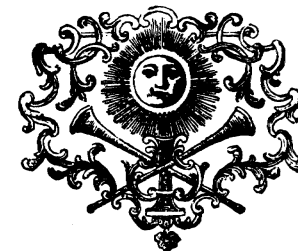


THE FEDERALIST

a political review

To look for a continuation of harmony between a number of independent unconnected sovereignties situated in the same neighbourhood, would be to disregard the uniform course of human events and to set at defiance the accumulated experience of ages.

Hamilton, The Federalist

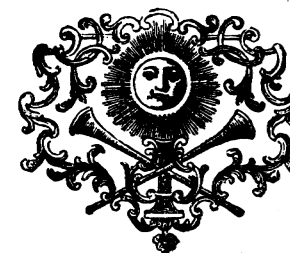


THE FEDERALIST

a political review

Editor: Mario Albertini

The Federalist was founded in 1959 by a group of members of the Movimento federalista europeo and is now published in English and Italian. The review is based on the principles of federalism, on the rejection of any exclusive concept of the nation and on the hypothesis that the supranational era of the history of mankind has begun. The primary value *The Federalist* aims to serve is peace.



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Europe and the First Forms of International Democracy

There are many politicians and observers today who, desirous of giving themselves a Europeanist image, but disoriented by the headlong rush of events, insist on formulating the question of European security in the traditional terms of strengthening the Community's powers in the area of defence, or even of creating a revised version of the EDC. Yet the truth is that the changes which have taken place in the European balance of power and political climate demand a radical rethinking of the problem.

We need only to consider the question which in the short term is so crucial to the fate of détente: how a unified Germany is going to fit into the current system of alliances. The problem clearly worries the Soviet Union, which finds itself facing the break-up of the Warsaw Pact. The best guarantee available to it today is certainly not a new European military power, of which unified Germany would be part, springing up near its borders, but rather the idea that Germany should be incorporated into an Atlantic alliance which would be increasingly political and less and less military in character, and in which Europeans would maintain an attitude of openness and collaboration towards the Soviet Union. After all, if there is one thing about which there is not a shadow of doubt, it is that the fate of détente—the consolidation of which is crucial to the often conjured-up “new era”—is linked to the success of Gorbachev's perestroika. Faced with this, the question we must ask ourselves is simply this: would the prospect of a militarily united Europe—whose armaments could only be pointed eastwards—be a help or a hindrance to the success of perestroika? The answer is clear: this prospect would provide Gorbachev's enemies with a decisive argument to accuse him of weakness and to strengthen the greater-Russian nationalism and militarist tendency which is still alive in the Soviet army. If we started on this downward spiral, the new era would be finished before it even began.

Moreover, every time that the problem of security is posed in these terms in the Community, it sounds as if it is a pretext. The fact is that a radical transformation of Europe's strategic situation, such as would

arise from the creation of a European Defence Community, could only be seriously conceived of as a response to a concrete and serious threat — and such a threat does not exist today. Nostalgic attempts to recreate the climate of the Cold War by renewed warnings against a continued Soviet military threat do not stand up to the evidence of facts. This insistence on the idea of security as being part and parcel of the European Union seems rather the result of trying to confuse the issue, interpreting political union as a generic strengthening of community powers in foreign policy and defence (still, moreover, in a strictly intergovernmental context) instead of the creation of a real federal European government, albeit with powers limited to the economic and monetary areas.

* * *

It is important to remember that maintaining the current alliances and transforming them into instruments of political collaboration is very much a transitory problem. Security has become a pan-European affair, and it is in the framework of the Helsinki conference that the idea of mutual security must take shape for the first time in institutionally defined forms. In this perspective it would be once more utterly irresponsible — besides being unrealistic — to put the Soviet Union in front of the threat of a future European military superpower. It is certainly true that we are not yet at the brink of the World Federation, and that *raison d'état* remains, today as in the past, the criterion regulating international relations. But it is equally true that, between the states taking part in the Helsinki conference, a convergence of *raisons d'état* is appearing which, if supported by the birth of an embryonic federal state in the context of the Community and oriented by a grand historic design for world unity, could become permanent, as with that convergence of *raisons d'état* which made the process of European integration possible.

It should be noted that this is the only international setting capable of actively fostering peace and development in the Third World. Beyond all doubt in the historical epoch which is now beginning the most pressing problem of all will be the Third World, both as regards its survival — threatened by overpopulation, foreign debt and soil devastation — and as regards the threat that the persistence of these problems constitutes for the industrialised world itself. It is because of this that in many poor countries the new climate of co-operation in Europe is regarded with concern, and with fear that the concomitant mobilisation of resources to help Eastern Europe might be to the detriment of the Third World. And

it is for this reason too that there are some in Europe who warn against the risk that a militarily weak Europe would run in its relations with countries in which poverty feeds fanaticism and aggressivity.

But in both cases the concern is unfounded. This does not mean that the threat of an explosion of the Third World's problems is not a very real threat. Rather, it means that it cannot be neutralised by the industrialised nations' building up their military capacity, or even by merely maintaining it at its present level. On the contrary, *détente* offers an extraordinary opportunity in this regard. The end of East-West confrontation is freeing an enormous quantity of resources which were previously dissipated in the folly of the arms race. These resources will without doubt be overwhelmingly used in the first instance for the economic reconversion of Eastern Europe. But this will be a relatively short period, since the countries of Eastern Europe are endowed with material and cultural infrastructures sufficient to enable them to rapidly become active poles in world development. As soon as they have reached this stage, the resources available for Third World development would increase sufficiently to make it concretely possible for Third World countries to pull themselves out of the downward spiral of underdevelopment.

However that may be, the struggle against the threat emanating from the disinherited peoples of the earth can only be conducted with economic policies in a global context of *détente*, and not with military instruments. It should not be forgotten that the irresponsible regimes of the Third World which have bloodied the planet in the last few decades with their wars, were armed by the superpowers and by European countries, in the attempt to win them over as allies in the East-West confrontation. It is not by chance that most of these conflicts ceased with the cessation of this confrontation, and the tendency is destined to be accentuated if *détente* is consolidated.

All this does not mean that in future we can exclude the need to carry out international policing operations which involve the use of force. It only means that the dangers which can be imagined today are not such as to require a European army and a European security policy entrusted to a federal authority. Federal Europe has to be born as a factor of peace and development, and pool only the resources necessary for this purpose. The responsibility of managing violence should be left to nation-states, as representatives of the old order.

* * *

It should be noted that this renunciation of violence constitutes the

real strength of the Federal European Union. Events in Eastern Europe have highlighted the nature of the confrontation on whose outcome over the next few decades the destiny of mankind depends: that between nationalism and federalism. At the same time they have clearly shown the fact that, while it remains very much the case that the battle for federalism can become a real political battle and not a sheer ideal testimony only if it achieves realisation in the limited context of the European Community, it is equally true that the final theatre of the confrontation is the world, and that federalism can win the day in Europe only if it is able to present itself not just as the definitive solution of a regional problem, but as the beginning of the solution of a world problem.

The federalists who have been publishing this journal for more than thirty years, and those who have gradually come round to the same way of thinking, have always declared that federalism can only be fully achieved at world level. But the degree of interdependence that the world has reached should lead us to be more precise about what this really means, and to stress the fact that openness to the world dimension should be explicitly present in federalism from its very first regional manifestations. In particular it should be there in the Federal Union which will be formed within the Community (or at least among those of its members who will be ready to adhere to the Union from its inception).

This means that pluralism within a government area is no longer a sufficient condition to define federal society. History has given us some examples of states with federal institutions and founded on pluralistic societies (such as the United States and Switzerland) which over the years have created within their borders a feeling of exclusive belonging, in other words they have become veritable nation-states, even if to a greater or lesser extent (Switzerland less so than the United States). In others, initial pluralism degenerated into the setting up against each other of regional nationalisms, which have demonstrated greater strength than central nationalism, to the point of endangering the very foundations of the state (Belgium, Yugoslavia, the Soviet Union, Canada). In both cases, however, the state, even if formally federal, has always sought to legitimise itself by stressing its coincidence with a particular people (however pluralistic it may be), in other words with a closed and well-defined group, and for this very reason unlike all others and ready to turn against them whenever the international balance of power created the conditions for conflict.

If then today the only thing that can give real meaning to the widespread sensation that a new era is beginning is the realisation of fed-

eralism in one part of the world, it has to be a federalism that presents itself as the institutional expression of a social and cultural reality which is not only pluralistic, but is also open to the rest of the world. The European Federation must then not be born as the state of the (however pluralistic) people of the Community, nor of the European people as a whole, since this would simply bring about the birth of a European nationalism, but as the state of the world people in progress. For this reason its rapid spread to countries which are not only geographically but also culturally non-European, such as Turkey and Morocco, (whenever this should happen in the context of new forms of co-operation with other regional groups of countries) and its total openness towards a democratised Soviet Union would be of great symbolic importance.

Moreover, the institutional form of this dynamic and open reality should be visibly incomplete, i.e. emerge as a state-in-progress, in which incompleteness would be at the same time a symbol of openness and an instrument for its progressive enlargement. The manifestation of this incompleteness, in its turn, could only be the absence of that attribute of sovereignty which is at the same time the essential instrument and the symbol of the closure of the state, namely the control of the army.

* * *

The history of the decades which followed the Second World War has shown, with a persuasive force that has increased notably in the last few years, that the European Community — despite its serious institutional limits — has assumed a central position on the world scene and has exerted a magnetic force on the rest of the world which is much stronger than that exerted by the two superpowers. And this it has achieved by means of economic co-operation — and in particular by the institutional instruments of joining and association; while the United States and the Soviet Union, using the traditional instruments of power politics, have not been able to put together anything more than fragile imperial constructions, whose insubstantial nature is already being shown up by events.

If Europe can give itself a federal structure with powers limited to the areas defined by the Treaty of Rome and by the Single Act — leaving to old intergovernmental mechanisms the areas of security and foreign policy in its traditional sense, and to France and Great Britain the responsibility of administering their absurd nuclear mini-deterrents — its potential for expansion and the effectiveness of the relevant instru-

ments would benefit enormously. This would inaugurate a new foreign policy whose strength would reside in what is only apparently a paradox, i.e. in the renunciation of force, and which would tend to blur the edges between it and economic, environmental and social policy.

In the global village into which the world is transforming itself, people — including the peoples of the less developed countries — no longer agree to play a passive role as pawns in the game of power politics and objects of ideological manipulation. They are becoming increasingly aware of the fact that mankind will have no future at all unless it is a common future. Much time will pass and many difficult obstacles are yet to be overcome, before this new awareness can be deepened to the point of bringing the project of World federation to political maturity. But today the first decisive step can be made in the right direction. It would be tragic if the countries of the Community, where the time for the — albeit partial — realisation of federalism is fully ripe, should fail to live up to their historic responsibilities and should show themselves incapable of providing the rest of the world with an organisational model of social and political co-existence, such as might constitute an ideal point of reference for the world people in the making.

The Federalist

Federalism and Human Emancipation

FRANCESCO ROSSOLILLO

Introduction

1. Truth and decision. 2. Scepticism and the theory of the "end of ideologies." 3. The contradiction of scepticism. 4. Structuralism and hermeneutics. 5. History as an approach to the norm.

1. *Truth and decision.* Whoever decides to get involved in politics for a better world — and not with the sole purpose of winning reputation or power for himself — for this very reason makes a double profession of faith, however much he is aware of the fact. He must believe that the word "better" has, at least potentially, the same semantic content for all men, both for his contemporaries and for those to come, in other words applies to situations which are closer than the present one to a model of society based on values shared by everyone. This means he must believe in the existence of absolute values.

At the same time he must also believe that these values tend to be realized progressively in history, because whoever fights to change the conditions of society cannot imagine that the results of his efforts, in the concatenation of events, might in turn be the cause of irreversible involutions or regressions along the path of human emancipation, which would happen if history were a riotous and casual succession of contradictory and, in other words, meaningless events.

He therefore finds on the road to his *Selbstverständnis*, in his reflection on the reasons for his commitment, the connected problems of truth — in the widest meaning of the term, which denotes the absolute nature of values — and the meaning of history. And he must then encounter and face up to scepticism, which denies both.

The choice of life of what Kant called the moral politician¹ therefore implies a philosophical option. On the other hand, this choice represents the only possibility of founding a philosophy able to escape the perils of

scepticism. Philosophy is the discipline which investigates the foundations of experience (although it sometimes reaches the conclusion that there are none to be found): it is a *radical* science, because it takes nothing for granted. Being a search for foundations, it lacks foundations itself. The immediate data of consciousness from which to start meditation do not exist. Everything is mediated, so much that Husserl's philosophy, which proposes building the whole structure of thought on the immediateness of experience, paradoxically deciphers its structure only *at the end*, as a result of the complicated process of transcendental reduction.² This is the reason why the beginning of philosophical meditation is always a problem. Philosophy, being a radical science, is a *circular science*, in which the starting point, considered from within the science, is always arbitrary, and coincides with the end.

The circle can thus be broken only *from outside*, precisely thanks to an active stand with respect to one's time, which determines the starting point of the philosophical reflection, thus avoiding falling into arbitrariness. Because if it is true that the ending point of philosophical meditation coincides with its starting point, the arbitrary nature of the latter affects the whole train of thought.

The fact remains that in this way the need for non-arbitrariness, for *foundation*, is transferred from philosophy to the existential choice which represents its precondition. Herein lie the roots of the coincidence of the search for truth with moral commitment, according to which it can be affirmed that truth is both the norm of knowledge and the norm of action (*verum et bonum convertuntur*). And it is a fact that no judge nor criteria for judgement exist to decide which existential choice is serious, and which casual and arbitrary, except the success of the project in which it takes shape, be it in the more or less long, or extremely long run. But as success only comes at the end, and can be reaped by others, the only immediate confirmation can derive from a rigorous confrontation with one's own conscience, as far as it allows one to affirm, like Luther, *hier stehe ich, ich kann nicht anders*.³

This essay is then addressed only to those who have already found a meaning for their life in a certain type of political action, or who are unwittingly looking for it. Certainly, this is a limitation. But a limitation which belongs on the one hand to philosophy in general, whose assertions are never for everybody, but always only for those who are ready to understand and accept them. And which on the other hand does not mean to be definitive, because it is tied to a stage of the historical development in which men's projects are not yet compatible and mutual understanding

is still not universal. The privilege of whoever believes in truth is that of being able to imagine a future in which all fences have been removed and everyone will be able to address himself ideally, when writing and speaking, to the whole of mankind.

2. *Scepticism and the theory of the "end of ideologies"*. The philosophies of arbitrariness and unscrupulousness which prosper in our time each in their own way question the idea of truth. The suicidal temptation of the human spirit to destroy its very foundations by denying itself all legitimacy is as old as the history of thought. The history of philosophy has a curious spiral-shaped movement, which leads it to ponder over the same problems, although at ever higher levels of sophistication (certainly not of theoretical vigour). The central themes of those philosophers that call themselves "post-modern," or who refer to structuralism or hermeneutics, are after all the same as those of the Sophists and the Pyrrhonists: the relativity of knowledge, the impossibility of giving it an objective foundation, and thus the legitimation of arbitrariness.

In effect, when the "post-modern" philosophers claim that there can only be partial truths, they are making an obvious or aberrant assertion. The truth of something lies partly in the thing itself, and in part in its relationship with the rest of reality. This means that the entire truth of the smallest part of reality lies in the totality. The truth is the whole, and the whole is unknowable. The search for truth is an unending task, an *unendliche Aufgabe*; and every time we make an assertion we are perforce expressing a partial truth, which as such is never wholly true, but essentially *provisional*. But acknowledging this does not exempt us from the duty of continuing the search for truth, of laboriously proceeding towards the comprehension of a totality which, being out of reach, is nevertheless concretely present as *Aufgabe*, and imposes on us a *norm* we must follow.

For the "post-modern" philosophers⁴ the theory of partial truths instead means that every assertion has in itself the criterion of its truth — which depends on the linguistic conventions which are in turn arbitrarily adopted — and that it is therefore meaningless to pursue, albeit without losing awareness of the necessarily partial nature of one's task, one single truth, in other words the comprehension of one world through a coherent thought. Thought, according to them, is not guided by any norm which is internal to it, and therefore it is essentially arbitrary. And the correlate of an arbitrary thought is an infinite multiplication of worlds devoid of relations with each other.

In politics modern scepticism has taken the shape of the theory of the *end of ideologies*.⁵ Its deep meaning is that men can no longer avail themselves of criteria to direct their lives within the context of historical and social reality, except that of accepting it as it is, and of possibly committing themselves only to changing a few marginal aspects, which do not undermine its global structure. The degree of conservative degeneration which political thought has now reached is revealed in a particularly insidious way in the attempt to pass off as *totalitarian* the effort to understand the essential characteristics of the historical and social situation of the time and to single out the institutional bottlenecks to be acted on so as to allow the progress of mankind's emancipation process. The search for truth therefore is not only supposed to be meaningless, but also to betray the hidden will to impose a political and social system through force. Only those who renounce thinking are really free.

3. *The contradiction of scepticism.* That scepticism confutes itself has been proved since the very beginnings of the history of philosophy. "If every representation is true, as said in an argumentation ascribed to Democritus by Sextus Empiricus, so is the assertion that not every representation is true, inasmuch as it exists as representation, and thus the assertion that every representation is true becomes false."⁶ The fact remains that scepticism always rises again from its ashes, and at all times presents philosophy with the task of redeeming the idea of truth.

Scepticism has two origins. The first is of historical and social nature, and therefore contingent. It is to be sought for in the cultural atmosphere which is created in those phases of history in which the process of human emancipation seems to stall and thus the criteria for the orientation of action and thinking capable of imposing themselves on men by their own force come to be lacking. In these circumstances the philosopher is strongly tempted to exchange his own inability to find the way to truth with the very impossibility of finding it.

The second lies in what is for Eric Weil⁷ the essential alternative man has to face: the one between discourse, in other words reason, and violence. Scepticism is the attempt to *place discourse in the service of violence*, and it always reappears in the history of philosophy because non-reason is a choice which is perpetually offered to men, and against which, in as much as one considers it a pure category, no rational argument can avail because the criterion of violence is violence itself.

But violence fights reason also on its own ground, making use of its

instrument — language — but denying its criterion — truth. And it is a fact that, if we deny all the objective criteria for determining the truth of an assertion, or the compound beliefs and orientations which makes up a culture, the only criterion for establishing who is right (and it is the problem for all those who use language to make assertions) becomes that of whoever prevails on the other independently of the truth-value of his discourse or culture, in other words of who has *more power*. Not without reason do the philosophies of scepticism so often resort to *cultural terrorism* to impose themselves. On the other hand, they cannot openly confess their instrumental character with respect to violence, for the very reason that they present themselves as discourse, but they lay, explicitly or implicitly, the claim to be accepted because of their intrinsic validity, that is, their truth. Therefore they irremediably remain prisoners of Democritus' contradiction.

