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Civil society as Democratic Practice

edited by
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Introduction

George F. McLean

Problem

On entering the new century, indeed the new millennium, we remain intensively affected and effectively conditioned by the long cold war from which we emerge. As with any war, it has worked in two directions. In vast regions the ideology, in order to affirm the totality, laid waste to all other levels of association, reducing the people to anonymous masses. In reaction, contrary ideologies so stressed individual autonomy and rights as progressively to dissolve bonds of community, neighborhood, and even family, thereby inevitably projecting ever greater responsibilities on the state. Whether out of extremist allegiance either to the state or to the individual, to the whole or to the part, there emerged a common, if contrary, rationalist extremism, marked by faceless communes or lonely crowds.

It has been sobering indeed to find that old habits—especially those of societies—die slowly. Indeed, more recent experiences of social disintegration and conflict shock us and warn of a foreboding future. This threatens to be constituted by communal aggression, which destroys from without, and self-seeking corruption, which dissolves confidence and cooperation from within. Thus, in some areas celebrating the emergence of a free market there is destabilizing disillusion at the avaricious corruption accompanying the unleashing of private initiative. In other areas, a reductivist focus upon individual rights sweeps away common standards of human decency and with them human social bonding.

Challenge

This now creates an urgent need for a new examination of what has been termed "civil society": it is social rather than individual, for it is the more immediate context required for personal growth, interaction and fulfillment. It is civil, rather than state, to suggest its personal and humanizing character. It goes beyond any one dimension—economic, educational, or religious—but by including all of these it is concerned to provide the integrated context without which none of them could truly thrive.

This complements in an essential manner the two great awakenings of our times regarding, respectively, the dignity of the person and the importance of human solidarity. But in order for these to be implemented, that is, for personal dignity to be exercised in society and for this to be personal in character, *subsidiarity* is required as a third and integrating element.

This means, first, a reconstitution of the structures of association and cooperation which implement human *solidarity* and cooperation. In each field—neighborhood, education, health, business and religion—the forms of interpersonal social life must be rearticulated and promoted.

Secondly, in contrast to a rationalist and univocal ordering of all according to an ideology imposed from above, these patterns of human community must define from below their natural hierarchy and interaction in a pattern of *subsidiarity*. For this, key factors will be the concrete spatial and temporal character of human needs and the practical, cultural and religious patterns of human interests.

Beyond and in dialogue with the political and the economic, this active engagement and creative expression of the people constitutes authentic *democratic process*.

Such modes of concrete cooperation between persons and peoples would seem to emerge less from massive ideologies, than from concrete needs. If so, the needy, long pressed by the exigencies of daily survival under harsh and oppressive economic or political pressures, may have much to share regarding non formal structures and the working of *civil society*.

This work brings together representatives of different regions and multiple disciplines in an attempt to rediscover the nature of *civil society* and the structures, order and dynamics of subsidiarity which this implies. Its structure is as follows.

Part I, "The Challenge of a Third Way between Individualism and Collectivism," delineates the challenge being faced as we move into the 21st century. The previous coordinates of a bipolar world, namely, individualism and collectivism, are no longer able to provide the points of reference. This suggests that a third way between these two extremes is no longer an impossible dream, but a necessity. This defines the challenge to which the subsequent parts of this volume will be addressed.

Chapter I, by Miloslav Bednar, "Democracy and Human Rights in the Aftermath of the Totalitarian Challenge," proposes Patocka's phenomenological recovery of natural-law theory as the best defense against the 'nationalistically-tinged' neo-totalitarianisms arising in the post-Soviet countries of the former Eastern Bloc.

Chapter II, by Levan Dalakishvili, "The Global Crisis of Culture and the Perspectives for Democratic Process," proposes a recovery of "in-culture being', and a new recognition that the beginning of philosophy, as the Greeks said, is thaumazein, "to be in awe" before the miracle of life. Quoting Karl Jaspers, Dalakishvili maintains that empirical-naturalistic philosophy can only generate "homeland-less inhabitants of the Earth."

Chapter III, by Charles R. Dechert, "Modeling and Valuing Reality: A Communitarian Perspective," is an intriguing record of the author's past work in the U.S. Defense establishment and as Information Officer in the Human Resources Research Center. Dechert discusses in particular the shift during the 1950s, in American academia and in governmental policy, towards a 'systems-theory' involving 'associational groups' both public and private.

