with a Serbian passport), and unable to cross the border to return to Serbia, or Bosnia, he took a westward course. Traveling by train to the coast, he reached the Channel, and took one of the last ferries to cross to England, before Britain declared war, on August 4th, 1914.

During the war years he took part in various actions of the Serbian Embassy in London – among other things, he was in charge of the exhibition of Ivan Mestrovic in Victoria and Albert Hall, in 1915.⁵

⁵ Andrew Rigby gives some information about this. In 1915 an exhibition of Mestrovic’s sculptures and models was held in one of the large halls of the

After the war, he continued with his efforts in London to create a network of European intellectuals. In the process he was introduced to Alfred Orage, the editor of *The New Age*, the most important journal for radical political thought in Britain at the time. From August 1920, Mitrinovic contributed a series of articles to *The New Age* in his column 'World Affairs' (the column with the same title he will also write in the periodical *New Britain*, May-July 1933). For example (in *New Age*, Sept. 2, 1920), he says that the term "a good European" has lost its meaning during the War, but it should be reaffirmed, and Europe should create an universal European culture – not in order to impose it on other parts of the world, but as a comparative, positive model.

Unity and Individuality

In his writings (1920-31), Mitrinović considered the complex dynamics of unity and individuality.

α) The final essence of human nature means that the life of humanity on earth is a world of the many and the different – a common world of essentially incomparable individuals.⁶

β) Europe is a highly complex entity. Its complexity – the rich variety of human life that it comprises – is almost its highest value. Those who face the problem of integration must not be schematic Utopians, aspiring to unify by obliterating all differences in the frame of a ready-made constitution. [...]

Victoria and Albert Museum in South Kensington (London). Mitrinovic was closely involved with the organisation of the exhibition and in lecturing to visitors. A sense of the significance he attributed to Mestrovic's work is given by the report of a talk he gave on Mestrovic's behalf, at the University of Leeds on October 5th. Described by the Vice-Chancellor Michael Sadler as possessing 'a wonderful command of the English language' (Rigby: D. Mitrinovic – a biography, p. 42).

⁶ Dimitrije Mitrinovic, "World Affairs", *The New Age*, June 16, 1920.

There must be persons who whole-heartedly desire this unity and are consciously working for nothing short of it. A number of citizens must be found, in each State, who perceive the necessity of this step towards world-order; who resolve, in advance of their age, that Europe shall become one integrated whole.⁷

Mitrinovic met many of the leading contributors of *The New Age*, and in 1926 himself became associated with some of them, known as the Chandos Group, and influenced their thinking. With them he created the *New Europe Group*, in 1931 (whose goal was a European federation) – the first president was the sociologist, Sir Patrick Geddes.

The New Britain Movement emerged in 1932 (following the “great depression”). It was a proposal for national renaissance, based on the need to re-order society, so that economic prosperity would bring the maximum individual freedom. Groups were started all over G. Britain, and the movement was supported by a weekly paper *New Britain*, and later the *Eleventh Hour*. The New Britain Movement came to an end in 1935-36.

The New Europe Group continued though, and its activities included the publication of the quarterly journal *New Atlantis* and numerous pamphlets. The group remained in touch with the *Ordre Nouveau* Movement in France which, like the New Europe Group advocated a European federation.

⁷ “Integration of Europe – The way to reconstitute the States of Europe as an organic society in a New World Order” (Disarmament – federation – communal credit), proclamation of the New Europe Group, London 1931. The text of the platform of the New Europe Group is not signed by Mitrinovic, but his ideas (developed from 1920 onward, in his writings in *The New Age*), are evident. Ribby tells us that Mitrinovic provided Geddes (the first president of the Group) with a platform and a ready made following in London in the form of the New Europe Group (Ribby: D. Mitrinovic – a biography, page 50). The platform which Ribby mentions was Integration of Europe. In 1934 Mitrinovic also started the journal *New Europe*.

After the war – from 1946 onwards – the New Europe Group sponsored regular lectures and discussions on aspects of religion, philosophy, the arts and education. After the death of Mitrinovic in 1953, the New Atlantis Foundation⁸ initiated a number of cultural activities.