4. *Structuralism and hermeneutics.* This contradiction affects scepticism in all its manifestations. For the structuralists, for example, the categorical structures — those called *epistémè* by Foucault⁸ — of different periods and cultures represent views of reality which are absolutely irreducible vis-à-vis each other. Any intercultural dialogue is therefore impossible — or would in any case be a pretence because every culture would interpret the other according to *its own* code, which is not translatable into that of the other, and consequently would not understand it at all. However, the structuralists are forced to make an exception for themselves. Foucault thought he possessed the faculty of understanding others' *epistémè*. And when Lévy-Strauss studied the Amazonian Indians' culture, learnt their languages and discovered the meaning of their kinship relations and derived from his observations the consequence that they were totally heterogeneous systems with respect to Western culture, in actual fact he was claiming to be above both the former and the latter and was attributing to himself the exclusive privilege of understanding all of them.

More insidious — because less naive — is the approach of other philosophical trends, such as hermeneutics. The latter does not propose to pursue the truth, but simply to listen to tradition, to the echoes which reach us from the past, adopting an attitude which certainly intends to *comprehend*, but in the manner of aesthetic comprehension. Hermeneutics, then, assumes contradiction, acknowledges itself as the philosophy of ambiguity and multiple truths and at the same time considers itself one of them, thus apparently becoming hardly accessible to any questioning.

But the fact remains that, at any level of theoretical sophistication, the contradiction inherent to relativism cannot be overcome. In actual fact, whoever is aware of being immersed in contingency, or of being enclosed within the horizon of a culture or language, places himself in an observation post which goes beyond contingency, or that particular culture or language. Whoever is wholly *inside* a horizon is not aware of it, because to know one is inside something one must be able to see its *boundaries* and therefore to realize there is something *beyond*. To be aware of swinging one must have an immobile reference point. This obviously does not mean that one has to know *what* is on the other side, or to be able to describe the immobile point. But knowing there is something beyond the boundary justifies the task of finding a content for the idea — at first only formal — of truth.

5. *History as an approach to the norm.* What sense is there anyway in speaking of comprehension outside the horizon of truth? Comprehension, in whatever way it is interpreted, cannot be separated from the idea of an affinity between who understands and who is understood, from the idea of a *common ground*. This common ground, which every time has to be laboriously sought for, but is found only because it is already in existence, is in fact the truth, as a norm the validity of which is independent from the points of view of whoever understands and whoever is understood, and which acts as a link between experiences, languages and cultures.

But the idea of a norm which is *immanent to history* implies that history itself be the process of realization of the norm. The validity of a norm requires the existence of a judge who finds it and applies it. If the norm is assumed to be transcendent, the judge is God (through his representatives on Earth). If instead transcendence is disregarded (which does not mean excluding it, merely acknowledging that it is a matter of faith) and at the same time history is denied a meaning, assuming that today there is no agreement on the content of the norm, it becomes impossible to single it out, and therefore the assertion that it exists loses all legitimacy and one falls back into scepticism and arbitrariness. Nor can it be claimed that every man has within himself the norm in a virtual state, because if today it is formulated in different ways, and there is no reason to believe that *tomorrow* everybody will formulate it in the same way, it remains unknowable, and therefore without effect. It is only thanks to the idea of the meaning of history that history itself becomes legislator and judge, as it is mankind that discovers along the way and

applies — step after step, and at the cost of withdrawals and sacrifices — the norm of truth and the good through the realization of a universal agreement.

The sense of history

1. *The two dimensions of history.* 2. *Interpretation.* 3. *Sense as tension.* 4. *The context.* 5. *Comprehension and event.*

1. *The two dimensions of history.* Whoever meditates on his relationship with the past cannot deny the obviousness of the observation that history is an objective process of which we ourselves are the result. We are *made* by history and to history we owe the language and the conceptual instruments with which we think of our past, and which each of us finds *already there* when we are initiated to the life of reason. Whoever is struggling to change reality cannot disregard the need that his project be *historically mature*, in other words that the conditions for its feasibility pre-exist in the world, as the result of a process which is wholly independent from his action. Whoever deluded himself that he could change reality without being aware of this need would be a dreamer, whose efforts are doomed to fail.

On the other hand, if it is true that history *is there*, is an object for our comprehension, it is also true that the history of historiography proves to us how it is an object which changes under the historian's gaze. The Rankian illusion of describing the past as it really was — *wie es eigentlich gewesen* — has vanished forever. The past *as it was* cannot be freed from the subjective dimension of interpretation. It is enough to remember how the image of the past is radically transformed depending on the selection the historian makes according to his interests within the infinitely vast and complicated tangle of even the infinitesimal part of events which is accessible to our knowledge; or on the one he makes among documents according to his personal conviction of their credibility; or on any conditioning imposed on him by academic specializations (historical, political, economic, social, philosophical, artistic, etc.); or finally on periodization, which has so much influence on the perspective in which past events are placed.⁹

Man's relationship with his past is therefore marked by a deep contradiction: it is true at the same time that we are made by history and that history is made by us.

2. *Interpretation.* This is the contradiction around which the debate on the nature of interpretation revolves, and which elicit two opposing answers, both of which unsatisfactory.

The first is the realist answer, which today is enjoying its moment of splendour above all in the field of musical interpretation. It is the illusion of performing ancient and baroque music *wie es eigentlich gewesen*, as it was performed during the times of the composer (with the same instruments, the same acoustics, even the same imperfections). It is an illusion which does not take into account two essential factors. The first is the impossibility of recreating today not the musical instruments, but the cultural and social atmosphere of the time, eliminating the screens created by centuries of evolution in taste and in the means of fruition of a work of art (it is impossible to recreate the courts of the German 18th century princes or of the Hannovers, or the occasions which led people to listen to music and conditioned their way of perceiving it, nor on the other hand can we destroy compact discs). The second is the fact that the aesthetic intention of the artist, beyond the literal text, is always eminently open, is a proposal entrusted to the sensitivity of those to come, and therefore cannot be locked up in the cage of a rigid interpretative formula.

The other answer is that which considers the text purely as a pretext, and the interpretation as an original work of art. We have all too often been afflicted by outrageous theatrical performances, where classical texts are "reinvented" by the director, for it to be necessary to give any examples. Today this irresponsible attitude towards the text is philosophically legitimated by the theorists of "deconstruction," for whom "reading is transformation."

For Derrida¹⁰ "every sign is the sign of a sign." His refusal of the "metaphysics of presence" means that language is a "system of references," in which every sign always refers to another sign without ever being able to define the presence of what is signified, in other words of what the author of the text actually *wanted to say*. The author goes. The text remains as pure succession of signs which, not referring to a *presence*, that is, to a controllable reality, are reduced in the last instance to their materiality, and as such are totally available for the whims of the interpreter. Derrida does not deny the inevitability of the desire for the presence, but claims it is a desire that cannot be fulfilled.

In actual fact, for the term "interpretation" to find its correct meaning in the universe of discourse of literature, art, law and history, the two poles of the sign and signification must both recover their legitimacy. One must escape the dilemma between the position of Heidegger,¹¹ according

to which the truth is already there in its entirety and is simply waiting not to be interpreted, but *revealed*, and the comprehension of the past is only *Wiederholung*, repetition, complete identification with the event, and the opposite one of Derrida, who in the name of the sign, "deconstructs" reality: two positions, it must be noted, that although they start with opposite premises, reach the same conclusion, that is the suppression of meaning. For Heidegger, in fact, the truth is *in the thing*, not in the relationship between discourse and the thing, it is something which simply happens, and in which therefore there is no tension between sign and signification. Its identification between philosophy and poetry underlines what for him is the exclusive relevance of the materiality and sonority of the sign.¹²

3. *Sense as tension.* What has to be recovered is the dialectic nature of interpretation and meaning as *tension towards truth*. It is the tension which appears in the meaning of the verb *semainein* used by Heraclitus in the famous fragment in which it is said that the Delphic oracle "does not say nor hide, but *means*" (*oute legei oute kryptei, alla semainei*).¹³ The act of meaning does not realize a static relationship of correspondence with the object. Correspondence is a limiting concept, to which whoever is in search of truth and, beyond him, the whole history of culture, come closer through signs, those which make up discourse, and which reason must make use of: signs which do not say nor hide, but provide signals or clues. Besides, truth revealed in its entirety, no longer mediated, and therefore partly concealed, by signs, is undescrivable. It is totality, and as such is incompatible with the determination of the sign: *omnis determinatio est negatio*. The fact remains that discourse finds its legitimacy as search for the truth. That of the presence, of *parousia*, to return to Derrida's terminology, thus remains an unsuppressable need. But it is a need which explains all the history of philosophy, science, religion and art, and that cannot therefore be lightly dismissed, by simply declaring it unsatisfiable. Even if it is agreed that the search for truth is a laborious and endless process, doomed never to fully achieve its aim, there must however be a criterion to establish whether the pilgrim is going in the right direction, whether he is approaching his goal or going further away from it, even if the goal is known to be unattainable. The ultimate meaning is the idea of the reason of *parousia*, of the presence of the totality which is revealed without the mediation of language; but it has itself *represented* in the world by (imperfectly) determined meanings, to which the signs of language refer more or less faithfully, so as to justify the attribution of a

truth-value to every sentence. The fact remains that the signification, as representative of totality, is *always in excess* with respect to the sign, so that the relation of the second to the first is, rather than a relation of correspondence, a *premonition*, the correctness of which must be verified in the future. "The rational meaning of every proposition, Pierce writes, lies in the future."¹⁴

4. *The context.* The march of mankind towards truth, however many and however long the wanderings, the returns, the stops along the way, is and can only be, progressive. This characteristic corresponds precisely to the dialectic nature of meaning, which is revealed in the tension between the single sign (or significant event) and the context. It is a fact that every part of a text (or a chain of significant events) can only be fully understood *at the end*, when the relationship of the part with the whole, which is an essential component of the meaning, can emerge. The founder of hermeneutics, Schleiermacher, writes that "Even within a single text, the single element can be understood only by starting from the whole; for this reason a correct interpretation must be preceded by a rapid reading, to get an idea of the whole."¹⁵ But it is just as obvious that the meaning of the context cannot be understood independently from the individual elements which make it up, because the context is formed by its elements. A rapid preliminary reading always proceeds from the beginning to the end, and consists of reading words. The individual words, or the single events in a meaningful process, therefore, have a meaning in themselves — albeit imperfect — and await completion by a reading of the whole text, or the course of the whole chain of events. If this were not the case, nothing could be understood, because everything is at the same time *context* with respect to its elements, and *element* with respect to the wider contexts in which it is included. And the context of all contexts is totality, which is never accomplished and therefore is unknowable as such. If comprehension is possible, this happens because in every word and in every event there is a *premonition* of the context and thus, in the last instance, a *premonition of totality*.

When referred to history, which in the human world is totality in its development, these considerations lead to the conclusion that the basic structure of historicity is the dialogue between the historian and the event and, more in general, between men and their past. On the one hand it is true that it is the context, in other words the chain of subsequent occurrences, that gives a meaning to the event; but the latter in turn is not a lifeless object: it *prefigures* the context, even if in an open manner. The

event and the historian, the past and the present are therefore of the same nature, they are links of the same chain, and they establish a dialogue with each other, although the historian is in a privileged situation because he comes after and, having at his disposal a wider context, he can understand the event better than those who were its protagonists (while the protagonists have the privilege of living more directly the open nature of the event).

5. *Comprehension and event.* It must not be forgotten that, if it is true that the historian has at his disposal a wider segment of the historical context to interpret the event, he is not however *outside* the context, as the reader of a book could be. He is *in* the context, he is *part of* history, he is *situated*. This means that his comprehension of the past is not independent from his links with reality, from his interests and projects. *Verstehen ist selber Geschehen* — to understand is in itself to occur, Gadamer writes.¹⁶ Just like the event, the historian is not pure intellect, but *Dasein*, and therefore lives at every moment in that mode of being which is at the same time attention to the present, retention of the past and tension towards the future (*gewärtigend-behaltendes Gegenwärtigen* in Heidegger's terminology in *Sein und Zeit*).¹⁷

The historian thus does not place himself, with respect to a past event, as a subject towards an object, but in a relationship of *continuity of meaning*. The misunderstanding according to which it is possible to be in a position of pure intellection with respect to the past is a consequence of the division of social work which, by creating the role of the academic, gives rise to the illusion that theory and practice, the understanding of the past and the active planning of the future can be separated. In actual fact, the historian is but a specialized organ of society as a whole, whose life has one of its essential dimensions in the relationship with the past.

The various past and present historiographical trends express the different configurations which the relationship with the past takes on in the view of those forces which, by confronting one another, make up social dialectics. Not without reason the big changes in the prevailing trends of historiography have always followed the great political transformations of real history. To consider event and historical consciousness as parts of the same significant chain thus implies a tendential elimination of the distinction between theory and practice. The truth as the norm of knowledge tends to coincide with duty as the norm of action and the search for truth with mankind's march towards its emancipation.

Therefore the truth is at the same time something *to be sought* and

something *to be made*, which is achieved by understanding and is understood by achieving, and history is the process through which mankind becomes its own truth by becoming aware of it.

Truth as agreement

1. *Truth as Verständigung and Peirce's "community"*. 2. *Criticism and comprehension*. 3. *The historicity of truth*. 4. *Violence in history*. 5. *Violence and dialogue*.

1. *The truth as Verständigung and Peirce's "community"*. But what does "to become one's own truth" mean? For as long as truth remains an ideal which is pursued but not achieved, it postulates the existence of an object of thought, which is outside it and to which it must try to adapt itself. The *adaequatio intellectus et rei* is in the first instance the criterion of truth. And it is a criterion which already points out that the search for truth is the opposite of the arbitrary expression of one's personal excogitations. It presents whoever ventures into it with the experience of a harsh confrontation with the "thing," with a reality which is beyond and outside us, which is certainly not produced by whoever thinks, but on the contrary strenuously resists comprehension. It is the painful experience of the *fatigue of the concept*.

On the other hand it is also true that, just as thought only exists for the object, likewise the object only exists in thought, and that the same judgement on the *adaequatio* of an assertion to a thing is at the same time an assertion, and therefore is itself internal to thought. So it is true that there is no *objective* criterion to determine in each particular case the nature of the object.

The same problem and the same apparent contradiction appear in the context of moral philosophy. It is true in fact that ethical reflection cannot exclude the subjective form of the voice of the conscience, or the categorical imperative. But the categorical imperative must have an objective content, without which it becomes Hegel's *conviction*, the uncontrollable assurance of one's good faith, which can be used as an alibi for any iniquity. And this content can only be given by public morality, by Hegel's *Sittlichkeit*, which the individual finds already there in social life.¹⁸ Moreover, the autonomy of the categorical imperative and *Sittlichkeit* are two terms both necessary to give a meaning to moral reflection and at the same time contradictory. It is true, in fact, that *Sittlichkeit* is the

essential reference point that allows us to avoid arbitrariness in our choices and moral judgements. But it is just as true that it is the place of conformism and conservatism. Just as the autonomy of the moral command is at the same time the principle of arbitrariness and the place in which the contradictions of the existing system of *Sittlichkeit* become self-conscious and the conditions for overcoming them are created.

At this point it becomes necessary to ask whether that of overcoming the opposition between subject and object within the sphere of knowledge and in that of action, through a process in which they *become* and *acknowledge each other* as the same thing, should not be considered *tout court* as the *unendliche Aufgabe* of the search for truth.

But the elimination of the opposition between subject and object can only take place through the substitution, as criterion of truth, of the *adaequatio intellectus et rei* with the *Verständigung*, that is, of the *agreement* between subjects-objects which, through rational dialogue, elaborate a common vision of the world and by doing so promote the process of emancipation of mankind.

This can be achieved, in an indefinite future, in Peirce's *community*, that is, in a way of living together in which opinions will be expressed and freely evaluated, without the screen of prejudice. "So, Peirce writes, those two series of cognition — the real and the unreal — consist of those which, at a time sufficiently future, the community will always continue to reaffirm; and of those which, under the same conditions, will ever after be denied."¹⁹

The achievement of truth thus becomes a process through which men create a world dominated by discourse, in which violence is suppressed and free rational communication among men is no longer impeded by any type of screen. But it is an agreement that will be achieved only *at the end* of the process. At this ideal final stage of the development of mankind the complete identification of theory with practice will be achieved because, when the object has vanished forever, mankind will advance exclusively through mutual persuasion and politics will turn into the art of rhetoric and into the *paideia* of Plato's *Republic*. Full legitimacy will be acquired by what Vattimo calls "the rhetorical horizon of truth,"²⁰ because truth will coincide with the *pithanon*, with what is convincing.

2. *Criticism and comprehension*. It must be emphasized that the idea of an agreement among reasonable men is a dynamic concept. The agreement is something which must be constantly recreated because the search for truth is an endless task, in the pursuit of which the frontier

of knowledge moves further and further forward. The ideal of *Verständigung* cannot therefore be separated from the idea of criticism, which is in fact internal to dialogue, and is the prime mover of its advance. On the other hand criticism cannot be separated from comprehension. In a dialogue every statement which refers to a previous statement of the interlocutor always goes beyond it, and therefore denies it, and so degrades it to an object. But it can do this as it understands it, and thus preserves it. The Habermas-Gadamer controversy²¹ on the primacy of one pole or the other in truth often appears to be the juxtaposition of two unilateral views. Gadamer, like all the exponents of hermeneutics, thinks of comprehension without criticism because after all he does not believe in truth; Habermas, like all the exponents of the Frankfurt school, seems to think, at least at some stages of his meditation, of a criticism without comprehension because he does not believe in history as the history of the emergence of truth, and is convinced that the abstract ideal of truth is visible from the beginning in the totality of its determinations.

Now truth certainly does exist from the beginning, but only as a formal idea, and it develops only in history, progressively revealing its concrete content. Therefore it is true that criticism is carried out by applying universal criteria of judgement to a statement, or to a situation. But these criteria must not for this reason cease to be determined historically: otherwise whoever practises criticism does not understand the object because he does not share its historicity. The mediation between positive phenomenon and universal criterion is thus the *historical process*, as tension towards the achievement of universal values in history. If this mediation is lacking, if there is no common reference framework, comprehension is reduced to a kind of sympathy or philological curiosity, a dreamy conversation among the deaf, in which in reality nobody understands anything because everyone has his own criterion of truth, or has none at all; and criticism becomes the sterility of the simple negation, for which what is historical is false simply because it is historical, that is, not absolute, and which condemns itself to go unceasingly along the monotonous roads of negative dialectics instead of stimulating the object of criticism to evolve towards its universal idea.

3. *The historicity of truth.* If comprehension without criticism leads to scepticism, criticism without comprehension leads to dogmatism and intolerance. An example of this, in paradoxical contrast with the theories he professes, is Popper's work,²² with the superficiality and sovereign easiness with which he tries to liquidate in a few lines great philosophers

such as Plato, Hegel or Marx. This derives from the fact that his approach does not consider the pole of comprehension. Therefore he does not place himself in history, but measures other people's theories according to a non temporal standard which in turn escapes criticism and cannot therefore be falsified. In Popper's philosophy the negative — *falsification* — is far more important than the positive — truth. But it is the very search for truth, of which the process of falsification is only a methodological instrument, which makes man a different creature from animals: *pantes anthropoi tou eidenai oregontai physei* — all men by nature aspire to knowledge: this is how Aristotle's *Metaphysics* begins.