Chapter IV, by Anatoliy Karas, "Democracy, Rationality and Civil Society," examines the contemporary Ukraine and the return of the former Nomenklatur (or 'bureaucracy') under a new name. He seeks ways for 'civil societies' to play a salutary role in the new society, and proposes a version of 'tradition-mediated' communitarianism because 'private material interest' can disenfranchise the common good just as much as totalitarian egalitarianism can.

Chapter V, by James K. Kigongo, "The Presence of Ethnicity as a Paradigm for Federal Governance," analyzes the conflict between ethnicity and federalist centrism in post-colonial Uganda. Because—during the colonial period—the British used the Buganda ethnic group as a means of dominating the other indigenous tribes, the Buganda community in the post-colonial period has alternately resisted federalism and tried to co-opt it. Since 1986, Uganda has been moving toward genuine democratization, but most Ugandans feel their real identification is with their tribal culture and not with a central government that transcends individual tribes. Kigongo argues that national solidarity will only be achieved by building a "community of interests" in which all tribes can share.

Chapter VI, by Antonio F. Perez, "Civil Society and International Discourse," analyses the infrastructure of the international order. It contrasts a deeper level of the exercise of human

freedom in a decentralized manner whence the dynamic moves upward to higher and broader levels of authority to a relatively more centralized process moving from the sovereign nations acting in their national self-interest. The paper sees the latter as the actual situation, but finds emerging signs of the former which could be an emergent force for the future.

Part II, "Democracy and Civil Society: Solidarity and Subsidiarity," begins to identify the elements of the new structure of civil society, namely, solidarity and subsidiarity. These elements earlier elaborated in Catholic social teaching in response to the totalitarianism of the 1930s have been reviewed and transformed to provide the basic structural concept of the European Union and are more generally sought by the many efforts to move away from the over centralized modern system.

Chapter VII, by George F. McLean, "Solidarity and Subsidiarity as the Social Exercise of Human Freedom," sketches alternative theories of human freedom which have been developed in philosophical history, and relates them to the problematic of civil society. McLean argues that the principles of solidarity and subsidiarity suffer when the "circumstantial freedom of self-realization" (identified with the British Empirical tradition) is privileged over the "acquired freedom of self-perfection" (Kantian tradition) in combination with the "natural freedom of self-determination" (Existentialist tradition).

Chapter VIII, by Tatiana Sedova, "Towards the Idea of Civil Society and Two Understandings of the Principle of Subsidiarity," explains Roman Catholicism's ethical definition of subsidiarity over and against the European Union's normative and legalistic definition. Sedova maintains that the latter, when applied to soon-to-be-admitted (to the E.U.) applicant-countries, can result in catastrophic economic hardship.

Chapter IX, by Semou Pathé Gueye, "Public Sphere and Deliberative Democracy: Rethinking Politics," proposes Jürgen Habermas's combined "ethics of communication" and "universal pragmatics" as the antidote to the 'ethics-free' Western democratic model. Gueye demonstrates how the Habermasian notion of "consensus" builds common agreement, whereas the bourgeois liberal model only seeks "compromise," often a begrudging compromise, between interests irreducibly in conflict.

Chapter X, by Wei Zhang, "Solidarity and Subsidiarity as Embodiment of Humanity and Practice of Humanism," shows how socialist humanism is "spiritual" because it is based on traditional Chinese "benevolence" plus socialism's regard for the common people. He argues this approach is China's only hope against the "money-fetishism" now besetting so many Chinese as the People's Republic converts to a market economy.

Chapter XI, by Elinor Brown, "Transforming Social-Cultural Hierarchy: to Develop an Equitable 'Civil Society,'" alerts the reader to the way in which the socio-cultural hierarchy embeds oppressive structures and how these must be offset by family and school education in order to foster the development of society that is truly civil.