This was to become the dominant motif in Mitrinovic's life – the preparation of groups of individuals for a new world-transforming initiative, to which he gave the name Senate. Their function would be to work in and through all levels of society, helping people and groups to relate to each other as constituent members of a common humanity.⁹

European Parliament – Senate

Mrs. Violet MacDermot of the New Atlantis Foundation, explained in a mail sent to me, the concept of the Senate.

- *Mitrinovic thought that groups of people, chosen for their impartiality and integrity, should act as an intermediating or coordinating function in the social order. The Senate function would operate at all levels, from international to regional and local. Today, in the various conflicts all over the world there is a great need for this impartial intermediating factor. Since peace cannot be imposed by force, the Senate would act to try to ensure that the demands of all parties are met in a new and creative solution to their problems.¹⁰*

This is also explained in other sources, and is applicable in the present European Union.

⁸ The New Atlantis Foundation – <http://www.mmu.ac.uk/h-ss/pap/naf2.htm>

⁹ Andrew Rigby: “Training for Cosmopolitan Citizenship in the 1930s: The Project of Dimitrije Mitrinovic” – *Peace & Change* Volume 24 Number 2, April 1999, Department of History, University at Albany (SUNY), New York

¹⁰ Explanation by Mrs. Violet MacDermot of the New Atlantis Foundation, given to me, in personal communication, via mail, July 1999.

- a) *The true sphere of politics is to balance the rights of the individuals and groups in the State upon general human consideration. The relations between the different States and language areas – the different nationalities of the (European) Federation – therefore come within its authority. The existing parliaments of European States, adequately reformed, will be the natural basis of the Federal Parliament, with the aid, probably, of further devolution by the appointment of smaller councils of more local authority. The General Parliament of the Federation will be elected by all the regional parliaments, so that it can be relied upon to show a full respect for local autonomies.¹¹*
- b) *The Senate will be the co-ordinating body in the Social State. Its function is neither legislative nor executive, but intermediating. Its members will be chosen for their impartiality, their exceptional ability and the high personal standard they show in their actions and character. Without taking sides in any conflict, the Senate function will be that of ultimate guidance, integrating the three spheres of society.¹²*

Common Predicament

In the New Europe Group platform – “Integration of Europe”, London 1931 – we see that the identity of Europe is based on its common predicament.

- a) *Thus Europe now confronts this supreme crisis, the very hour of her most glorious potency. She must now choose to play the part for which all history has made her, in the world that she herself has brought into one sphere. Why is it, then, that this moment finds her most irresolute, most devoid of vision? Her*

¹¹ “Integration of Europe,” London 1931.

¹² D. Mitrinovic: “Neo-Syndicalism as Atlantic Action: Blue print for the times,” New Europe Group, London, 1932.

statesmen think only of saving the lives of their separate States. But if they had no fear, not only would they not be lost, but they would gain the larger life. By Federation they would attain their true world-power and their full significance in history. [...]

Federation would not involve the renunciation by any nation of its legitimate autonomy, much less its territory, culture, language, or customs. It certainly would, however, involve the abolition of mutual aggression, both military and economic, between nations now clinging to their dwindling powers of separate sovereignty, and endangering each other by mutual conspiracy.

- b) *So united has Europe always been in history, culture, and political origins – and so much more now, by constant interchange of life – that its wars are nature civil wars. But bad as the War itself, was the peace which followed it: for it was concluded in the same spirit in which the struggle had begun. It was a jealous re-division of frontiers and powers. It healed no wound, pacified no enemies. [...] And yet the potential power and splendour of this continent is not less than before the War. ...*

*The nations of Europe have one thing which they have not had for centuries. And that is the **dawning consciousness of a common predicament**. They begin to know, in the ruins of their bloodiest rivalry, that the hour has come when, if they cannot live together, they must go together to a worse downfall. [...]*

[For England – D.P.] a purely Colonial policy is useless as an alternative to a European alliance. [...] If she follows her true interest... England must... take up her responsibility of leading the way to a federation of the States of Europe. [...] If she should finally refuse, it is most unlikely that Western Europe can live for long as a chief world-power, and doubtful if the British Empire can long survive. The world will be divided between two dynamic forces of the Soviet States and of America.¹³

13 "Integration of Europe," London 1931.