Falsification is merely the consequence of the dissatisfaction which the insufficiencies of truth transmit at the stage of historical development it has reached. But it must not be forgotten that whoever is concerned exclusively with pointing out the contradictions and lapses in another's opinion, instead of trying to understand it with the aim of reaching an agreement, is merely a nuisance, certainly not a scientist or a philosopher.

The philosophy of falsification intended as basic structure of knowledge does not historicize itself, and thus doing does not feel any *sympathy*, that is *comprehension*, for other people's theories, the sympathy which finds its justification in the fact that both theories, the one that judges and the one that is judged, have their origin in the common ground of history.

In reality no theory is ever actually falsified (and in this Kuhn comes much closer to the truth than Popper).²³ Science, and knowledge in general, proceed by replacing the previous theories with theories having a greater explicatory power. The former, however, retain some content of truth, without which the successive theories would never have been elaborated. This is the reason why Plato is still profoundly true and up-to-date. Man emancipates himself in the course of history because truth grows on itself. If every falsification were radical, it would always make *tabula rasa* of all the previous theories and observations on the subject, and every time things would start all over again. The only truths handed down from ancient thinkers would be those that nobody has ever bothered to falsify, instead of being, as they are, the dawn of a knowledge which in subsequent history has continued to be enriched and determined. They are therefore *still* truths, and it is their very auroral nature — the continuity between the meditation of the ancients and ours — which makes reading them such a deeply involving experience.

4. *Violence in history.* It is a fact, however, that today the identifica-

tion between truth and *pithanon* does not exist. Of course, to deny the link which unites them would be to bar oneself from the search for the meaning of truth. Moreover, Aristotle, although he distinguished clearly between truth and common opinion, admitted the close ties between them. He considered two types of reasoning valid: the demonstrative (*apodeixis*), which argues starting from the first truths or from assertions deduced from them, and the dialectic, which argues starting from opinions accepted "by everybody, or by most people, or by wise men and, among these, by all, or most of them, or the most famous and the ones enjoying the most prestige."²⁴ Shared opinion is therefore placed at the same level as truth.

But the complete identification between true and convincing takes place *at the very limit*. If they were completely identified "now," it would be impossible to avoid two types of contradictions. In fact, as virtually no assertion is shared by everyone, "most people" might not coincide with the "wise men," thus making the criterion of truth indeterminate. On the other hand, the concept of "wise man" presupposes the idea of truth which one wants to define with it, and thus leads to begging the question. In today's reality therefore there can be conviction without truth and truth without conviction. It is enough to remember to what extent, especially in politics, conviction is a prerogative of demagogy, discourse is manipulated through violence, consensus is reached through *ideology*, here meant as false conscience. This type of consensus must therefore be kept carefully distinct from the one realized through an unbiased dialogue among equal men. Only the latter, when it becomes general, can be identified with truth. But its realization *lies in the future*.

But what prevents Peirce's *community* from being realized now, in other words during the course of history instead of at its end? The truth is that history is not a text. It certainly has a sense, and in this aspect it is useful to compare the interpretation of the facts of history with the reading of a text. But it has not got one single author who creates it from beginning to end on the basis of an idea, and who can go back to the beginning to re-elaborate it, make clear its connections, balance its composition, eliminate its contradictions and obscurities. History is not the translation into words, or figures, or notes of a project (although the process of writing a text or of artistic creation certainly does not amount merely to the reproduction of a mental model). It is rather the process of *emergence* of sense from matter, from chaos, or from nonsense.

That of historical development therefore is not only the dialectics internal to sense, but it is also that of the relationship between sense and

nonsense. This is the theme on which Habermas has focused above all.²⁵ He insists on the fact that a wide area of human action is of a non-communicative nature as it refers to aspects of reality which are impermeable to dialogue, and which can be called from time to time nature, war, power, need or folly. It is that pole of the dialectics of reality which on the one hand is opposed to communication, but on the other represents its material foundation, just as the body, with its materiality, its inertia and dependence on the laws of physiology is the home of the individual expression of reason, which dies with the death of the body. The nonsense cannot therefore be eliminated, because its elimination would involve the elimination of sense.

Habermas emphasizes that these aspects of reality must be tackled with *monological* procedures, such as instrumental action, criticism of ideology, strategic interaction.

The process of the progressive evaporation of the object cannot therefore be the process of its disappearance, just as it cannot be that of the dematerialization of the subject. Moreover, all the philosophical attempts at reducing nature to spirit have failed. It follows that technology as man's control over nature, and its continuous development — although it must be a sustainable development — remains an essential condition for the advance of the process of human emancipation. Thus Peirce's community will anyway have a material basis, represented by the work of the men who will be part of it and that of all the previous generations, and its existence will depend on that of its material basis.

But the progressive replacement of the monological approach to reality with dialogue is quite conceivable when the former involves the use of man's violence on man. Both manipulation (on the side of conservatism), the criticism of ideology (on the side of progress) and strategic calculation (on both sides) are tied to the persistence of violence and destined, with its disappearance, to be replaced by dialogue. It is still therefore legitimate to conceive of the history of mankind's emancipation as a process — certainly endless, but destined to go through well determined stages — in which needs tend to dematerialize, becoming more and more cultural needs, in other words communicative, work is reduced and is left to machines, war disappears and even the premises for folly come to be lacking, in a peaceful and egalitarian society.

Within this more limited context, the obstacle to the realization of Peirce's community is violence, and the history of its realization is the history of the elimination of violence. And as violence is impermeable to dialogue, it is inevitable that overcoming violence implies the use of

monological procedures, which also belong to the sphere of violence. Concerning this, Habermas underlines with particular insistence the emancipating function of the criticism of ideology. It differs from the criticism internal to dialogue because whoever uses ideology to justify his power is considered inaccessible to persuasion. Dialogue, in fact, — to go back to an above-mentioned point — is not characterized because the conversing subjects have the same opinion from the start (otherwise it would be idle talk) but because they are animated by what Apel — in opposition to Nietzsche — calls *Wille zur Wahrheit*, that is, by the sincere willingness to reach a common position, and therefore by open-mindedness to the interlocutor's criticisms. Where this willingness and open-mindedness are lacking, the relationship becomes a relationship of power, and therefore belongs to the sphere of violence. And this is precisely the case of ideology, in which the error is not a dialectic aspect of the search for truth, but is external to it and suffocates it because it is functional to the preservation of power.

It cannot therefore be defeated by persuasion, but by the corrosive violence of criticism: violence can only be abolished by violence.

5. *Violence and dialogue.* All this does not avoid the fact that, as it would have been out of the way to go too further in the identification between history and text, so it would be to forget that history remains a process with a sense. If in fact criticism of ideology were only the relationship between who makes the criticism and who justifies his power with ideology, it would be completely useless, because it would not be accepted by its recipient. Its emancipatory function depends instead on the fact that it is addressed to an audience which is open to dialogue and comprehension, which has to be *persuaded*. *Verständigung* thus still remains the only criterion for verifying the truth of an assertion or of the correspondence of behaviour to the norm. The foundation of truth is always dialogical, and the monological approach to reality is founded in turn on dialogue, which anyway provides the verification of its results.

But this can take place because, in the human world, the germ of dialogue is inherent in violence from the very start, that is because sense — albeit embryonically — is in all relationships among men. Hegel had seen this in his *Phenomenology of Spirit*, when he had identified in the essentially communicative need for acknowledgement the cause of the outbreak of violence which leads to the dialectics of master and slave. Moreover, the approach to reality of any human being in any situation is never purely monological. It is enough to recall that the relationship

between analyst and patient in the psychoanalytical treatment, which Habermas considers as a paradigmatic case of the monological approach to reality, is founded on the common use of language. It is true that the analyst, at the beginning, tries to find in what his patient tells him a meaning that is not the obvious and conscious one, but the one he expresses without understanding it, and that Mannheim called the interpretative meaning (*Interpretationssinn*);²⁶ but this happens with the purpose of creating a situation in which, after a series of imperceptible transitions, dialogue can acquire the fullness of transparency. It is enough to remember the function of propaganda ("psychological war") in conflicts, through which each of the various parties tries to act upon man's original faculty to communicate even to defeat the enemy in the most violent of human situations. Finally, it is enough to meditate on the fact that the very development of technology is the result of pooling knowledge and that its use cannot be thought of without collaboration among those who use it for a common purpose.

The State as political a priori of communication

1. *In the beginning was the logos.* 2. *Provisional truth.* 3. *The universal community of communication.* 4. *The ethical a priori of communication.* 5. *The State.* 6. *The State as institution in progress.*

1. *In the beginning was the logos.* The idea of history as emergence of sense brings us to that frontier region of knowledge in which the antinomies of reason appear. On the one hand, that of the sense in history is precisely pure *emergence*, because before it reveals itself in its place there is violence and chaos. On the other hand it is impossible to escape the idea that sense, reason, the Good, and the capacity to communicate have existed in man from the very beginning at the state of *disposition* (Kant's *Anlage*), of which history is the progressive translation into action. Moreover, for what is potential to become actual the presence of a factor is required bringing about the passage from one state to the other. This factor for religion is grace. But for philosophy it is only a dark point, unresolved and not resolvable, just as the origin of the universe, the appearance of life in the history of the Earth, birth and death intended as appearance and disappearance of a conscience.

It is an obscurity with which we have to live. What still remains, though, is the fact that whatever the incomprehensible mechanism

through which this happens, reason cannot emerge exclusively from violence. Already at the beginning of philosophical and political thinking, man was defined as *zoon politikon logon echon*. Therefore reason was already for Aristotle the distinctive characteristic of man as a social being. Thus it cannot but have had a role in the causation process which has brought mankind from the generalized violence of barbarity to the eve of the creation of a worldwide law order. If it is true that reason has been progressively — even if slowly — asserting itself in history, it is impossible to separate its assertion as a *result* of the process from its action as a *cause* of the process. *Logos*, intended as theoretical reason and practical reason, must thus have been present in man from the very beginning, even if its visible emergence in history may have resulted from accidental circumstances, like those imagined by Kant in his *Conjecture*, which anyway describes the hypothetical development of the process without explaining it. It is the problem posed by Meinecke in the introduction to his *Idea of Reason d'Etat*. If all history could be interpreted as a face-to-face confrontation between good and evil, he writes, the historian's task would be relatively simple. "But scientific historiography, he continues, has overcome this gross dualism — although not dualism in general, because the polarity between spirit and nature continues inevitably to appear. But together with it also appears the disturbing, disconcerting and often upsetting experience that nature and spirit cannot be as easily separated from each other as friend and enemy in war, but are inextricably interwoven."²⁷

En arche en o logos therefore, even if at the beginning *logos* was confused with nature, and even if the mechanism of its progressive predominance over nature remains not understood. It is once again Meinecke who notes, with extraordinary poignancy, how in history "the *raison d'état* of the powerful is ennobled through imperceptible transitions, and becomes the joining link between *Kratos* and *Ethos*," how the historical process continuously highlights "the transformation of natural instincts into ideas." Meinecke refuses "the hasty answer of positivism," "which explains these transitions by resorting to an ever better and more skilful adaptation to the objective of self-preservation." "What is only useful and necessary, Meinecke continues, could never lead beyond the stable technique of animals and their social organizations. Beauty and Good can never be deduced from the pure and simple useful but they arise from dispositions independent from man, from the spontaneous urge to instil the spirit in what is only natural, to the transformation of the useful into the ethical." "How a relationship of causality and an essential

difference between low and noble inclinations, between nature and spirit in man can co-exist: this is precisely the obscure mystery of life" he concludes.²⁸

2. *Provisional truth*. Besides, if it is still true that the definite truth of every assertion and the validity of every line of action lies in the future, in Peirce's community, it is also true that Peirce's future expands indefinitely, and the continuous widening of the context incessantly modifies the meaning of every event and the degree and manner of approval of every theory and every behaviour: and it is impossible to indicate a stage of historical development in which the consensus of the community will definitely determine what the truth is. Because waiting for the final verification cannot avoid being eternal, to prevent the idea of truth from being made vain, it must certainly be acknowledged that every assertion and every project contains an uneliminable component of betting; but also that it must be possible to make a verification, however partial and provisional it may be, at the present time. In other words it must be possible to read, in the single assertion or in the single project, an *anticipation* of its final meaning, which will coincide with what will be preserved of them in the endless series of successive *Aufhebungen* through which future history will proceed.

This partial verification to be sought in the present consists of an agreement of a certain number, more or less large, of our fellowmen, with whom each of us are in what Apel calls a *community of communication* (*Kommunikationsgemeinschaft*).

Of course, even this partial and provisional agreement could be lacking, and truth could dwell in a virtual community formed by a single man. But this could happen only for a relatively short period of time. And during this period, the only provisional verification of a theory or of a project can lie in the *rigour* — both moral and intellectual — with which man undertakes the confrontation with himself, as representative of a community which for the moment is only ideal.

The fact remains, however, that as long as there is a plurality of communities of communication, that in turn do not establish among themselves larger communities of communication, and in the last instance only one, we will live in a world of partial, and therefore multiple, truths as such not liberated from the violence of man on man.

3. *The universal community of communication*. But at this point the problem is posed: if the origin of the error lies in the plurality of

communities of communication, in each of which men find the only provisional verification of the truth of their ideas and projects, the necessary condition for the conclusive verification of the truth of any assertion and of any volition is the *fusion of everyone's horizons* into a *universal community of communication*, whose condition of possibility is moreover the pre-existence of a universal community of communication in embryo, which provides the common *generative grammar* thanks to which the barriers between cultures can be progressively overcome and the conditions are created for the search for a truth that is such for everybody.

4. *The ethical a priori of communication.* But the process of creating a universal community of communication must go through *institutions*. The human race, as it is made up of free beings — and therefore permanently confronted by the presence of *radical evil* — does not improve through the autonomous exercise of its rational faculties, but through the improvement of the forms of social life, i.e. the progressive establishment of law.

Karl-Otto Apel underlines that communication presupposes an *a priori* of an ethical nature: the *duty* of searching for truth together. For Apel too, it must be noted, truth invests the whole of men's lives. "In the *a priori* of argumentation, he writes, lies the *claim* of justifying not only all the 'assertions' of science, but, beyond these, all men's claims (even the implicit claims of men towards other men which are contained in actions and institutions). Whoever argues, acknowledges implicitly all the possible *claims* of all the members of the community of communication which can be justified with reasonable arguments, and forces himself at the same time to justify with arguments all his own claims towards others." "The meaning of moral argumentation, Apel writes later, could be expressed in the principle — which is not new — that all the *needs* of men, as virtual *claims*, to the extent that they can be brought to agree, through argumentation, with the needs of all the other, must become an object of concern for the community of communication."²⁹ A community of communication thus exists wherever there are men willing to carry out the *sacrifice of their individuality* ("self-surrender" in Peirce's terminology)³⁰ which is the presupposition of that search for a common ground which is truth.

5. *The state.* All this is true. But if one wants to consider the ethical *a priori* of communication not as a purely formal requirement, but as an

attitude existing *in the world*, it cannot be conceived of outside Kant's *civil constitution*, in the absence of which men are removed from any moral duty except that of *entering into a civil constitution*, that is, into a social bond founded on law.

The moral *a priori*, Apel's *Grundnorm*, therefore postulates in turn a political *a priori*. Morality — remember Hegel in his *Philosophy of Law* — intended as call of the conscience or categorical imperative, is purely formal and has no content or reality outside civil society, in other words of the state as "reality of essential will," which is the condition for the existence of civil society. The state is thus the real *a priori* of communication, and the universal state is the *a priori* of universal communication.

In other words, the *a priori* of the community of communication is the way in which men organize themselves in view of pursuing common purposes. Whoever has had a political experience has been able to verify to what extent institutions condition the process of opinion making. The obstacles to mutual understanding are thus represented by the incompatibility among the strategies that the different organized human groups have to pursue to guarantee self-preservation and to promote their assertion. Moreover, for the very reason that men are no angels, it cannot be supposed that they are animated by the wish to find truth unless they are driven to do so by a common interest, in other words by their belonging to a community of destiny. If the knowledge of which the institutional conditionings are sought is the collective knowledge of historical reality, in other words the awareness that a people has of the direction it is going — which is the knowledge that founds all the truth-criteria of specialized knowledges —, the only institution which makes possible that *Kommunikationsgemeinschaft* which is the real subject of research is the community of destiny *kat'exochen*, the institution of institutions, that is the state.

But the state is a two-sided institution. On the one hand, it is the framework within which the common good of citizens is pursued and peace is guaranteed through the creation of a legal order; therefore one in which discourse prevails over violence. Membership of the same state, lived from within, is thus the essential institutional condition for the formation of a common opinion on the important historical choices of a human community. On the other hand the state, as it is unbound by law, in other words sovereign, is the subject of war, and therefore the agent of violence in international relationships.

Concerning this, it is a good thing to observe that the definitions of the state as a legal order and as an instrument for the realization of the

common good differ essentially from each other only until the juxtaposition between individual interests to be protected and collective interests to be promoted, and thus the juxtaposition between liberal state and social state, is highly significant. If the state were stripped of its violent and arbitrary aspect, and private and public interests tended to identify themselves in a realized democracy, protection of rights and promotion of the common good would identify themselves without residues in the idea of self-government.

Herein lies the core of truth contained in Hegel's theory of the state: the state is not only the extrinsic condition for pursuing knowledge and observing of morality rules as it ensures peaceful human relationships within the framework of a guaranteed legal order, but it is also the essential foundation, whatever the citizens' degree of awareness, of that deep identity of intentions, founded on a community of destiny, which represents the existential precondition of mutual understanding, and thus of the common search for truth or the *bonum commune*, which is the same thing.

The existence of a multitude of sovereign states, on the contrary, is the negation, at a higher level, of this foundation, and therefore condemns men to live in a world of multiple truths. And as every state has *its own* truth, it is only violence which can decide which of these should prevail over the others.

The state is therefore an institution marked by a radical contradiction: it is at the same time the affirmation and the negation of law, and of the criterion of truth. In international relations it is the agent and the cause of war, which is the negation of life, and therefore of all values, but it is at the same time, in the relations among its citizens, the guarantee of peace and law, and therefore of all other political and social values. While it arms citizens for war against other states, it disarms them in civil life. While it denies every criterion of truth in international relations, it represents the precondition of the search for truth in the relations among its citizens.

6. *The state as an institution in progress.* For this radical contradiction to be overcome, the state must be conceived of as an institution *in progress*, which has been realized up to now in history in imperfect forms, but which tends to overcome its own limits and to advance towards the realization of its idea, which is that of its full identification with the rule of law or with the idea of the *bonum commune*. It is a process in two stages, which are moreover strictly interconnected and do not have a relationship

of strict temporal succession with each other. The first implies all states establishing within them an order founded on the acknowledgement of the values of freedom, equality and justice, in other words their transformation — at least tendential — into *republics* in the Kantian meaning of the term. It is an objective which is identified with the realization of liberal-democratic régimes and with the overcoming of the historical phase of class struggle. The failure to achieve this objective involves the persistence, in society, of situations which are objectively unlawful, as the existence of the oppression of man over man is in itself violence and causes in return the violence of the oppressed and excluded. The norms which legitimate oppression and exclusion therefore are not yet completely juridical, and the community they regulate is not yet completely a state.

The second is that of the overcoming of the world's division into sovereign states. It is the condition for the elimination of violence in international relations. And it is at the same time the condition for the completion of the transformation of the existing states, deprived of exclusive sovereignty, into *republics*. Violence is in fact indivisible, and its use in international relations pollutes juridical relations within the states as the *raison d'état*, in the name of the very guarantee of the rule of law, at least as far as this is not incompatible with the survival of the community, obliges political power to adopt courses of action infringing the very same rule of law.

The problem to be solved, therefore, is the Kantian problem of making states, as well as citizens, enter into a legal order. The complete realization of the idea of the state coincides with the creation of a *worldwide state* as a federation of *republics*.

The World federation

1. *Truth and democracy.* 2. *The social contract and the people as its subject.* 3. *Natural law.* 4. *Natural law and revolution.*

1. *Truth and democracy.* The concept of history as the history of the realization of the idea of state in the shape of a World federation provides us with the conceptual instruments for reconsidering key concepts of political philosophy such as those of general will, social contract, people and natural law.

In the World federation, as institutional framework — and as such a

necessary condition — of a universal *community of communication*, is revealed the democratic foundation of truth which Feyerabend mentions³¹ — even if in a completely different perspective. At the same time, as truth is a theoretical and practical idea, the creation of the conditions which make the final verification of an assertion possible is identified with that of the conditions which make the complete formation of the *general will* possible, intended as unanimous acknowledgement and volition of the common good. The pursuit of the latter is identified with the pursuit of truth.

It is clear that, for this to take place, it is necessary, as Rousseau had seen perfectly, for the general will not to be reduced to the will of the majority, but to be unanimous. Until this takes place, popular will is not really general, and therefore is not identified with truth. Politics remains marked by the arbitrary aspect of power.

Moreover, Meinecke points out the deep ties existing between the exercise of power and the realization of the conditions which make dialogue as common search for truth possible. Power is a two-sided relationship. On one hand it is the imposition of the will of one or a few men on the others. On the other hand it is inseparable from the idea of consensus, which is in the final analysis the subjective presupposition of the common good. No man, no political class can rule, in other words have power over somebody, if his power is not based on the consensus of a more or less large part of the people ruled; consensus which is precisely granted according to the ability — real or supposed — of that man or of that political class to achieve — to a lesser or greater extent — the common good. The pure and simple brutal use of violence is never identified with the exercise of power. Whoever exercised violence against everyone would be rapidly eliminated in any society. Even the use of violence against someone therefore presupposes the consensus, silent or expressed, of a certain number of other members of the community. The art of conquering power is the art of ensuring for oneself the consensus of all, or the majority, of the members of the community, or of those who in turn have the consensus of everyone or of the majority.

Therefore, the more perfect the consensus which is its basis, the stronger the power. Contrary to what the common use of the term would seem to suggest, dictatorial régimes are the most fragile and short-lived form of the exercise of power.

In turn, the perfection of consensus is a function of three factors: a) its generality, b) its active character and c) its rational nature.

The generality of the consensus depends on the one hand on the

diffusion of its presence within the community and on the other hand on the dimension of the community itself. The consensus solely of the majority — which therefore implies the exercise of coercion over the minority — although it is the foundation for by far the most advanced organization of social life that man has been able to produce up to now, leads to a weak and imperfectly democratic power. On the other hand, the consensus, even unanimous, obtained by a single fraction of mankind (a single state, a single party, a single group) is only imperfectly democratic because it is the instrument of the use of violence with the other states, parties and groups.

The active character of consensus depends on the motivations for which it is given. For as long as mankind, to guarantee its reproduction, has to resort to the division of labour, to face the challenge of scarcity, and until therefore politics remains the prerogative of a class of specialists, the consensus of those ruled will always be of a more or less passive nature. Ruled people are in fact concerned exclusively or predominantly with their individual projects, that is *to carry out their job*, and take part in the pursuit of the common good only in a very indirect and imperfect way, through the action of the *invisible hand*, in other words to the extent — wholly partial and unsatisfactory, and ever more partial and unsatisfactory the more the interdependence in the relations among men becomes accentuated — to which the common good can be the result of the composition of the divergent strategies having as their object the achievement of what the individuals believe is their own personal good. Consensus is then given only to the extent to which the rulers allow the ruled to pursue undisturbed their own interests, or promote them actively, and, to the extent to which this happens, it results in a kind of blank delegation.

Consensus therefore becomes more *active* the more time and need men have to concern themselves with the general interest. This is a tendency which today is increasing because, on the one hand, in the industrialized part of the world, the affluent society is imperceptibly depriving of meaning the very idea of individual welfare measured according to the possession of material goods and is leaving men an increasing amount of spare time, making it available for the pursuit of the common good; and, on the other hand, the increased interdependence of social relations, with its inevitable consequences — the threat for peace and the progressive degradation of the environment, and thus of the quality of life — show with increasing clarity that there is no other good for which to fight except the common good, and no other strategy to do it except the pooling of everyone's energy to save mankind from

extinction or from the return to barbarity. An attitude of passive consensus towards a professional political class becomes more and more untenable under these conditions. The only activity with any meaning becomes the search for the common good. Consensus, even if through a process which is slow and full of contradictions, tends less and less to be a blank delegation given to one or more people, but to be the result of conviction of the soundness of decisions in which everyone has participated, and not to have any more its foundation in the selfishness of those who are quite happy that other exert power as long as they are not disturbed in the running of their own particular well-being.

Finally, consensus must be *rational*, that is, not founded on *ideology*. More simply, it must be founded on *truth*.

Power is intimately linked with truth (and therefore so is politics with culture) insofar as it is inseparable from the idea of the common good. But it is an equivocal link, which at the beginning is only virtual, or in any case partial, and becomes explicit with the advance of the human emancipation process, even if politics, up to the moment of its completion, that is of its suppression, remains the privileged place of mystification and violence. In the English courts of Shakespearian plays the only figure authorized to speak the truth was the jester, the "fool," who paid for the right to speak by being the object of general contempt. It is a situation which reflects a profound reality: that, if it is true on the one hand that power without truth is a weak power, not a real power, it is also true on the other hand that truth without power, in other words unable to guide men's behaviour, is not a real truth, if truth, to be so, has to become, by being shared by a growing portion of mankind, an agent of historical transformation.

But all this means that the birth of a truly irresistible power, in other words the realization of the *idea* of power, will coincide with its suppression. The realization of the *idea* of consensus (general, active and rational) coincides with the realization of the *idea* of self-government, in other words with the complete identification between rulers and ruled, with the voluntary execution on the part of the citizens of the rules they themselves have consciously assigned themselves.

The model of the World federation thus has a double relation with the ideal of dialogue. Thanks to its universal character, it eliminates all the institutional barriers which act as a screen for communication among men. But with it it realizes only a negative condition of universal communication. For this to be able to show in facts, it is necessary for everyone to feel invested with the responsibility of giving the concrete

contribution of his participation in the achievement of the good of the community in which he lives his everyday life, and with whose members communication takes place in an immediate and personal manner.

In this way, the unanimity through which the general will must reveal itself is not the result of an impossible addition of individual volitions with the same content, but it becomes the result of mutual persuasion through a permanent debate on themes which are familiar to everybody. Federalism, as it has been theorized by Albertini,³² thus presents, in its complete realization, a cosmopolitical pole and a community pole, each of which integrates the other and gives it life and content. And the universal community of communication can exist only inasmuch as it is founded on the rational confrontation of a myriad local communities of communication, in which both the answers to local problems and the local contributions to the answers to problems which are set at the higher levels are elaborated, right up to the worldwide level. Peirce's *community* is in actual fact a community of communities. The federal constitutional structure, founded on independence and co-ordination among the various levels of self-government of growing dimensions, guarantees the compatibility of the strategies of the communities at the same level within the framework of a global law order, and thus creates the necessary conditions of compatibility to prevent the barriers to dialogue from forming again.

2. *The social contract and the people as its subject.* The idea of general will is inseparable from that of *social contract*. But in our perspective this cannot be a conjecture on the historical birth of the state, nor a theory whose purpose is exclusively that of founding its legitimacy, and that therefore does not leave the sphere of speculation on the ideal state. It is instead an idea that acquires concreteness as it poses itself as the *point of arrival* of historical development, which thus becomes *the history of the birth of the state*. The social contract thus comes at the end, in other words when — violence having disappeared from the relationships among men — all the decisions through which the *bonum commune* is achieved are the result of the unanimous and rational agreement of the citizens.

But the idea of the social contract could not avoid being present in philosophical meditation from the very start. It is enough to remember the Socrates of the *Criton*, for whom the citizen was tied to the laws of the *polis* by such binding agreements (*omologiai*) as to compel him in some cases to sacrifice his own life rather than avoid their rule, however unjust

they might be.

And as the social contract, although it is present as an idea right from the beginning, is realized only at the end, thus it is only at the end that the idea of the subject of the contract, that is, the people, is completely defined. Certainly, as the subject of the social contract, the people can only be the people of a state because it becomes what it is exclusively thanks to the contract; but as the contract is *in progress*, is imperfect until the end, the people does not coincide with the state, but is in permanent contradiction with it and represents the prime mover of its evolution. Herein lies the foundation of the constituent power of the people — as the liberal tradition claims from Locke onwards — not because it is a qualitatively different entity from a state degraded to a pure instrument, but because, as an active subject of a process, it is always *beyond* its objectivity, which is precisely the state, and, because of its not coinciding with it, represents the prime mover of its development. This is the justification of the concept of “people before and above the constitution” (against that of “people in the constitution”) which, according to Carl Schmitt,³³ is the ultimate foundation of the legitimacy of any state order.

For Eric Weil³⁴ the idea of people — in so far as it is not identified with that of state — is a purely negative idea, which is identified with the residue of unlawfulness which persists in the historical forms assumed by the state. On the contrary, the truth is that the people — insofar as it is not identified with the state — is not only negation, but also affirmation of a form of state closer to the model of the social contract, because the people does not identify with the state precisely as far as the latter — being still far from the realization of its concept — violates the law.

This assertion, however, must be circumstantiated. Historical experience, in fact, shows very clearly how impossible it is to define the boundaries of any people when one does not wish to make them coincide with those of a state. It is enough to remember the infinite succession of violences which must be attributed to the idea of “peoples’ self-determination,” due to the arbitrary character of the identification of the entity which must “self determine” itself.

In actual fact the people adjust to its concept only when it coincides with mankind and therefore identifies in perspective with the people of the World federation. Before reaching this stage, the concept of people, when separated from that of state, remains an essentially vague concept, without boundaries and without an identity, which never corresponds to the criteria with which one wants to define it.

From this perspective, the only assertion which can rightly be made

is that, before the unification of mankind, it will be legitimate to appeal to the people against the state only when the overcoming of the contradiction approaches the objective of a World federation, while it will be illegitimate to do so when the aim is the opposite one of the assertion or reinforcement of an alleged national identity.

This does not obviously mean that the population of the World federation should not be pluralist. The opposite is true. But pluralism does not mean segmentation of mankind into definite groups, which are therefore closed in themselves. On the contrary, pluralism means multiplicity of the terms of cultural identification of every single individual, in contrast with the exclusiveness of national (or micro-national) identification, and therefore the possibility for everyone to fully express, free from the imposition of uniform and artificial cultural models, its own unrepeatable individuality. And the institutions of the World federation will have to take into account this open and articulated character of the world population by articulating in turn into multiple and mutually intersecting levels of self-government, which prevent the formation of exclusive or prevailing loyalties, and therefore allow the world democracy to be founded on the consensus of free and reasonable men.

3. *The natural law.* Just as the social contract has a subject, the people, so it has an object: the law as idea, in other words natural law. Habermas³⁵ points out how the theory of natural law has historically assumed two distinct forms. The first is that of the classic liberal tradition of the English-speaking area, for which natural law was in force in a mythical state of nature which existed before human relations were corrupted by power. The social contract, therefore, in this perspective, has no other function than that of guaranteeing the compliance with the norms of natural law, which the citizens must constantly watch to avoid the contract being violated through the establishment of despotism. Classic liberalism sees civil society as autonomous from the state, which is merely its instrument — susceptible to abuses of every kind — and attributes to natural law an eminent function of guarantee.

The second is tied to the Enlightenment tradition, for which natural law, like civil society itself, only exists *in* the state, whereas the state of nature is identified only with anarchy and barbarity. This is the concept which is the cultural basis of the French Revolution. It identifies the rights of man with those of the citizen, and therefore considers them as essentially political rights. Natural law thus derives from the nature of the social contract.

This second concept has a fundamental element of ambiguity because, if it is not placed within the context of historical development and is not seen as its formal point of arrival, it runs the risk of legitimating arbitrariness. If the social contract in fact is an irrevocable pact with which men permanently give up their wild freedom delegating power once and for all to a sovereign, natural law loses all autonomous content and identifies with the arbitrary will of the latter: *non veritas sed auctoritas facit legem*. The idea of natural law negates itself and identifies with that of positive law.

Actually, it is true that, for the idea of natural law to have a meaning, it is absurd to look for its contents in the relations that would have existed among men in an idyllic state of primeval nature, in which their sense of justice still had not been perverted by the oppression of man over man. But it is just as unacceptable to identify it with the non historicized idea of social contract, thus eliminating its opposition to positive law. It is true, therefore, that natural law is the content of social contract, but only as far as this is understood as the completion of the state's evolution, as universal *Verständigung* within the institutional framework of the World federation.

It can certainly be objected that in this way, too, natural law loses anyway all its determinate content — just as in Hobbes' concept — to identify with the will that establishes it. But the difference lies in the fact that here the sovereign is represented by the people, and the will is that of all and each, in which the identification between *veritas* and *auctoritas* is achieved. Moreover the fact that the idea of natural law is completely realized only at the end does not mean that it does not act in history as *uneasiness* and, confronted with a reality which in turn under various different forms denies it, it acquires a provisional, but determinate content, becomes project and ideology — in the positive sense of active vision of the future.

It is thus legitimate to affirm that natural law is at the same time an absolute idea independent from the stage of historical development, and as such purely abstract and formal, and a historical fact, with a content that changes in time, progressively approaching the idea. And it is only inasmuch as it takes on historical concreteness that it can assume the function of prime mover of the evolution of the state in its permanent attempt to adjust to its concept.

If instead the idea of natural law is totally removed from history and transported into the domain of abstract speculations on the ideal state, its theoretical function becomes only that of a sterile formal criterion

decreeing the illegitimacy of all the existing positive law orders, characterized by an equally infinite distance from the norm.

4. *Natural law and revolution.* A different concept of natural law involves a different concept of revolution. Those for whom there is no other law but positive law reject the legitimacy of any revolution, as it is a negation of the existing law order; even if they are obliged to acknowledge that, once it has been successful, a revolution establishes a new criterion of legality, admitting therefore that their faithfulness to the existing order has as its only foundation the permanence of the power which imposes it.

This attitude is diametrically the opposite of that of the classical liberals, for whom natural law is an eternal and supra-historical system of norms, which represents the object, defined once and for all, of the social contract. The violation by power of natural law thus involves a violation of the social contract and this in itself legitimates the revolution.

This is a theory which in itself hides the seeds of arbitrariness, because *no state*, as a concrete historical formation, realizes the abstract and formal ideal of justice. On this basis, any attempt at revolt in the name of arbitrary and indefinite ideals becomes legitimate. Simple negation — which is the most comfortable and stupid of attitudes, because it gives people the illusion of being dispensed from the duty of thinking and seriously facing reality — is elevated to the dignity of revolutionary struggle, just as Trotsky's puerile ideal of permanent revolution is legitimated. Just as Hobbesian conservatism does not see that the historically realized state — whatever its forms and stages of evolution — is not yet the state which fits its idea, so liberal irresponsibility runs the risk of making people deaf to the equally important fact that the historically realized state is anyway a state in progress, whose positivity is the expression of the degree of civil maturation of a people and is therefore infinitely superior to the irresponsibility of indeterminate negation.

The truth is that natural law is a powerful factor of historical evolution, but only inasmuch as it assumes itself historically determined figures, which allow it to question the existing legal order not on the basis of an abstract ideal but on that of a concrete project, which intends to replace the existing order with another more advanced one, which is however already virtually recorded in the facts. Nevertheless, for it to be legitimate to say that every historically active form assumed by the idea of natural law is more advanced than the system it is questioning, it must refer to an ideal, which acts as absolute norm. And this is why every

historical revolution always seems to disclose to those who experience it the prospect of mankind's final emancipation, of universal brotherhood; but on the other hand, to really leave a trace in history, it must also be able to outline an order which is definite and historically situated, and which represents a concrete alternative to the one which is being questioned.

The revolutionary and his morality

1. *Reason in the state and outside the state.* 2. *The revolution.* 3. *The morals of responsibility.* 4. *Dialogue in revolutionary action.*

1. *Reason in the state and outside the state.* History intended as history of the state can be interpreted as the permanent dialectic tension between two distinct figures of reason.

The first is that which appears in the institutions, and in particular in the state, or in the legal order in which the state tends to identify itself in its concrete historical configurations. Naturally it is an imperfect manifestation of reason, because the law is linked ambiguously to power. As we have already mentioned, Meinecke's work is the clearest illustration of the radical laceration which has always marked the deep nature of politics. The ambiguous character of power has always been linked to the fact that, in the past, the degree of interdependence of relations between men has narrowed — and therefore falsified — the meaning in which the expression "common good" could be thought of, as it referred it to human groups which, because of the division of society into classes and mankind into sovereign nations, did not coincide with mankind in its entirety: to pursue the good of one of them thus meant — albeit to a different extent according to circumstances — clashing with the pursuit of the good of all the others, and therefore in most cases involved such an uncontrolled use of deception and violence as to restrict the area of the struggle for power to those individuals for which power as such was the first of priorities, whatever the means to be used for conquering, keeping and increasing it. The achievement of the common good consequently became a pure by-product of the struggle for power.

Nevertheless, some of the men in power have been able to conceive of grandiose designs, and to become a reference point for all the cultural and moral energies of a historical period. These are what Hegel calls *weltgeschichtliche Menschen* (cosmic-historical men), who identify themselves so completely with history that they do not even consider the

problem of the price to be paid in moral terms for the realization of their design, in pursuing which the aim of extending their own power cannot be dissociated from that of promoting the common good.

The second form is shown through the forces which, by acting on the contradictions of the existing state orders, promote their progressive transformation into increasingly advanced settings, which slowly widen the area of dialogue to the detriment of the area of violence.

As a matter of fact, for all the first part of the history of mankind — which, albeit rather arbitrarily, we can say lasts until the French Revolution — reason as a factor of transformation has shown in history through the action of unconscious forces, whose objectively rational nature was traced back by Kant to *Providence* and by Hegel to the *cunning of reason*.

In that phase of mankind's history conscious innovative reason could appear only in the public, but not the political form, of *testimony*, as in the cases of Socrates and Christ. For these two great figures of the history of reason the contradiction between power and truth was so radical that the truth for which they lived was able to assert itself, albeit through long maturation, only at the cost of their violent death. But theirs was not a political struggle. For Socrates,³⁶ in the Athens of his time, he who wanted "to fight for justice and keep himself alive for a while," should *idiotēuein* and not *demosiēuein*, in other words he should have kept himself out of public life. And the essential relationship of Christianity with power is indicated in the command "Render unto Caesar the things which be Caesar's, and unto God the things which be God's".