World Affairs & Ecology

During summer 1920, Mitrinovic exposed his ideas in his column “World Affairs” in *The New Age*.

- a) *Why should the world, meaning all of us, seek peace? The answer is that world peace is the absolute condition of individual happiness, and will become more and more demonstrably so as the world becomes more and more demonstrably one. The assertion that Mankind is a single species needs to be supplemented by the assertion that Mankind is One Man; and this again must be particularized in the assertion that every man is that man. [...] every man is at one and the same time individual and universal, both Man and Mankind. [...] It is no longer religion but science that announces the interrelation and interdependence of all forms of life, past, present and future.*

With Mitrinovic we see that deep ecology and the Gaia hypothesis – otherwise developed after 1970 – were “in the air” in 1920’s.

We conceive the world as one great mind in process of becoming self-conscious, and from this point of view the various races and nations may be regarded as rudimentary organs in course of development within the great world-embryo. If such a view is correct – and any other seems sooner or later to involve itself in tragic contradictions – not only would it follow that there must be a natural world process which it is the duty of the most advanced individuals to discover, and the duty of all, individuals, nations and races alike, to assist, but it would also follow that there cannot be any real antagonism between the proper functions assigned by the world process to its various developing organs. [...] Where there is war there is, therefore, something wrong – a misunderstanding or ignorance...

And as he was aware that man must create with nature a relation of partnership, so various parts of mankind (states, races, cultures)

must create the same conscious relationship (as parts of a wider whole – the world, nature, planet) – otherwise the issues will be abandoned to mere force.

*Unless there is and can consciously be conceived a non-arbitrary common world responsibility, resting equally, according to their respective genius, on situation and history, upon every race and nation, nothing remains but to abandon every issue to mere force. That which succeeded in establishing itself would become right; and every effort to survive and to dominate would become justified.*¹⁴

War, population, waste, misuse of resources, and of genetics... all were recognized and “on the list” back in the 1930’s.

*Certain problems, such as those of population, of regional and racial deterioration, of the waste or misuse of natural and human resources and of genetics, will be no longer left to the blind decision of fate. The time has come when the human race not only may, but must take more intelligent control of its destiny. Such control implies co-ordination, as yet unheard, of cultural workers in many departments.*¹⁵

b) In 1933, D. Mitrinovic published a new series of articles in his column “World Affairs” in the journal *New Britain Weekly* (similar in spirit and general title, as in *The New Age*, in 1920). Selected quotations from these articles (published May-July 1933) – that converge toward the idea that our world has become “one world” of common concern and predicament – are the following.

- *It is necessary to reform our human environment, our civilization, to make it a world for humanity, a civilization which concerns with the immortal essence of its component individuals.*

¹⁴ Quotes from his texts published in *The New Age* on August 19, 26, and Sept. 9, 1920.

¹⁵ “Integration of Europe,” London 1931.

- *Unless the imperialism of Science and the dictatorship of Technology are subdued and brought to organic and human function the future of humanity will become imperilled and the lot of Adam very grave and perhaps monstrous.*
- *But Cognizance of the Whole is necessary. Now that Cognizance of the Whole, its principle and system, cannot be classed as one among the functional sciences...*
- *Western civilization will destroy itself and will bring the whole of humanity to a gruesome catastrophe and indignity unless its guidance, its senate, its leadership... bethink themselves and repent from the pride of ignorance.¹⁶*

Human Rights, Peace, and Fair Squaring

The issues of human rights, of peace politics, and fair squaring were also recognized by Mitrinović.

- *Personal freedom is a social impossibility unless it is based on the actual fact of our political and economic inter-dependence. Such inter-dependence has so far been the norm of European civilization. The rise of dictatorships, based on isolated self-sufficiency, contradicts the norm. It is against personal freedom, not only because politically speaking individuals are denied the right to formulate their own laws, but because the fulfilment of the individual is impossible except in co-operation with others within a devolved social order.¹⁷*

¹⁶ It is interesting to compare, what Jose Ortega y Gasset said in 1930: *I refer to the gravest danger now threatening European civilization.... it is the State as we know it to-day.* (Jose Ortega y Gasset, *The Revolt of the Masses*, ch. XIII -"The greatest danger, the state").