Otherwise, it is also true that the same testimony, to the extent to which, in the longer or shorter term, it influences the historical process, is rarely pure and can rarely be dissociated from elements of strategy. This ambiguity is particularly evident in Christ's preaching, concerning which it has been possible to legitimately pose the question of whether it was only a testimony or also a revolution.³⁷ In any case, he himself made use of violence, chasing the merchants from the temple, and made a clear distinction between who was with him and who was against him.

2. *The revolution.* With the French Revolution a phase of the historical process starts in which the transformation of the institutions through conscious design and rational action becomes conceivable.

The *bonum commune* of mankind becomes a political ideal, and not only a philosophical or religious one. It becomes conceivable *for the individual* to take up responsibility for mankind's process of emancipation and to identify this objective with the conscious result of his struggle,

just as a political action becomes conceivable which looks for the source of its power to change reality in the *appeal to reason*. Thus the figure of the *revolutionary* is born, uniting in itself, although in an imperfect form, that unity of theory and practice which will be realized in perfect form only *at the end*, and which *in history* shows only at the level of the species. In contrast to the figure of the philosopher as *official of mankind*, according to Husserl's expression³⁸ — who assumes an objectively conservative role because by confining himself to pure theory, in actual fact he abandons practice into the hands of the existing power — is the figure of the revolutionary as *militant of mankind* for whom interpreting and changing reality are the same thing.

It is true that today the *bonum commune* of mankind cannot be achieved yet because its institutional preconditions still do not exist, albeit — taking on a different shape each time — it has been the ideal reference point of the great liberal, democratic and socialist revolutions. Just as it is true that each of these revolutions, from being universal in its designs, has become national after seizing power. This is the dialectic at the root of the ambiguous term "ideology," which denotes at the same time every great project of historical transformation and *false conscience*. It is an ambiguity which measures the distance which up to now has always existed between the idea of the common good referred to the whole of mankind and its partial and imperfect realizations in historical reality, and together that which exists among the ability of men to rationally project the future and the results of their action. But the growing awareness of the contradiction between values and facts today has become a factor which cannot be neglected in the analysis of the historical process, although the possibility of overcoming it looms far away in the future. Mankind — for the first time in history, and urged by the danger of self-destruction — is trying to take its fate into its own hands. Those who were *objects* of a design of Providence are becoming *subjects* of history and are little by little discovering that they are Providence.

3. *The ethics of responsibility.* The revolutionary phase of the historical process is destined to be followed by the federalist phase, in which violence will disappear from institutions and politics will become a free exchange of opinions among reasonable men. It will therefore be suppressed as such, identifying on the one hand with law and on the other hand with dialogue and *paideia*.

But today we are still in the revolutionary phase, in which rational political action certainly has its own space to appear, but in an institu-

tional context in which division, oppression and mystification, in other words violence in Weil's sense, still prevail. Revolutionary action must take this into account.

It is certainly true that in their global historical meaning revolutions are essentially cultural revolutions, as they replace the old paradigm with a new one, which changes the meaning of social life by introducing new cultural criteria for interpreting it, through the institutional changes they realize. But, considered from the standpoint of the revolutionary, who has to decide and act, history cannot be reduced to the history of spirit. He must ask himself the question of how to tackle the concrete violence that exists in the context he acts in, and which is — at least partly — impermeable to discourse. He cannot therefore refer to moral criteria which oblige him to adopt only ways of behaving that will become universal in the federalist phase, in other words to use the free confrontation of opinions between equal men as an exclusive instrument of political action, because his aim is to create the institutional conditions of the latter, which do not yet exist. This is Weber's problem of the ethics of responsibility.³⁹

The ethics of responsibility is not merely the acceptance of the ambiguous principle — on the basis of which any misdeed can be justified — of the legitimacy of the use of immoral means to achieve a moral purpose. Besides, in every enterprise that proposes to make mankind advance along the road to its emancipation through a process, every stage is at the same time *end* with respect to the previous stages and *means* with respect to the following ones. It follows that it is impossible to distinguish the end from the means clearly in revolutionary politics and therefore to justify, in the name of the ethics of responsibility, the immorality of the means by resorting to an end which is indeterminate as to the moment of its realization and content.

In actual fact, the ethics of responsibility does not justify anything. Precisely because it is the assumption of responsibility for the consequences of one's actions, it is in fact an explicit *a priori* renunciation to any justification which is not the actual realization of a progressive political design. In other words, the ethics of responsibility is not an ethics of *ends* — meant as objectives which are present only in the mind of him who acts — but an ethics of *results*, with respect to which the subjective and uncontrollable moment of conviction, or good intentions, is quite insignificant. If this is forgotten, and the formula of the morals of responsibility is used without being aware of the gravity of its implications, it becomes an alibi to cover the *morals of levity*, the confusion of

one's convenience with one's duty.

The ethics of responsibility rather expresses the dramatic awareness that there is no political choice in which evil does not hide, and that evil is also and above all hidden in the inertia that does not oppose the violence taking place outside us. It therefore implies that whoever acts politically to promote mankind's emancipation should consider his action as the sum of its consequences, in other words should inscribe it in a *strategic design* and apply his judgement and moral will to the design as a whole.

4. *Dialogue in revolutionary action.* It is therefore true that the ethics of responsibility refuses the axiom — contradicted by reality — that from good only good can derive and evil from evil. But to refuse it does not at all mean to believe that good cannot come from good and therefore that dialogue among equals for the common achievement of a result has no place in political life.

The opposite is true. Precisely because in history — which does not have a termination — everything is end and means together, reason in politics must be realized along the way: it must in other words be *in the process*, not only at the end of it. In revolutionary action therefore dialogue, persuasion, loyalty, truthfulness, spirit of solidarity, when used responsibly, that is, so as to make a revolutionary design advance, are not to be placed in the domain of the ethics of principles, but in that of the ethics of responsibility.

Obviously we must not overlook the fact that today politics is still intrinsically different from charity, or from *paideia*, and that what represents the difference is violence. Violence, in turn, is inevitable because the revolutionary's action clashes with obstacles which resist rational conviction.

But the fact remains that reason, that is, dialogue among equals, in revolutionary dialectics plays an irreplaceable role. We have already seen that the objective of revolutionary action is that of a periodical reformulation of the social contract through the *re-founding of the state*.⁴⁰ And that every historical form of state is the expression of the degree of maturity reached by the process of evolution of reason. Indeed, the state is the way in which objective reason shows itself in history, so much that, as already mentioned, the only possible rational behaviour in a hypothetical condition of anarchy, i.e. absence of state, is that of abandoning it by entering, according to Kant's expression, into a civil constitution.

Of course, in a politically divided world, rational dialogue can be

carried out only within the institutional context of the existing states, and therefore only on themes which do not question their survival. Its rationality is therefore defined by precise boundaries (although the imperfect nature of the state opens breaches in those boundaries which allow reason to go *beyond* the state in the form it has here and now). There are indeed in history phases of *crisis of the state*, which are *eo ipso* also *crises of reason*, in which, as happened with tragic evidence in the case of Nazism and Fascism, dialogue is obscured and violence penetrates into all the recesses of civil life.

But not for this does the state stop being the expression of reason, even if of a reason involved in a crisis. The enemy which the revolutionary struggles against always presents an aspect which is — albeit imperfectly — rational, and therefore sensitive — even if only in part — to the lesson of reason. And this is why, when the revolution is successful, the old system falls first of all under the weight of its own contradictions: which undermine only a rational construction, and that only reason can explode.

It follows that, if mankind's process of emancipation produces more and more rational forms of social life, so much that today in a part of the world the state corresponds more or less to the Kantian model of the *republic*, this cannot avoid affecting the forms assumed by the revolutionary struggle, which intends to make them progress further. The lower the content of violence of the state, the lower the content of violence of revolution. While in the 16th century murder was a normal instrument of political struggle, so much as to be theorized by the political scientists of the time, today, at least in the more advanced parts of the world, it no longer exists (even if it is practised in exceptional circumstances and in the shady borderline zone between politics and criminality).

This means that the intensity of the moral conflicts that the ethics of responsibility must face tends to be attenuated with the humanizing of political life, because it is one thing to kill and another to shout slogans during a march, even if both are manifestations of violence. The ambiguity of the relationship between good and evil, between violence and discourse, makes the progressive transition from one to the other possible.

In reality the dichotomy friend-foe — which so fascinates simple or immature natures — is quite inadequate to describe the revolutionary situation, in which whoever is fighting for the new order does not simply deny the form in which reason takes shape in the previous order, but only denies its limitations. And violence, which has always made its appearance in the great revolutions of the past, must be mainly attributed

precisely to the *limitations* of the rational character of the old order. In fact, if it is true that a revolution opposes the present form of reason with its own virtual form which overcomes the limitations of the first, as they appear in its historically mature contradictions, it is normal for it to privilege the instruments of reason in the confrontation, on whose ground it is superior to the existing order. And to the latter therefore remains only the choice between surrender and the use of violence.

Moreover, if reason were not in some way *hidden* within violence, if violence and reason were shown in historical reality at the pure state, like two polarities which are both impermeable to each other's language, violence — brutal power — could not be stopped from prevailing, and mankind would never have lifted itself out of the state of barbarity. If this has not occurred, it is because in certain historical circumstances *truth becomes power*.

But reason, dialogue, communicative transparency are linked with revolution in another way. If it is true that, contrary to what the Plato of the *Republic* believed, it is not *paideia* which makes laws useless, but it is the laws that educate men, and that therefore to change men one must change the laws, it is also true that it is men, in their turn, who change the laws, and that therefore to change the laws one must change men. Reason coincides with the state only *at the end*, but, in the transition, to question the limitations of the historically existing forms of state through revolutionary action presupposes that reason can also emerge *outside* the state.

This does not mean that it emerges *independently* from the state, because the revolutionary design is defined exclusively by being in opposition with the limitations of the existing state, and therefore could not exist without the state. But it is still a manifestation of reason which goes *beyond* the state, and that is not therefore conditioned by the existing institutions, or is conditioned by them only as far as the latter have engraved on them the virtual image of their complete realization.

The bearers of this reason outside the state, or rather within the state in its future form, are the revolutionary groups. As such, they can survive and reinforce themselves only if the relations among their members are inspired by the values which give their project a meaning. Precisely because, for them, reason is not *anchored* in the state, against which they are fighting, their motivations must be rigorously autonomous, in other words moral, and their relations founded on dialogue and solidarity. If each of them *should use* his fellow revolutionaries — present and potential — as instruments, the revolutionary design would be destined to fail at the outset as it would be deprived of its only strength. The ideal

of a world without violence must in a nutshell grow in the relations among those who are consciously committed to its realization. It is true that the ideal will be achieved imperfectly because men are not angels: but it is just as true that this is the ideal that must be constantly pursued.

Appendix

1. On "*saying what one thinks*." 2. Rule of law and incompatibility of the concrete moral standards. 3. Progress and responsibility.

1. On "*saying what one thinks*." The opinion that truth is subjective, that is, relative, has entered into the common way of thinking. The newspapers are full of the confessions of famous people who tell *their own truth* about something. The virtue of sincerity presented in this way acquires an ambiguous meaning. The duty of being sincere does not identify any more with that of *telling the truth*, but with that of *saying what one thinks*. But in this meaning the term becomes ambiguous because it confers an absolute value to the expression of one's thought, whatever it is, to the detriment of the duty *to think the truth*. In actual fact, whoever in the name of sincerity expresses false, vulgar or wicked thoughts, does not accomplish an act of sincerity, but of falsity, vulgarity or wickedness. Morality does not command *to say what one thinks*, but *to think before speaking*, avoiding the expression of hasty judgements and arbitrary opinions. In reality sincerity, meant in its equivocal sense, can become superficiality, or indecency, or aggressiveness, or all these things together. Not for nothing boasting of always saying what one thinks is characteristic of silly and quarrelsome people. To be sincere in the true sense of the word means to carry out that laborious process of identification with reality — however one intends it — which involves renouncing the expression of one's opinion just to prevail over others.

2. Law and incompatibility of concrete moral standards. According to Kant, law is "the whole of the conditions in which everybody's will can co-exist with the will of the others according to a general law of freedom."⁴¹ I think it is a wholly correct definition, as long as one considers that it is purely formal. It is therefore impossible, contrarily to what Kant thought, *to construe*, unless in abstract terms, the content of law starting from this definition. In other words, it can be established in abstract terms that everyone has a right to the protection of a private

sphere, of property, of personal safety, of the free expression of one's opinions, etc. But when it is a matter of establishing *concretely* the content of these liberties infinite difficulties arise, because, however one defines it, their protection, under certain circumstances, cannot avoid damaging what others think are *their* liberties. The content of law cannot therefore be *construed* starting from his concept, but must be established on the basis of the ethical standards which prevail in a certain society. If common standards do not exist, no norm can achieve the respect of everybody's freedom, because in any case someone will feel that his freedom has been infringed by some behaviour that others consider legitimately appertaining to *their own* sphere of freedom. The norm resulting from this will thus always be the result of the prevarication of one part of society over the other, and therefore will only be imperfectly lawful.

This problem, which has always existed and has made the legitimacy of any legal order problematic, is becoming acute nowadays because the increase in interdependence and the consequent spreading of the awareness of the tremendous economic and social imbalances which exist among the various regions of the world give an irresistible impulse to the phenomenon of the migration of large masses of people from the poorer countries to the richer countries of the Earth, in this way putting incompatible cultures in contact with each other. It follows that the legal orders of the developed part of the world begin to be put to the test by conflicts caused by ways of behaving which for some are the expression of moral and religious duties, or anyway are perfectly legitimate, while for others they are offensive, to the point of being legally punished (such as polygamy, or homicide for religious reasons). These contradictions were allowed to be underlined with academic complacency, as proof of the validity of the theories on the relativity of values and the incommunicability of cultures, until the contrasting ways of behaving which determined them were carried out by populations without relations among them (except for those guaranteed by some anthropologist who travelled back and forth between the Amazonian forest and Paris salons). On the contrary they have been causing dramatic problems since inter-ethnic contacts were established involving whole communities, that feel the values on which their identity is founded to be mutually threatened.

In this situation the answer cannot be toleration, which is an attitude that cannot be held in the face of radical diversity, but only of relative diversity, within a framework of substantial homogeneity of the basic values. When we find ourselves facing behaviour that our civilization

condemns as criminal, toleration identifies with complicity, and becomes criminal itself. It becomes a characteristic attitude of the privileged, who profess it in the safety of their mansions, while the beggars slaughter each other in the streets; and it disappears as soon as the gates of their mansions are knocked down. In any case, the preaching of toleration in reality shows itself to be quite useless, because conflicts are *really* solved through violence, even if it is violence dressed up as law.

The problems posed by the traumatic contacts between radically different cultures which characterize our time and will characterize much more dramatically the years to come do not have a *just* solution — that is, a solution which defends the sphere of freedom *today* felt as legitimate by both the parts involved. There will always be only unjust solutions, in other words with some content of violence, whatever its victims may be. Which does not prevent the fact that, on the one hand, the problem is posed by reality, and requires an answer; and that, on the other hand, there are answers which are less unjust than others, able to facilitate the evolution of social life towards situations compatible with a regulation really based on law, and not on force.

However, it certainly will not be Lévy-Strauss's philosophy that will allow the world to overcome the traumas it is about to undergo because of the more and more intense, extensive and frequent contacts among cultures that today are radically incompatible. The reign of law will not arise in societies which are divided into watertight compartments, in which cultural communities do not communicate and where what is a duty for me is a crime for my neighbour; but when all the men in the world agree on the content each one's freedom should have, in other words when there is a universally agreed system of fundamental values and, within this framework, the differences between cultures will not be perceived as violations of somebody's freedom, but as an enriching factor for everyone.

Therefore, if on one hand law is the *premise* for a full universal *Verständigung*, on the other hand it is founded by a virtual agreement, which only awaits sanctioning by law to be completely realized.

An open and evolutionary policy can only really be conceived on the basis of the rational trust that a progressive and controlled approach between deeply different cultures is destined to lead, albeit at the end of a pathway paved with difficulties, to a universal fusion of horizons, in other words to the formation of a single system of fundamental values, without which — among other things — there cannot be any pluralism, which is a factor of cultural enrichment only if it is placed within the

framework of a single communication community.

3. *Progress and responsibility.* According to Jonas⁴² the idea of progress is incompatible with that of responsibility, as the latter presupposes that the future is uncertain and depends on the free decisions of men. It is a contradiction which is particularly evident in the world of today, which is concretely threatened with extinction unless mankind behaves responsibly towards the problems of overpopulation, exhaustion of non-renewable resources and pollution.

In my opinion, Jonas's conclusions are groundless. What is radically incompatible with responsibility is rather a casual concept of history, which presupposes that the freedom of choice and action of the individual is completely annulled by the blind forces of violence and chaos. In this case the dimension of the future, which is that of responsibility, of foreseeing the consequences of one's own actions, would be lacking.

Moreover, as previously underlined, the idea of progress does not belong to the sphere of theoretical reason, in other words is not drawn from the observation of facts, but is a *postulate of practical reason*, which must be accepted if one admits, in the sphere of politics, the possibility of free, and therefore responsible, action. It must be added that, in the particular situation of today, whoever is not sustained by the belief that the forms of men's social life are destined to improve would lack any stimulation to struggle for stopping the planet's process towards its own destruction. For these stimulations to remain and be reinforced, one must believe in reason. But reason is what unites men. To believe in reason therefore means to think that — through the institutions — it spreads and asserts itself. It means in other words to believe in the reason of the others, who together with us make history, avoiding the senseless sin of presumptuousness which consists in believing that responsibility, and therefore reason, concerns us alone while history — in other words the others — remains at the mercy of the blind impulses of chance. Which does not involve — it must be remembered — the negation of the presence of radical evil, without which man would be angel or animal, but the conviction that the fight between good and evil in the individual soul is destined to take place within the framework of increasingly advanced conditions of social life.

This is equivalent to saying that, while for the individual conscience necessity and liberty appear — and always will appear — as the terms of a contradiction, the march of mankind is guided by the *necessity of liberty*.

NOTES

¹ *Zum ewigen Frieden*, page 232 and ff. of V Volume of the Insel Verlag edition, Wiesbaden, 1960.

² This kind of problem is present in all Husserl's philosophy. The problem of the radical nature of philosophy is specifically treated in the essay "Die Philosophie als strenge Wissenschaft," published in *Logos*, Vol.1, 1910/11 (I.C.B.Mohr), while the relationship of philosophy with *Lebenswelt* is the theme of the *Krisis*.

³ Here I am, otherwise I cannot do.

⁴ See for all of them Jean-François Lyotard, *La condition postmoderne*, Paris, Les Editions de Minuit, 1979.

⁵ The theory of the end of ideologies was born in America with the work of Daniel Bell, *The End of Ideologies*, New York, The Free Press, 1960.