¹⁷ D. Mitrinovic: "Atlantic Action – Neo-Syndicalism as Atlantic Action: Blue print for the times," New Europe Group, 1932.

- *The conflicts of races, of nations and of men make it seem as if a harmony of world functions were impossible. Doctrines of hatred and of destruction, attempts to maintain the useless and wicked, the false solutions and the supremacy of institutions: these are offered to the now desperate men and women who know that a new conception of human order and of planetary planning is needed.*¹⁸
- *Our world has become, historically, one world. We are discovering that our world is our common human household and truly one species only. Our kingdom is becoming a commonwealth and a family; a republic and a common cause. Organization and fair squaring are necessary for our spiritual worth and our material existence. Therefore must patriotism pass away. Therefore we ought to stop adoring what is only temporary and instrumental: sovereignty and tribal spirits.*¹⁹

One Anthropos and Intermarium

Just a few months before Robert Schuman (on May 9, 1950) proposed his Franco-German agreement (now considered as the first step – founding step – in creating the future European Union) – Mitrinović, on February 17th 1950, gave a public lecture (“Proposals Towards a World System of Foreign Policies”) at the meeting of the New Europe Group.

I am speaking also as belonging natively to my Yugoslav nation and my Serb people inside it. In fact, you can take it safely that the view I shall expound is essentially the cultural or spiritual view of the, let us call it, INTERMARIUM populations in the East of Europe, between Russia and the Central Europe proper, and stretching from... Finland... down to Turkey... between the Arctic and Baltic seas, and the Black, Aegean and Adriatic Seas.

¹⁸ Ibid.

¹⁹ D. Mitrinovic: WORLD AFFAIRS – *The New Britain*, July, 1933.

Now my first proposal... is that in no case should the Balkans be divided or split... Not that I plead for communism, nor for the inclusion of the whole European East into the Soviet Union... What I propose is... the formation of Eastern European federation, Turkey joining voluntarily together with Finland... In these days of war preparations and Atlantic Charters, of dictatorships of the proletariat and the immense Soviet and American imperialism... It is necessary not to lose ourselves in the fractional issues of the Russo-American conflict, however titanic and fateful this issue is.

By 'Atlantic' we should mean the specific modern scientific world... But we should also mean with it the culture background of the West. [...] Not in the least do I propose a Euro-American Alliance with the Soviet Socialist Union because we of the West, or at least we Europeans should fear the great yellow Peril, or provoke it into existence through fear. I only plead for human spiritual and consideration of the culture and genius of... much maltreated and neglected East, demanding liberty for them to organize themselves into the Pacific balance to our Atlantic initiative, forming thus, both of us, the one whole of the two hemispheres of the one Anthropos. [...] We need, then, two world-initiatives... we need a triune Eastern Alliance of the Pacific (China, Japan, India), and a triune Western Alliance of the Atlantic (America, Europe, Russia), and there shall be peace, and humanity, and culture...²⁰

²⁰ Dimitrije Mitrinovic, "Proposals Towards a World System of Foreign Policies – Severely Impartial Proposals and Integrally Inclusive", speech at the international meeting, organized by the New Europe Group and Atlantic Initiative for the Order of Man, Feb. 17th, London, 1950)