⁶ Quoted from Hermann Diels, *Fragmente der Vorsokratiker*, 1903, pages 258-59 of Vol. II of the 16th edition, edited by Walter Kranz, Dublin-Zürich, Weidmann.

⁷ See above all the introduction to the *Logique de la philosophie*, Paris, Vrin, 1967.

⁸ In *Les mots et les choses*, Paris, Gallimard, 1966.

⁹ Concerning this see the essays by Herbert Butterfield contained in the volume *Man on His Past*, Cambridge, C.U.P., 1969.

¹⁰ Jacques Derrida, *De la grammatologie*, Paris, Les Editions de Minuit, 1967.

¹¹ Martin Heidegger, *Sein und Zeit*, 1927, consulted in the Max Niemeyer Verlag edition, Tübingen, 1963, pp. 385 and ff.

¹² See in particular "Der Ursprung des Kunstwerkes," in *Holzwege*, 1950, consulted in the 4th edition published by Klostermann Verlag, Frankfurt a.M..

¹³ In Hermann Diels, *Fragmente der Vorsokratiker*, cit., on page 172 of Vol. I.

¹⁴ Charles Peirce, "What Pragmatism Is," in *The Monist*, Vol.15 (April 1905), quoted from Philip P. Wiener, ed., *Selected Writings*, New York, Dover Publications, p. 194.

¹⁵ Friedrich Schleiermacher, *Hermeneutik und Kritik*, 1838, quoted from Manfred Frank, ed., Frankfurt a.M., Suhrkamp Verlag, 1977, p. 97.

¹⁶ Hans-Georg Gadamer, "Rhetorik, Hermeneutik und Ideologiekritik," in *Hermeneutik und Ideologiekritik*, Frankfurt a.M., Suhrkamp Verlag, p. 69.

¹⁷ *Sein und Zeit*, cit., p. 406.

¹⁸ G.W.F. Hegel, *Philosophie des Rechts*, 1830. On the concept of *Überzeugung* see §140. On *Sittlichkeit* see §141 and ff.

¹⁹ Charles Peirce, "Some Consequences of Four Incapacities," in *Journal of Speculative Philosophy*, Vol. 2 (1868), quoted from Philip P. Wiener, ed., *op.cit.*, pp. 39 and ff.

²⁰ Gianni Vattimo, "Dialectica, differenza, pensiero debole," in Gianni Vattimo and Pier Aldo Rovati (eds.), *Il pensiero debole*, Milan, Feltrinelli, 1983, p. 26.

²¹ See in particular the above-mentioned essay by Hans-Georg Gadamer, "Rhetorik, Hermeneutik und Ideologiekritik," as well as "Replik," in *Hermeneutik und Ideologiekritik*, cit. In the same volume see Jürgen Habermas, "Zu Gadamer's 'Wahrheit und Methode'" and "Der Universalanspruch der Hermeneutik."

²² Popper's philosophy of knowledge is contained above all in *Logik der Forschung*, Wien, Julius Springer Verlag, 1935, reviewed in successive editions up to the 9th, Tübingen, J.C.B. Mohr (Paul Siebeck), 1989, and in *Conjectures and Refutations*, London, Routledge and Kegan Paul, 1963, consulted in the 5th revised edition of 1974. His critique of metaphysics is contained in *The Open Society and Its Enemies*, London, Routledge and Kegan Paul, 1952, and *The Poverty of Historicism*, London, Routledge and Kegan Paul, 1957.

²³ Thomas Kuhn, *Structure of Scientific Revolutions*, Chicago and London, The

University of Chicago Press, 1962, and *The Essential Tension*, Chicago and London, The University of Chicago Press, 1977.

²⁴ *Topica*, 100a and 100b.

²⁵ *Op. cit.* See also the essays contained in *Technik und Wissenschaft als Ideologie*, Frankfurt a.M., Suhrkamp, 1968.

²⁶ Karl Mannheim, "Beiträge zum Sinn der Weltanschauungs-Interpretation," in *Jahrbuch für Kunstgeschichte*, I (XV) (1921-22), 4, taken from the collection of essays edited by Heinz Maus and Friedrich Fürstenberg, *Wissensoziologie*, Berlin und Neuwied, Luchterhand Verlag, 1964, p. 91.

²⁷ Friedrich Meinecke, *Die Idee der Staatsräson*, 1924, consulted in the Oldenbourg edition, München, 1957, p. 10.

²⁸ *Ibid.*, p. 13.

²⁹ Karl-Otto Apel, "Das Apriori der Kommunikationsgemeinschaft," in *Transformationen der Philosophie*, Frankfurt a.M., Suhrkamp Verlag, Vol. II, p. 425.

³⁰ Taken from K.-O. Apel, *op. cit.*, Vol. II, p. 424.

³¹ Paul Feyerabend, "How to Defend Society Against Science," in Ian Hacking, ed., *Scientific Revolutions*, Oxford, O.U.P., 1981.

³² Mario Albertini, "Vers une théorie positive du fédéralisme," in *Le Fédéraliste*, V (1963), pp. 251 and ff.

³³ Carl Schmitt, *Verfassungslehre* (1928), consulted in the 1983 edition published by Duncker & Humblot, Berlin, pp. 238-39.

³⁴ Eric Weil, *Philosophie politique*, Paris, Vrin, 1971, p. 159.

³⁵ Jürgen Habermas, "Naturrecht und Revolution," in *Theorie und Praxis*, Frankfurt a.M., Suhrkamp, pp. 89 and ff.

³⁶ Plato, *Apology of Socrates*, 31 and 32-34.

³⁷ See for example Oscar Cullmann, *Jesus und die Revolutionären seiner Zeit*, Tübingen, J.C.B. Mohr (Paul Siebeck), 1970.

³⁸ Edmund Husserl, *Die Krisis der europäischen Wissenschaften und die transzendentalen Phänomenologie*, Den Haag, Martinus Nijhoff, 1962, p. 15.

³⁹ Max Weber, "Politik als Beruf" (1919) now in *Gesammelte politische Schriften*, Tübingen, J.C.B. Mohr (Paul Siebeck), 1958.

⁴⁰ This idea is used as a historiographical criterion by Hermann Hintze. See the essay "Staatenbildung und Verfassungsentwicklung," in *Staat und Verfassung. Gesammelte Abhandlungen zur allgemeinen Verfassungsgeschichte*, Göttingen, Vandenhoeck & Ruprecht, 1978.

⁴¹ *Metaphysik der Sitten*, page 337 of Vol. IV of the Insel Verlag edition, Wiesbaden, 1960.

⁴² Hans Jonas, *Das Prinzip Verantwortung*, 1979, consulted in the Suhrkamp edition, Frankfurt a.M., 1984, pp. 245 and ff.

Notes

HABERMAS AND GERMAN REUNIFICATION

In a long article published in *Die Zeit* on 30th March 1990, Jürgen Habermas made certain comments on German reunification which serve as a starting point for a precise definition of the federalist position on the latest developments on this problem.

The crux of Habermas's argument is his criticism of the line taken by Bonn (a line accepted by the East Berlin government elected on 18th March): namely, their policy of trying to achieve a speedy fusion of the two Germanies, a policy based on Article 23 of the *Grundgesetz*; and his support for the unification procedure provided for in Article 146. The application of the first article means that unification between the two Germanies will come about through the *Länder* of the East Germany (which are in the process of being reconstituted) joining on to the Federal Republic, whose constitution will thus extend to the other Germany. The application of the second article on the other hand means calling a constituent assembly of the peoples of the two Germanies: this assembly should draw up a new constitution which, once approved by the German people after "free deliberation," would replace the present, provisional *Grundgesetz*.

Unification on the basis of Article 23, according to Habermas, is equivalent to annexation of the East Germany by the nationalism of the *Deutschmark*. Indeed, on the one hand, the citizens of the West Germany have a constitution which is not born of a directly-elected constituent assembly, but rather of an assembly representing the *Länder* (because a constituent assembly in the full sense of the word could only come about after national reunification), and they are not being consulted on national unification and on the constitution of a united Germany now, just as they were not consulted about joining the Saar to the West Germany in 1957, which took place under Article 23. On the other hand, the citizens of the

East Germany are practically obliged to agree to unification by their disastrous economic situation and by the hope — fed by the promises of the Bonn government — of improving it quickly and substantially by being absorbed into wealthy West Germany. Consequently, national identity, which will be the basis of the new state, will not be a republican identity, founded on a free and conscious choice of liberty, democracy, the social state and peaceful co-operation among nations. Instead, it will be a national identity of the traditional type, based on an idea of the nation as essentially an ethnic, cultural and collective community, chosen by fate, instead of a free and meditated choice of emancipated citizens. Thus there would be no hope of breaking once and for all the continuity of a tradition that goes back to Bismarckian national unification and has always seen German national identity assert itself more or less strongly against the western liberal democratic tradition.

This method of achieving unification between the two Germanies risks producing very dangerous consequences. In the first place the confirmation of a non-republican national identity carries the risk of keeping alive the tendencies to authoritarianism and forced assimilation of ethnic minorities, which had their most extreme manifestation in Auschwitz. In the second place, the speed with which the unification of the two Germanies is being realized means it will happen before European unification, which ought to be the context within which German unity is achieved. In the third place, with the application of Article 23, the *Grundgesetz* becomes no less provisional in nature from a strictly legal point of view, and this will give rise to the suspicion that a definitive constitution would only be achieved with the extension of the Federal Republic beyond the Oder-Neisse line. The application of the procedure provided for in Article 146 would thus seem, on the basis of Habermas's conclusions, the best way to guarantee three things: an effective free choice by the German people; the procedural priority of European unification over that of Germany (a German constituent assembly would be a lengthy process); and the closing of the question of the German national state boundaries.

What is most positively to be highlighted in this line of argument is the centrality of European unification. In fact Habermas has already for some years been maintaining the need to make the nation-state no longer the principal repository of collective identity, which, in the post-national era, should rather have a multidimensional character, thus encompassing supranational and infranational communities too.¹ The fact that from this fairly general thesis he now gives such a neat affirmation of the priority

of European over German unification is a sign of the times. What this means is that the German intellectual left wing is beginning to take the federalist argument seriously, whereas previously they had on the whole treated it with indifference. Having said that, one cannot but raise certain unconvincing points in Habermas's arguments which weaken his championing of European unity.

To begin with, the Bonn government's opting for a speedy fusion of the two Germanies derived, in my opinion, fundamentally from the actual situation and only secondarily from the power interests of Chancellor Kohl and his party. The most obvious and immediate aspect of this situation is the exodus to the West, and the economic collapse and growing ungovernability of the East Germany, which made it seem that joining the latter to the Federal Republic as fast as possible would be the quickest way out of what was fast becoming an intolerable position. But there is another aspect, less closely linked to the immediate economic situation, and yet of the greatest importance, which must be borne in mind in order to understand Bonn's policy: the accumulated delay in the European unification process. If in 1985 the Treaty of European Union had been approved instead of the Single European Act, the problem of German unification would have been faced within the context of a European Federation which was well on the way to being completed, and thus in a situation in which federalist culture would have been stronger than nationalist. In the context of a multinational Federation, the option of having several German states under a European roof might have prevailed, for the same reasons for which in the Swiss Federation there are several German Cantons. It would undoubtedly have been a solution preferable to that of making West and East Germany into a single state, because applying the principle that state and cultural nation should coincide may legitimize a series of national claims, not only German, which would clearly be a destabilizing force.² Since however the creation of a federal European government was postponed, it was inevitable that when the problem of unification of the two Germanies suddenly became a burning issue, the nationalist view of things should prevail over the federalist viewpoint.

So, events led to the option of making a single German state. The best way to avoid this initial success leading to a complete and definitive victory for nationalism, is not now to delay German unification, but rather to speed up European unification, in other words to establish a close parallel between the two processes. If we succeed in setting German unification within the context of a European Federation, then the greatest

consequence will be that of nipping any tendency to German domination in the bud. Aggressive German nationalism was in fact fuelled fundamentally not by the characteristic German anti-democratic traditions, but by the need to unify the European continent to help it face the problems posed by the growing interdependence of human activity on a continental and intercontinental scale.³ From the beginning of this century reason has pointed to a European Federation as the only progressive response to this challenge, the only response which is able to reconcile unity at continental level with the independence of nations and the development of democracy, and to open the way to worldwide unification. And precisely because people did not want to listen to reason, the way was open to the reactionary alternative of hegemonistic unification pursued by the strongest country in Europe. This option, defeated in 1918 and 1945, is destined to present itself once more, albeit in different forms — the imperialism of the mark, rather than that of the armed divisions — unless, with the imperial order of opposing blocs breaking up, there is immediate action to create a federal European order. On the other hand, with a Germany united but forming part of a European Federation, not only would the push for German political domination become less, but also the objective possibility of carrying out such a policy, since the power of the German Federal government would be strictly and irreversibly limited, from above by the Federal European authority (the mark would be absorbed into the Ecu), and from below, by the regions. Moreover, the question of the German border would be definitively closed, and not only in name (for treaties can always become mere pieces of paper). It would be closed because in a European Federation, even if not yet fully developed, nationalistic politicking on problems of this nature would gradually become impossible. In any case, with the progressive enlarging of the European Federation towards Eastern Europe, country boundaries would have less and less importance and it would become possible for the federal authority to effectively defend all national minorities.

The correct line to take then is that of hastening European unification, which in fact is already receiving a strong impulse from the rapid development of German unification: this is also because German unification is supported by the vast majority of the German political class and public opinion, which has in part ceded to the claims of nationalism, but at the same time appears conscious of the grave dangers that lie ahead if the future of Europe is compromised. If we seriously intend to adopt parallel paths for European and German unification, the decisive objective is no longer the German but the European constituent assembly. This

is necessary above all because to entrust the building of Europe exclusively to diplomatic negotiations would inevitably lead to intergovernmental results which would only accentuate the democratic deficit of the European Community. Similarly, the European constituent assembly is necessary for the very same reasons cited by Habermas as calling for a German constituent assembly. In order for the European state to found itself on an identity of republican citizens, Europeans must first be able to participate directly in its construction and express themselves freely and consciously on its constitution. A European constituent assembly is indispensable to such an aim: it is far more important than a German constituent assembly, since the latter operates at the level of national democracy, which is no longer adequate to cope with fundamental supranational problems. National democracy therefore has to be set within a supranational democratic framework.

At this point it would appear legitimate to conclude that the ideal solution would be parallelism between the European constituent assembly and the German one provided for in Article 146. In reality such a conclusion is not convincing for the very concrete reason that a German constituent assembly would end up delaying, or at least complicating, the procedure for the European constituent assembly. First of all the German political class would be so involved in the process of setting up the German assembly that they would have no time to devote to that for the European process. In the second place, the implementation of a new German constitution would pose the problem of a renegotiation of the new country's adhering to the Treaties agreed by the West Germany, and thus also of those of the Community. It therefore seems preferable, taking into consideration the need to speed up the process of European unification, to follow the procedure outlined in Article 23.

It should further be emphasized that it would be juridically possible to combine the methods indicated by Articles 23 and 146 without introducing factors delaying European unification, and at the same time permitting the citizens of the two Germanies to state their opinion on German unification.⁴ In fact, once the the East German *Länder* had joined the Federal Republic on the basis of Article 23, the Federal Parliament elected by the two Germanies could declare that the *Grundgesetz* was the definitive constitution of Germany. In this way, Article 146 would be eliminated by a revision of the constitution, and the legal possibility of the provisional nature of the West Germany casting doubt on the validity of the Treaties (for example, those recognizing the East German borders) signed by it would also be decreased. The decision of the Federal

Parliament could then be subjected to ratification by the electorate by means of a referendum, which, while not expressly provided for in the *Grundgesetz* as a means of revising the constitution, is not excluded either. This would also be desirable on the other hand to eliminate the anomaly of a constitution which was not directly voted for by the citizens of Germany.

In this connection, one final conclusive observation may be made. If it were to be decided that a national referendum should put the final seal of approval on German unification, why not decide to simultaneously hold a referendum on European unity? Depending on how far advanced the constituent stage of European political unity was, it could be either a ratification referendum of the European Constitution or a referendum proposing constituent mandate to the European Parliament, analogous to the referendum held in Italy on 18th June 1989. Apart from this aspect, the legal motivation for this request for simultaneous German and European referenda should be based on the claim in the preamble to the *Grundgesetz*, which indicates German unity and the unity of a peaceful Europe as the two fundamental commitments of the German people. The fundamental motivation should, on the other hand, call attention to the fact that simultaneous referenda for German and European unity would in an act of great solemnity, and thus of great educational effect, visibly overcome the principle that the nation-state is necessarily the sole repository of collective identity. Why does Habermas not employ his great intellectual authority in support of such a design?

Sergio Pistone

NOTES

¹ Cf. AA.VV., *Historikerstreit*, Munich, Piper, 1987.

² Cf. Sergio Pistone, "Many German States under a European Roof," in *The Federalist*, XXXI (1989), n.3. Cf. also "The Revival of Nationalism," *ibid.*, XXXII (1990), n.1.

³ The particular aggressivity of German nationalism is certainly also linked to the antidemocratic characteristics of the nation-state founded by Bismarck, which found significant ideological expression in the prevailing "naturalistic" conception of the nation, instead of a "voluntaristic" conception, such as that of Mazzini (cf. for this latter point Mario Albertini, *Lo Stato nazionale*, Milano, Giuffrè, 1960). On the other hand, to be adequately understood these characteristics must be seen in relation to the central-continental position of Prussia and then of Germany: a geostrategic position in the system of states which meant that the need for security took priority over liberalism and democracy. The explanatory validity of this interpretative line, traditionally associated with the German school of historians (cf. Ludwig Dehio, *Gleichgewicht oder Hegemonie*,

Krefeld, Scherpe Verlag, and *Deutschland und die Weltpolitik im 20. Jahrhundert*, München, Oldenbourg, 1955), finds strong confirmation in the fact that it was substantially shared by an author who is diametrically opposed in ideology to this school: Engels. Cf. in particular Engels' letter to Bloch of 21st September 1890, published in L. Althusser, *Pour Marx*, Paris, Maspero, 1965.

⁴ Cf. J.A. Frowein, "Rechtliche Probleme der Einigung Deutschlands", in *Europa Archiv*, 1990, XXXV, n. 7.

TOWARDS A SUPRANATIONAL GOVERNMENT OF THE ECOLOGICAL EMERGENCY *

The ecological problem is recognized as an emergency affecting the whole world, and, together with the danger of a nuclear holocaust, represents the major challenge threatening the survival of mankind. So far the response to this challenge has been entrusted to inadequate instruments: in the international field to the traditional expedient of foreign policy, and in the national field to the policies of protecting and conserving the national heritage. These instruments have indeed contributed towards creating the minimum conditions for greater reciprocal trust between countries in the area of environmental action, but have made no impact on the global ecological emergency. In this connection, it may be observed that, on the one hand, as regards the limits of foreign policy, it is contradictory to recognize the growing interdependence of the world without trying to create conditions in which the ecological problem may become an aspect of a common domestic policy worldwide. On the other hand, as regards the policies of environmental conservation and protection, it has to be recognized that nature as such, i.e. spontaneous, wild and uncontaminated by man, no longer exists anywhere: what does exist is a humanized, and to a large extent urbanized, global ecosystem which can only be governed by an effective global land policy articulated at various levels.

*Report presented to the seminar "Ecology as a Global Problem", held in Pavia, April 28-29, 1990.

As the ideological and military conflict between democracy and communism gives way to a new phase of détente between the USA and USSR, it is becoming increasingly obvious that the real obstacle to building a safe, just and democratic world, is nationalism in all its forms. If for example the European Community is unable to overcome this obstacle and become a real Union, it will be unable to provide an effective ecological policy. The same can be said for Eastern Europe and the USSR, and, even more so, for the whole world, in which the existence of over one hundred and fifty countries claiming an anachronistic sovereignty is incompatible with the need to establish a policy of ecologically sustainable world development.

* * *

In a report on behalf of the European Commission, a team of German experts analysed the probable environmental consequences of the Single European Market's foundation in 1992. They ask "whether it is sensible to incur a further increase in the rate of development with the creation of the single market," and observe how "in a whole range of specific cases the currently existing borders are crucial for enforcing regulations within the member countries, particularly those controls aimed at avoiding traffic in dangerous waste material, at safeguarding certain products, and at enforcing those tax regulations that are designed to sensitize people's behaviour as regards ecological considerations." The report then emphasizes how enhanced freedom of movement with the creation of the single market would lead to an increase in road traffic and in electricity production, such as to cause a significant increase in the emission of pollutants into the atmosphere by the year 2010. Having warned about these dangers, the report outlines the political and economic circumstances that could, instead, transform the single market into an opportunity for European environmental reorganization. As regards the political conditions, the authors of the report consider that "if decisions concerning environmental policy were delegated to individual member countries, a situation might come about whereby in some countries very strict regulations for the protection of the environment and of the quality of life would be observed, while in others this would not be the case, with all the imaginable consequences which such a situation would bring. On the other hand a *framework or system of rules and guidelines* might be created to which member countries would have to conform, taking account of local needs and conditions." And finally, "it is improbable that

environmental damage should increase at the same rate as economic growth: that will depend on the way in which economic activities instigated by the *single market* are carried out, with reference to the effects which this *monetary union* will have on the environment, and to how these effects are distributed across the territory." (My italics.)

The response of these experts on the environmental impact of the creation of the single market is no less cautious and circumspect than that which other experts in turn gave concerning the adverse effects on the living standards of the European citizens which would arise from the creation of the Common Market and the European Monetary System. But when we are not deceived by the confusion, which is not only terminological, between single market and economic and monetary union, it has to be said that the report simply confirms the environmental costs of maintaining twelve national policies in a market which is not bound by effective democratic and legislative control mechanisms.

Indeed, as experience shows, things go quite differently in true unions of states. It was precisely in order to fill a gap, providing environmental legislation in a situation of growing pollution and legislative anarchy on the part of member-states and large cities, that the USA undertook about thirty years ago the step of passing federal legislation to co-ordinate pollution control. Although the environmental problem in the USA today is far from being resolved, and despite the attempts to reintroduce a *laissez-faire* policy on the environment, US federal planning has ensured that economic development did not correspond to a generalized deterioration of the environmental situation. The results are significant. In twenty years the population of the US has increased by 25 per cent — incidentally the same increase in percentage of the world population is foreseen at the world level during the next two/three decades — and GNP by 500 per cent. There are more cars and average consumption has risen. Yet in the same period, the major factors of atmospheric pollution have been drastically reduced. Thus, thanks to the federal laws approved by the US Congress from the mid-sixties on, the various local and state environmental policies, including some city laws dating from the end of the previous century, have been enshrined in a subcontinental federal context. And it is significant that the president of EPA (the Environmental Protection Agency, instituted in 1970 following the adoption of the Clean Air Act) last year declared that the results would have been better if over the period there had been better co-ordination among the various levels of government — city, state and union — and if international cooperation to tackle the environmental problems of acid rain, greenhouse effect

and pollution of the seas had been promoted more quickly.

The cases of America and Europe show how the task of facing the environmental emergency is a never-ending battle which can be successfully fought only if economic and technological development proceed in tandem with the reinforcement of federal policies by unions of states. This statement can be confirmed by observing how the thoughtless exploitation of natural resources and the increase of environmental costs goes hand in hand with underdevelopment and with an increase in bureaucratic centralization and in isolation from the rest of the world. In an ever-more interdependent world, these situations are bound to have repercussions at world level sooner or later, as shown by the example of certain developing countries (including China, India, Saudi Arabia and USSR), which have on various occasions declared themselves unable to sustain the cost of converting their industrial production along ecological lines alone. Once more this shows how the vicious circle linking underdevelopment to the environmental crisis can only be broken within a context that is not national but global.

The case of the USSR is emblematic. Let us consider the ecological aspect by itself, leaving aside the economic and political and military implications of the period of stagnation, i.e. 1965-85. It is beyond doubt that the incalculable environmental damage produced in the USSR, of which Chernobyl is still the most dramatic example, (particularly in view of the effects it had on the rest of the world) are largely explainable in the following terms: the failure of the project — partly through the choice of a strongly centralized system, partly imposed by the international situation — of pursuing the development and welfare of the Soviet people independently of the level of scientific and technological development and interdependence attained by the rest of the world. The case of the USSR shows among other things the importance of the time factor in adopting the correct political institutions to face up to the ecological challenge. It is in fact only in the course of the last twenty years that the USSR has been left behind to a significant degree. Almost the same amount of time — two/three decades — is usually required to acquire the expertise to cope with the world ecological emergency.

* * *

Access to and exploitation of natural resources and land have always been of strategic importance in guaranteeing a country's security. But whereas in the past, countries would even go to war to defend them, in the

nuclear age this threat can no longer be resorted to, since it would mean dragging the whole world into a conflict that would mean the end of mankind. This is proved by the fact that on strategic questions such as the exploitation of the oceans, Antarctica, or outer space — which only a few decades ago would have been seen, in the prevailing political logic, as justifying recourse to war — it has been found preferable to resort to international diplomacy and agreements under the auspices of the UN. This means that: a) while governments still pursue national objectives, they are obliged to pursue them less violently than in the past by political means; b) at world level there is already operating a system of international relations, a sort of international government, which is not democratic and is still largely dominated by the state of relations between the superpowers; c) the UN, despite its inadequacy, is the world institution to which all peoples refer, which was not the case with the League of Nations between the two wars.

Thus world interdependence is having the effect of changing the objectives of the nation-state's *raison d'état*. If until a few decades ago the principal objective of state policy was maximize the power of each individual state in order primarily to ensure national security, today the interest of the state has come to be primarily that of international co-operation and the establishment of the minimum conditions which guarantee mutual security. The common interest of mankind in survival is beginning to condition the practice of statecraft. It was to this end that the countries of Europe, having lost absolute sovereignty after the Second World War, took the course of pooling strategic resources (coal and steel) in the fifties, and it was again for this reason that the USA and USSR, having realized the impossibility of either side emerging victorious, began the new phase of détente in international relations.

Thus it is in the light of this change that we must view the ecological problem.

International co-operation — treaties, agreements, conventions — is the way in which international world government manifests itself today and the way in which countries seek to deal with the emergencies of military and ecological security without giving up sovereignty. But if the impossibility of nuclear war is the origin of the new faith which is placed in the prospect of governing the world by diplomacy and international law, it is equally easy to see how international co-operation is working now and what its limits are. We need only briefly consider the three international contexts in which attempts are being made to deal with the ecological problem.

The European level. The Franco-German agreement over common management of coal and steel, which led to the creation of the ECSC in 1951, would not have had the historic significance which it is still accorded if on the one hand it had not been established from the very beginning within the context of a project for the political and economic unification of the continent and if, on the other hand, a battle had not begun, which is still going on, for the creation of democratic supranational institutions in Europe. Without this context the Franco-German agreement would have ended up as yet another failure. From 1979, after the first direct elections to the European Parliament, the problem of the management of all the continental aspects of the ecological emergency, was finally placed under European federal legislation and agencies controlled by the European Parliament.

The ecologists' battle in the countries of the Community can be fought at a more advanced level than elsewhere in the world, but only if: a) the European Parliament, a democratically elected body at continental level, and not governments, have the last word as regards the Constitution of the European Union and thus as regards the continental ecological legislation of the Union; b) the immediate setting up of economic and monetary union will defeat any idea of diluting the Community into an area of free trade, within which increases in competition would inevitably lead to a deterioration of the ecological situation on a continental scale, and, consequently, on a world scale.

The pan-European level. The Helsinki agreement has since 1975 constituted the framework for international co-operation on the environment as on other matters, and in 1979 it produced the first form of collaboration among the 35 signatory states: the convention on the limitation of emissions considered responsible for acid rain. In 1985, with the opposition of Poland, Great Britain and the United States, the Commission created by the Convention proposed a 30 per cent reduction of these emissions by 1993. Clearly these are only early forms of intergovernmental collaboration, yet they should not be undervalued, for they were begun even before the improvement in relations between the USA and the USSR. This example shows how the Helsinki agreements can indeed become the institutional framework for an ecological policy within the common European home, creating for example a pan-European Agency for the environment and energy along the lines of what was done with the Community of Coal and Steel in the 50's. This agency however must transform itself into a federal agency subject to the control of a pan-European Parliamentary Assembly.

World level. "The European Community was the dream of a few federalists fifty years ago. The international seas authority provided for by the Law of the Sea adopted in 1982 by 119 countries, was a utopia only 20 years ago. Something is moving." This comment by Elizabeth Mann Borgese in 1983, while overvaluing the Community, clearly depicts the present situation at world level as regards environmental control. In effect, something is moving, but too slowly. The Convention on the Law of the Sea has not yet come into effect; indeed in these last few months the role, competence and powers of sanction of the authority, of the special tribunal, and of the secretariat has once more come up for discussion at the UN. The Convention on the Law of the Sea is something more than the usual treaties, and may in the immediate future have a strategic function in promoting an accelerated reform of the UN. Firstly, it affirms the principle of having to safeguard part of the Common Heritage of Mankind with a worldwide Authority, which would constitute an embryonic supranational government, with powers of sanction and management of its own resources. Secondly, its jurisdiction — it is impossible not to consider existing relations between marine, terrestrial and atmospheric resources — "risks" bringing about an important transfer of sovereignty from national to supranational level, according to many governments, including that of the USA. The Convention poses a very important question: how can the majority of the world population accept a world government of the ecological emergency without creating world democratic institutions?

* * *

These examples confirm how world government based on international co-operation is useful in instilling a climate of greater trust among countries, but also how inadequate it is to cope with the world problems. The more international co-operation leaves global problems unresolved, the more the possibility opens up of starting political action to: a) reassert the need to transfer part of national sovereignty to supranational sovereignty; b) ask for democratically-controlled institutions and not governments to decide; c) ask for the reform of the UN.

But while international co-operation is destined to be fed by government action and the simple extension of interdependence, there is not yet a strong political movement able to act towards creating a supranational world government: there exists only a multitude of federalist, pacifist and ecologist non-governmental organizations scattered around the world,

trying to operate a global strategy. It is precisely the organizational strength of such a movement that should be the first objective to pursue if initiatives are to be promoted which will favour a transition from international co-operation to supranational world government. The first contribution of the European federalists to a debate on these themes consists precisely in once more raising at world level: a) the objective indicated in 1941 in the *Manifesto of Ventotene*, and for which the federalists, led by Spinelli, began to fight during the Second World War, i.e. the objective of creating a "solid international state," that is a world federation; b) the federalist strategy which has brought the European Community to the threshold of federation.

Franco Spoltore

THE PRINCIPLE OF SELF-DETERMINATION

Attempts to define and to realize the principle of self-determination reveal the ambiguities of this notion. There are many reasons for this: self-determination can be referred to many subjects (individuals or populations); applied to political action, it can become either an instrument of progress or conservatism; it has assumed and often assumes an emotional connotation which can hardly be controlled by rational evaluations; the values it brings to mind (freedom, justice, peace) have often been and often are denied in the name of that very principle.

In spite of these difficulties and these contradictions, self-determination, and in particular the self-determination of nations, has been a very vital principle starting from the French Revolution and today it is still a password which evokes sentiments and emotions and causes upheavals. Faced with the choice between accepting or refusing the principle of self-determination, most people declare themselves to be in favour of it. And it is significant that even those who are against any attempt at achieving it, for reasons of power, do not deny the principle as such. A clear example of this is the position of Gorbachev with respect to the Baltic countries and other Soviet republics which want to separate from Moscow: while denying it with facts, in words he affirms the right to secession in the name

of that principle.

But is it possible, coherent, right, progressive today to accept the concept of the self-determination of nations *tout court*?

To answer this question we must reflect on the fact that whoever poses himself the problem of realizing values and ideals to change the world must be able to think of his action within the historical process; he must at the same time interpret the past and analyse the present while looking toward the future; he must be able to answer the question: where is the world going?

The historical events of the past century show there is an inseparable link between self-determination and fights for national independence, between self-determination and nationalism. And in the 19th century, because of the degree of development of the mode of production, nationalism certainly played a progressive role wherever it served to make the necessary unification processes advance.

Today this link is no longer acceptable. Worldwide interdependence and the need to create conditions of global safety place us before a need to revise the category of self-determination. If it causes disgregation (while the historical process shows us the way towards unification), if in its name a by now outdated model of society organization (the sovereign nation-state) is perpetuated, then that principle is objectively a factor of regression or conservatism. If instead one manages to avoid the trap of nationalism, if, as Emery Reves has written, one manages to "understand that the 'self-determination of nations' is today the insuperable obstacle to the 'self-determination of the people'," this concept will lead us to seek new institutions which really allow everyone to be the master of his own destiny.

Reves' considerations on this problem, expounded in a chapter, which we here publish partially, of his famous book *Anatomy of Peace* (London, Penguin Books, 1947) show how noxious are the attitude and action of whoever interprets a new reality with outdated categories, of whoever, to use Reves' words, is tied down to political and social "Ptolemaic," natiocentric concepts, in a "Copernican" world.

* * *

"Self-determination is an anachronism. It asserts the sacred right of every nation to do as it pleases within its own frontiers, no matter how monstrous or how harmful to the rest of the world. It asserts that every aggregation of peoples has a sacred right to split itself into smaller and

ever smaller units, each sovereign in its own corner. It assumes that the extension of economic or political influence through ever-larger units along centralised interdependent lines is, in itself, unjust.

Because this ideal once held good — in a larger, simpler, less integrated world — it has a terrific emotional appeal. It can be used and is being used by more and more politicians, writers, agitators, in slogans calling for the 'end of imperialism,' the 'abolition of the colonial system,' 'independence' for this and that racial or territorial group.

The present world chaos did not come upon us because this or that nation had not yet achieved total political independence. It will not be relieved in the slightest by creating more sovereign units or by dismembering interdependent aggregations like the British Empire that have shown a capacity for economic and political advancement. On the contrary, the disease now ravaging our globe would be intensified, since it is in large measure the direct result of the myth of total political independence in a world of total economic and social interdependence.

If the world is to be made a tolerable place to live in, if we are to obtain surcease from war, we must forget our emotional attachment to the eighteenth-century ideal of absolute nationalism. Under modern conditions it can only breed want, fear, war and slavery.

The truth is that the passion for national independence is a leftover from a dead past. This passion has destroyed the freedom of many nations. No period in history saw the organisation of so many independent states as that following the war of 1919. Within two decades nationalism has devoured its children — all those new nations were conquered and enslaved, along with a lot of old nations. It was, let us hope, the last desperate expression of an ideal made obsolete by new conditions, the last catastrophic attempt to squeeze the world into a political pattern that had lost its relevance.

Quite certainly, independence is a deep-rooted political ideal of every group of men, be it family, religion, association or nation.

If there were only one single nation on Earth, the independence of its people could very well be achieved by its right to self-determination, by its right to choose the form of government and the social and economic order it desired, by its right to absolute sovereignty.

Such absolute national self-determination might still guarantee independence if in all the world there were only two or three self-sufficient nations, separated from each other by wide spaces, having no close political, economic or cultural contact with each other.

But once there are *many* nations whose territories are cheek by jowl,

who have extensive cultural and religious ties and interdependent economic systems, who are in permanent relations by the exchange of goods, services and persons, then the ideal of self-determination — of each nation having the absolute right to choose the form of government, the economic and social systems it wishes, of each having the right to untrammelled national sovereignty — becomes a totally different proposition.

The behaviour of each self-determined national unit is no longer the exclusive concern of the inhabitants of that unit. It becomes equally the concern of the inhabitants of other units. What the sovereign state of one self-determined nation may consider to the interest and welfare of its own people, may be detrimental to the interests and welfare of other nations. Whatever counter-measures the other self-determined sovereign nations may take to defend the interests of their respective nationals, equally affect the peoples of all other national sovereign units.

This interplay of action and reaction of the various sovereign states completely defeats the purpose for which the sovereign nation-states were created, if that purpose was to safeguard the freedom, independence and self-determination of their peoples.

They are no longer sovereign in their decisions and courses of action. To a very large extent they are obliged to act the way they do by circumstances existing in other sovereign units, and are unable to protect and guarantee the independence of their populations.

Innumerable examples can be cited to prove that, although maintaining the fiction of independence and sovereignty, no present-day nation-state is independent and sovereign in its decisions. Instead, each has become the shuttlecock of decisions and actions taken by other nation-states.

The United States of America, so unwilling to yield one iota of its national sovereignty, categorically refusing to grant the right to any world organisation to interfere with the sovereign privilege of Congress to decide upon war and peace, was in 1941 forced into war by a decision made exclusively by the Imperial War Council in Tokyo. To insist that the declaration of war by Congress following the attack on Pearl Harbour was a 'sovereign act' is the most naïve kind of hairsplitting.

Nor was the entrance of the Soviet Union into the Second World War decided by the sovereign authorities of the USSR. War was forced upon the Soviet Union by a sovereign decision made in Berlin.

The failure of national sovereignty to express self-determination and independence is just as great in the economic field, where every new

production method, every new tariff system, every new monetary measure, compels other nation-states to take counter-measures which it would be childish to describe as sovereign acts on the part of the seventy-odd sovereign, self-determined nation-states.

The problem, far from being new and insoluble, is as old as life itself.

Families are entirely free to do many things they want to do. They can cook what they like. They can furnish their home as they please. They can educate their children as they see fit. But in a Christian country no man can marry three women at the same time, no man living in an apartment house can set fire to his dwelling, keep a giant crocodile as a pet or hide a murderer in his flat. If a person does these things or similar things, he is arrested and punished.

Is he a free man or is he not?

Clearly, he is absolutely free to do everything he wants in all matters which concern himself and his family alone. But he is not free to interfere with the freedom and safety of others. His freedom of action is not absolute. It is limited by law. Some things he can do only according to established regulations, other he is forbidden to do altogether.

The problems created by the ideal of self-determination of nations are exactly the same as the problems created by the freedom of individuals or families. Each nation can and should remain entirely free to do just as it pleases in local and cultural affairs, or in matters where their actions are of purely local and internal consequence and can have no effect upon the freedom of others. But self-determination of a nation in military matters, in the fields of economic and foreign affairs, where the behaviour of each nation immediately and directly influences the freedom and safety of all the other nations, creates a situation in which self-determination is neutralised and destroyed.