Bibliography

- Aryan Europe*, International Yearbook for Culture Politics – draft of the first announcement, written in German by D. Mitrinovic, spring 1914; manuscript in the Archives of the New Atlantis Foundation
- Barber, B. R. (1995), *Jihad vs. McWorld: How Globalism and Tribalism are Reshaping the World*, New York: Ballantine Books.
- The Cultural Forum of the European Union – Brussels, 29-30 Jan. 1998
http://www.europa.eu.int/comm/dg10/culture/program-2000-part1_en.html
- H.C.Rutherford, (1996), *The Ideas of Dimitrije Mitrinovic: Selected writings*, University of Bradford: New Atlantis Foundation & J.B. Priestley Library.
- Mitrinovic, D. (1931), “Integration of Europe – The way to reconstitute the States of Europe as an organic society in a New World Order” (Disarmament – federation – communal credit), proclamation of the New Europe Group, London.
- Mitrinovic, D. and the New Europe Group, (1932), “Atlantic Action – Neo-Syndicalism as Atlantic Action: Blue print for the times” – leaflet issued by the New Europe Group, London. Copy in archives of New Atlantis Foundation, Sussex, England.
- Mitrinovic, D: Articles in his column “World Affairs” – journal *New Britain Weekly*, London, May-July 1933, and 1934 – later, articles from this column were compiled and printed for the New Europe Group, by Lund Humphries, London and Bradford, and still later included in *The New Europe Group and New Britain Movement: Collected Publications, 1932-1957*, Bradford 1997.
- Mitrinovic, D. (1950), “Proposals Towards a World System of Foreign Policies – Severely Impartial Proposals and Integrally Inclusive”, speech at the international meeting, organized by the New Europe Group and Atlantic Initiative for the Order of Man, Feb. 17th, London.
- Mitrinovic, D. (1995), *Lectures 1926-1950*, University of Bradford: New Atlantis Foundation in association with J.B. Priestley library.
- MacDermot, V. (ed) (1997), *The New Europe Group and New Britain Movement: Collected Publications, 1932-1957*, Bradford: New Atlantis Foundation.

- Ortega y Gasset, J. (1932), *The Revolt of the Masses*, New York: W. W. Norton & Co.
- Ortega y Gasset, J. (1983), *Obras Completas – tomo IX (Meditación de Europa)*, Madrid: Alianza Editorial-Revista de Occidente.
- Pajin, D. (2001) “The Vision and Reality of Europeanism”, *Dialogue and Universalism*, Vol. XI, No. 1–2/2001, Warsaw University.
- Rigby, R. (1984), *Initiation and Initiative: An Exploration of the Life and Ideas of Dimitrije Mitrinovic*, Boulder: East European Monographs.
- Rigby, A. (1999), “Training for Cosmopolitan Citizenship in the 1930s: The Project of Dimitrije Mitrinovic” – *Peace & Change* Vol. 24 No. 2, New York: Department of History, University at Albany (SUNY).
- Rigby, A. (2006), *D. Mitrinovic – a biography*, York: William Sessions Ltd.

(Books and articles in Serbian)

- Milenković, Slađana (2009): *Pesničkim stazama Dimitrija Mitrinovića*, Srem. Mitrovica
- Mitrinović, D. (1990): *Sabrana djela (I-III)*, Svjetlost, Sarajevo 1990 – sa predgovorom P. Palavestre, “Sudbina i delo D. Mitrinovića” (u tomu I).
- Palavestra, P. (1977): *Dogma i utopija Dimitrija Mitrinovića*, Beograd: Zavod za udžbenike i nastavna sredstva.
- Pajin, D. (1984): “Povest o dobrom Evropljaninu”, *Književnost*, br. 1/1984, Beograd
- Pajin, D. (2004): “Nova Evropa i Dimitrije Mitrinović”, *Zlatna greda*, br. 32–3, jun–jul 2004. Novi Sad: Društvo književnika Vojvodine.

CIP - Каталогизacija у публикацији
Народна библиотека Србије, Београд

327(4)"20"(082)
327.39(4)"20"(082)

CONFERENCE Europe in the Emerging World
Order: Searching for a New Paradigm (2010 ;
Belgrade)

Europe in the Emerging World Order :
searching for a new paradigm / edited by
Jovan Babić, Petar Bojanić and Gazela Pudar.
- Belgrade : Institute for Philosophy and
Social Theory, 2011 (Belgrade : Colorgrafx).
- IX, 218 str. : graf. prikazi ; 20 cm

Tiraž 300. - Str. VII-IX: Searching for a new
Paradigm / Jovan Babić & Petar Bojanić. -
Napomene i bibliografske reference uz tekst.
- Bibliografija uz pojedine radove.

ISBN 978-86-82417-30-9

a) Међународни односи - Европа - 21в -
Зборници b) Европске интеграције -
Зборници c) Политички идентитет - Европа -
21в - Зборници

COBISS.SR-ID 18651116

In press

VIOLENCE, GUERRE ET ETAT CHEZ DELEUZEI

SOCIAL ONTOLOGY AND DOCUMENTALITY