There is nothing wrong with the ideal of self-determination.

But there is something very wrong indeed with the ideal of 'self-determination of nations.'

This concept means that the population of this small world is to be divided into eighty or a hundred artificial units, based on such arbitrary and irrational criteria as race, nationality, historical antecedents, etc. This concept would have us believe that the democratic ideal of self-determination can be guaranteed and safeguarded by granting people the right of self-determination within their national groups, without giving corporate expression of self-determination to the aggregate of the groups.

Such a system can preserve self-determination of the people only so long as their national units can live an isolated life. Since the nations today

are in contact, with their economic and political lives closely interwoven, their independence needs higher forms of expression, stronger institutions for defence. In absolute interpretation, the many self-determined national units cancel out each other's self-determination.

What was the use of the 'self-determination of Lithuania' when self-determined Poland occupied Vilna? And what was the use of 'Polish self-determination' when self-determined Germany destroyed Poland? Unquestionably, self-determination of nations does not guarantee freedom and independence to a people, because it has no power to prevent the effects of actions committed by *other* self-determined nations. If we regard the freedom and self-determination of peoples as our ideal, we must do our utmost to avoid repeating the mistakes of 1919 and realise that *self-determination of nations* is today the insurmountable obstacle to *self-determination of the people*."

Nicoletta Mosconi

Interventions *

THE PROCESS OF DECENTRALIZATION IN THE INDUSTRIAL FEDERAL STATE

EDMOND ORBAN

Which decentralization?

The concept of decentralization, like that of federalism, itself can take on extremely variable meanings according to the authors who employ them and the contexts in which they are studied or applied.

Thus, for example, Karl Deutsch in his article "Toward a Rational Theory of Decentralization: Some Implications of a Mathematical Approach,"¹ shows to what extent the logistics of large scale organizations suffer from lack of adequate communications. Yet, in the industrialized states, new technologies in the area of transport and communications in general should allow the attainment of an optimal level of decentralization, whether it be for a public organization or for a large private corporation. Deutsch underlines the need to assure more independent initiatives and more active popular participation by intensifying the feedback between administrators and citizens. Yet, the process of adjustment to new problems brought about by the modernization of communications, for which he believes there are clearly solutions based on improved communications, requires an ever greater degree of decentralization.

Michel Crozier, among many others, came to the same conclusion in *The Bureaucratic Phenomenon* when he wrote that "decentralization

*This heading includes interventions which the editorial board believes reader will find interesting, but which not necessarily reflect the board's views.

now appears to the more enlightened observers of the American business community as the necessary condition of any growth beyond a certain threshold."² At the same time, although many authors appear favorable to greater decentralization for reasons of efficiency and democratization (close to the people), there are some reservations about this, notably in the area of individual rights and liberties (another aspect of democracy). Certain authors, such as Duguit in France, while favourable in principle to decentralization, consider that the protection of interests and individual liberties stems from judicial review of administrative acts rather than from local self government.³ This theoretical attitude reveals a certain mistrust of political interference in local administration.⁴

In real terms, what kind of centralization is involved here? Let us proceed by a process of elimination: in this paper we will not consider "administrative decentralization" in which tasks are by definition assigned to administrative units strictly under the control of central (or national) authorities. In this case, a certain number of choices, adjustments, and thus decisions, are carried out by agents of the central government posted in the regions. This system presents several advantages with respect to decentralization, above all if these agents are "natives" of the region in question. They are still, however, representatives of this central government from which they draw their legitimacy. We find this kind of model in federal states, but most of all in unitary systems.

We are interested, to be sure, in administrative decentralization, taken as the situation where the above mentioned administrative tasks are entrusted to agents and governmental services not attached to the central government, but rather to governments representing citizens of a given region (province, canton, *Land*, state, etc.). In this case, it is at the same time a matter of territorial decentralization, implying the existence of a government in the wide sense of the word, that is, having one or more elected legislative assemblies (bicameral in all American States except Nebraska), an executive, an administration, courts of justice and eventually a constitution (as with all American States, but not the Canadian provinces).

What is called decentralization in the Federal Republic of Germany and into a lesser degree in the United States and Canada often takes this form. Thus, for example, the German *Länder* have more personnel and spend more money (all together) than the central government, but these are above all applied under a framework of decisions taken by the central federal institutions. These top-level decisions are taken in collaboration, at least to a certain extent, with the executive representatives of the

Länder. In this case we may speak of co-operative federalism. This kind of federalism has many advantages, above all for societies characterized by a high level of political consensus and where the economic, cultural and social cleavages are consequently reduced or do not have cumulative disintegrative effects for the whole of the system.

For many theoreticians of federalism, such as Carl Friedrich or Ivo Duchacek for example, genuine federalism requires, however, more than administrative decentralization as just described. According to these authors, if we limit ourselves to this type of federalism, it is possible to slide irreversibly from the status of a federal state to that of a unitary one. The central government would tend to make more and more of the important decisions (notably in the economic and foreign policy spheres) and the federated entities would then content themselves with adjusting and implementing the "framework legislation" — all the more so since the technocrats of the central administration play a major role in their elaboration.

A vital objective for federalism: political decentralization.

In the federal perspective of authors such as Friedrich or Duchacek, and notably most of francophone Canadian federalists, the problem of the division of powers between the two levels of government cannot be avoided.

In this way, we can speak of dynamics, interaction, with federalism thus being considered as a process, a perpetual movement oscillating between diversity and unity, centralization and decentralization. In such a system, it is essential that decentralization (the one where the distribution of powers is modified, or political decentralization) should not be static. There is an oscillation between the two poles formed by the two levels of government just mentioned. We should note that all decentralization of powers is of a nature to engender tensions and conflicts at the same time as co-operation but this, it appears, is the price to be paid to avoid deeper and destabilizing conflicts (system conflicts).

Federalism in the sense of decentralization (of powers) thus becomes a process where the communities (regions, provinces) interact as autonomous units. As for Carl Friedrich, he goes still further when he states that in a real federal system there can be no sovereign. In such an order, autonomy and sovereignty are mutually exclusive. In this way, we must reject the concept of a unified and indivisible sovereignty underpinning public law in a unitary state such as France, from Bodin and Rousseau to

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and the inequalities that concepts such as interdependence, interaction, or co-operation barely hide. It is partially the classical liberal myth that the federal interests are the sum of the regional interests, as formulated in the central institutions.

Four federalist prerequisites, or decentralization and related questions.

A) *Local affairs and intermediate governments.* The constitutions of the federal states in industrialized countries such as the United States, Canada, Switzerland, the Federal Republic of Germany, etc., clearly distinguish central governments (in the wide sense) from intermediary governments (provinces, states, cantons, *Länder*, etc.). On the bottom rung are local governments that normally come under the responsibility of the intermediary governments. This is the case in Canada where the provinces have the exclusive power to legislate in the area of municipal institutions and purely local matters. In the United States this power is indirectly conferred on the states through their *residual* power (what the constitution does not attribute to the central government).

The principal problem here arises from the difficulty in specifying what is a local affair in matters often involving the three levels of government, each within its own area of competence (the classic case is that of landing rights for the Concorde in New York in 1976).

Furthermore, the large metropolitan areas often transcend the limits of several states and require the creation of a fourth level of government, capable of offering services that can neither be offered by local government nor by the states (or provinces). But under whose jurisdiction does this type of government come?

In the Federal Republic of Germany this problem seems to be resolved in the sense that by virtue of concurrent powers, the central government has the means to legislate in local affairs with the *Länder* and its laws predominate in case of conflict.

B) *Elected governments and final legitimacy.* For political decentralization to exist there must be intermediary government legislative assemblies that are democratically elected in the same manner as the national parliament. This democratic element is indispensable for a federal society of the type just mentioned, but it is a double-edged weapon, since the elected representatives of a province sitting in the national institutions *claim* to represent both *all* the country and their province of origin. In case of conflict, the problem of the principal allegiance might well come up,

as was the case in Canada at the time of the repatriation of the constitution, in 1980-1981. The Canadian members of parliament from Québec voted almost unanimously in favor of a new division of powers while the elected majority of the Québec assembly resolutely opposed it. This is a classic example of the profound dissent that can exist between assemblies of different levels on vital issues.

C) *Grey zones, concurrent and residual powers.* Logically, we cannot speak of political decentralization without mentioning the grey zones and concurrent powers. Frequently, *when* there is a conflict between the two levels of elected government that concern us here, a struggle takes place in the area of concurrent power and in the grey zones that each of the two levels of government would like to clarify to their own advantage. The fact that certain constitutions (United States, but not Canada) accord residual powers to the intermediary government constitutes, at first sight, a favorable factor for decentralization, even though we should then clarify what in fact is left to the states, provinces, etc., in terms of real powers.

We may furthermore observe that central governments, in the name of the national good, quietly infiltrate this no-man's *land* thanks to their financial powers and via joint programs covering a growing number of subjects.

For an author like Wildavsky, such a system implies tensions and conflicts but they probably generate real co-operation, while forced (co-operative-coercitive) co-operation would risk accelerating the polarization between the two levels of government by radicalizing the conflicts.

In this case, federalism implies concurrent *powers* and thus co-operation, but in various contexts and with various meanings.

D) *Financial autonomy.* All decentralization worthy of the concept implies a certain financial autonomy, albeit to different degrees and actual usage. For example, provinces or states can thus spend much money, but in the framework (and with the conditions) imposed on them by the central government. This money is, besides, spent in relatively less important areas (health, public assistance, primary education) while the central government keeps the essential governmental functions for itself (notably those of an economic nature).

Financial autonomy is at the same time a condition and an indicator of decentralization, but in order to evaluate its significance, it is necessary to study the various sources and methods of financing, and indeed, to

define in exactly what areas the spending occurred.

Finally, there *remains* the question of determining how, and with what conditions (loose or restrictive), the laws were developed, as well as the decisions made about subsidies, tax transfer points and equalizing payments that are attributed to provinces and other entities of this nature.

Can the degree of decentralization be evaluated?

A) *Limits to the quantitative approach.* In the case of micro-analysis, it appears possible to construct indexes of decentralization when the number of key variables are few and quantifiable. K. Deutsch (quoted above) and many theoreticians of organizations have conducted interesting experiments which are limited in this respect.⁵

Stephen Ross⁶ established a centralization *continuum* (the opposite is also possible) from a series of factual data: firstly, the distribution of financial responsibilities by level of government; and by the distribution of powers. He considered fifteen factors, established an index of services, and calculated the percentage of moneys spent by the governments concerned. Finally, the author studied the quantitative evolution of the public workforce employed by the different levels of government and by area of activity. This enabled him to draw up a composite index of centralization.

This interesting experiment has many limits, including those mentioned above concerning financial autonomy, and in particular the limits imposed by conditional financial transfers, by cost-shared programs, and even by equalization payments (at first view, an unconditional transfer).

Richard Bird, in a quantitative study entitled *The Growth of Government Spending in Canada*,⁷ also warns against such an approach.⁸ He states that the concept of financial decentralization is not clear and that the study of transfers, for example, whatever method is used, is not based on a solid conceptual or empirical base. He himself, however, draws rather clear conclusions concerning the evolution of financial centralization.

B) *Constitutional criteria.* The constitutions of federal states contain some particularly revealing provisions regarding the centralization of some of the basic powers. A reading of article 1 section 8 of the American constitution, of article 91 of the Canadian constitution or the economic articles of the 1947 Swiss constitution is highly significant illuminations in this respect.

Similarly, analysis of the decisions of Supreme Courts and Constitutional Courts, over a long period, allow us to draw a certain number of "assumptions" concerning the evolution of the centralizing/decentralizing process, insofar as we prudently use such indicators in conjunction with others, however open to criticism or incomplete they may be.

C) *Distribution of functions.* In his book *Federalism*,⁹ William Riker classified "the degree of centralization" of American federalism into nineteen categories of activities (or functions). He distinguished five degrees: maximum decentralization, predominate decentralization, equality, predominate centralization, and maximum decentralization. He proposed this in the perspective of a "zero sum game" where what one loses is automatically won by the other. He goes on to conclude that in this country there are almost no more functions exclusively carried out by the governments of the states, while in 1790 the states' rule was the common order of things, with the exception of foreign affairs and defence.

Such a method, when complemented by the study of the evolution of central political institutions, thus allows us, according to him, to bring out certain general tendencies, but this method has some fundamental drawbacks. The first stems from the fact that it starts from a questionable assumption where the notion of conflict or competition prevails over that of co-operation or interdependence. It leads to precise quantitative results, whereas the evaluations are more impressionistic than mathematical, in an area where the use of statistics cannot be used in a systematic and complete way. Furthermore, it is difficult to judge the relative importance of each function. For example, how much we assess the political importance of one area such as foreign affairs with respect to that of economic development? This is all the more so since both are nowadays closely related, above all in the United States.

In Canada, too, many authors have attempted similar studies, notably Claude Morin¹⁰ when he writes about the magnetic pendulum, or the power of centripetal forces.

D) *The evolution of institutions.* The study of the evolution and the creation of the new political and administrative institutions, at the different levels of government, can provide partial solutions. Thus, for example, in the United States and in Canada, during the last decades many states and provinces have equipped themselves with an increasingly sophisticated and modernized bureaucratic machine, especially in the industrialized regions.¹¹ In the case of Canada, we sometimes even see a

direct confrontation between the federal and provincial governments. At other moments co-operation carries the day, but it occurs more and more between the various departments of each government. On the other hand, in Canada as well, the creation and growing use of federal-provincial conferences constitutes another useful indicator. In this case, it is a matter of a new co-operative institution of the various executives (prime ministers) of the provinces and the federal government. In practice, however, it is very difficult to evaluate it on a centralization/decentralization continuum.

We should also note the importance of provincial parties which are independent (and the degree to which they are independent) from the national parties, since this could constitute an interesting indicator to add in a more general study of this subject. Similarly, this could include the study of national parties as efficient (or inefficient) transmission paths of regional demands. When efficient, they contribute to national integration while reinforcing the machinery of national political parties.

E) *The spirit of institutions and concluding remarks.* In conclusion, we may note that many constitutionalists stress the "spirit" of institutions, as part of an overall vision. At first sight, this also might throw some light on our own concerns. But this would take us into an area even more difficult to analyse from the viewpoint of methods of observation.

Thus, for example, for Aaron Wildavsky, real federalism implies at one and at the same time conflict and co-operation, or centralization and decentralization, but as part of a balanced consensus.

As for Vile, he considers that constitutional, legal, political, administrative and financial techniques contribute, at least in the United States, to maintaining or eroding what he calls "the equilibrium between independence and the mutual interdependence of the different levels of government."¹²

These authors, as well as Carl Friedrich,¹³ thus favor the notion of equilibrium or federalist spirit. In the constitutional practice of the Federal Republic of Germany (see the decisions of the Constitutional Court in Karlsruhe) the concept of *Bundestreue* is invoked (federal loyalty or equilibrium).¹⁴ It is a concept that is of greater practical importance than we would be inclined to imagine and thus deserves special attention.

There is still the question of how such a concept is rendered in concrete reality.¹⁵ Thus, the notion of federal equilibrium can be interpreted in various ways from country to country, from one period to another, notably according to whether we favor a model of political

decentralization or of administrative decentralization, to take these two points of reference.

Equilibrium — yes! — but generally with a predominant concern for central institutions (and in particular the supreme courts) of national integration and even unity, and thus the rejection of any form of decentralization when the decision makers concerned consider that it represents a centrifugal force capable of somewhat destabilizing the entire federal political system. In the name of equilibrium and integration, the national government would thus always have the last word in a confrontation with the intermediate governments, contrary to what Carl Friedrich writes: "In a federal system there cannot be a sovereign and no one has the last word."¹⁶

That fact that the federal state is a state, with all of its attributes, in front of embryonic states that constitute the political entities such as provinces, sets insurmountable limits to the process and to policies of "decentralization," even in societies where such political entities enjoy a relatively extensive degree of autonomy.

Just where can this process or these policies go without destabilizing the equilibrium and thus provoking disintegration? Here too, the answer depends on the specific needs of the societies in which the political framework is federalist. And, before attempting to evaluate its degree of decentralization, it is necessary to understand the particular context of the society in question, the absence of which would distort any interpretation, above all when it is matter of quantifiable data which at first glance are more precise than other sorts of data.

In spite of all their shortcomings (when taken separately), the criteria above mentioned, to the extent that they are combined together, are of such a nature as to allow us to finally develop a body of assumptions (in the absence of anything better) about the evolution of centralization, both as a process and as a deliberate or incidental policy.

NOTES

¹ *American Political Science Review*, 63 (1969), pp. 734-749.

² Michel Crozier, *Le phénomène bureaucratique*, Paris, Editions du Seuil, 1963.

³ Léon Duguit, *L'Etat*, Tome I et *Traité de Droit constitutionnel*, Tome III, Paris, 1923.

⁴ Albeit in a completely different political and administrative context we find similar hesitations with regard to the administration of certain American states (above all those of the South). See our article "Droits de la personne et processus de centralisation: rôle de la Cour suprême des Etats-Unis," *Canadian Journal of Political Science / Revue canadienne de science politique*, 20:4 (1987), pp. 711-729.

⁵ Karl Deutsch, *op. cit.* (at note 1), p. 743.

⁶ Stephen Ross, "State Centralization and the Erosion of Local Autonomy," in *Journal of Politics*, 36 (1974).

⁷ Richard Bird, *The Growth of Government Spending in Canada*, Toronto, Canadian Tax Foundation, 1970, p. 37.

⁸ For another quantitative approach for the study of revenues and spending of the different levels of government in the federal states, see also Krane Dale, "The Evolutionary Patterns of Federal States," in C. Lloyd Brown-John, *Centralizing and Decentralizing Trends in Federal States*, New York, University Press of America, 1988, pp. 39-62.

⁹ William Riker, *Federalism: Origin, Operation, Significance*, Boston, Little Brown, 1964. See especially the typology of functions and the table "The Degree of Centralization by Substantive Functions," pp. 82-83 in Chapter 3, "The Maintenance of Federalism: The Administrative Theory."

¹⁰ Claude Morin, *Le Combat québécois*, Montréal, Boréal Express, 1973, pp. 57-75.

¹¹ See the notion of "entrepreneurial regionalism" in Raymond Breton, *Regionalism and Supranationalism*, Montréal, Ed. Cameron, Institute for Public Policy Research, 1978.

¹² M. J. C. Vile, *Politics in the USA*, London, Hutchinson, 1987, p. 15.

¹³ See Chapter 1 of Carl Friedrich, "Théorie du fédéralisme en tant que processus," in *Tendances du fédéralisme en théorie et en pratique*, New York, Praeger, 1968, p. 19.

¹⁴ H. A. Schwartz-Liebermann von Wahlendorf, "Une nation capitale du droit constitutionnel allemand: la Bundestreue," in *Revue du droit public et de la science politique*, 1973, pp. 769-792.

¹⁵ For background information, see our article "La Cour constitutionnelle fédérale et l'autonomie des Länder en R.F.A." in *La revue juridique Thémis*, 22:1 (1988), pp. 42, 58-9.

¹⁶ C. Friedrich, *op. cit.*, p. 19.

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