Chapter XII, by Mamuka G. Dolidze, "Husserl's Phenomenology and Bohr's Quantum Theory in Relation to Both the Art of Fiction and Democratic Society," shows that 'affirmation of mutually-exclusive aspects of existence' is the key feature of Bohr's wave-particle dualism and Husserl's phenomenology (which necessarily deploys 'bracketing' to describe a 'pure self' which is nothing other than the subject-less 'act of attaching meaning'). Dolidze argues that democratic practice requires that society accommodate mutually-exclusive individual life-worlds, a 'polyphony of social pictures'.

Part III, "Metaphysical and Religious Basis for Civil Society as Democratic Practice," looks further into the great cultural traditions and civilizations of the world to strength the sense of person and interpersonal community on which civil society can be constructed as the key to the practice of democracy as government of the people, by the people and for the people.

Chapter XIII, by Yang Fenggang, "Civil Society and the Role of Christianity in China: A Preliminary Reflection," demonstrates the futility of the present 'official model' in China, which polarizes the State and Civil Society, and proposes instead a 'trichotomous equilibrium model' whereby the State Sector, the Non-Profit Sector, and the For-Profit Sector collaborate for the common good. Yang analyzes in detail the mixed status of Christianity,—the 'officially recognized churches', the 'underground churches', and those which function 'inbetween' these two categories.

Chapter XIV, by Georgi Kapriev, "Christian Values and Modern Bulgarian Culture," begins with a precise and highly informative summary of Eastern Orthodoxy's theology and ecclesiology, and then follows with an analysis of the Bulgarian Orthodox Church. Kapriev argues that the unique history of Bulgaria has been such as to allow nationalists to 'highjack' the Bulgarian Church. He nonetheless ends on a positive note, pointing out that teaching-centers spreading authentic Orthodoxy are now taking root throughout the country.

Chapter XV, by Sirajul Islam, "Civil Society, Solidarity and Social Reformation: In the Sufi Perspective," offers Sufi philosophy as an answer to the "slackening of human rights, dignity, morality and values" which at present characterizes most countries, including Western countries where the "market economy" is not sufficing to prevent moral decline and in fact is abetting it. Sirajul Islam traces the history of Sufism, showing how it combines the Transcendent with a practical ethic based on love and egalitarianism.

Chapter XVI, by Mallika Rajaratnam, "Epistemology, Transcendental Understanding and Social Change: Suggestions for Social and Political Culture," recounts the history of philosophical "critical wisdom" which necessarily enacts *practical* understanding. Rajaratnam treats, in the Indian classical tradition, the notions of Self-realization, inter-subjectivity, and Buddhist (Madhyamikan) epistemology; and shows in fine detail their frequent counter-point in Kantian philosophy. Culture, Rajaratnam argues, "in a real sense" transcends localism and operates much like a Kantian 'subjective universal'.

Chapter XVII, by Asha Mukherjee, "Civil Society: A Transpositional Understanding," explains the 'transpositional philosophy' of Rabindranath Tagore and Mahatma Gandhi in relation to how civil solidarity can be achieved. Mukherjee defines 'positional objectivity' as an interpersonally sharable understanding among those with the same point of view. He defines 'transpositional objectivity' as that which remains the same among what are otherwise differing positional points of view. Precisely because only the transpositional can preclude competition, only it can truly ground civil society and ensure its happiness.

Chapter XVIII, by Martin Zilinek, "National Consciousness, Multiculturalism and Democratic Citizenship: the Value Phenomena in the Formation of the Moral Identity of a Personality," is concerned with the moral dimension of national consciousness and multiculturality. He studies these with a view to developing authentically democratic citizenship.

Chapter I
Democracy and Human Rights in the Aftermath of the Totalitarian Challenge

Miloslav Bednar

The dramatic, ongoing encounter of democratic civilisation with totalitarian regimes is the decisive philosophical and political event of the Twentieth Century, the impact of which has shaped the very essence of the movement of history. In its current form it consists of the bias to minimise, and in fact displace, all of the disquieting findings concerning the nature of this conflict and its consequences.

To the west of the former Iron Curtain, this encounter involves two main tendencies. On the one hand, it amounts to a continuation of Cold War perceptions in the public opinion of western democracies. The prevailing quality of those times, which has been seemingly forever ingrained into the memories of ordinary citizens, was peace and stability, coupled with the acceptance of peripheral wars (Gambles 1995, 26-35). In other words, the era of the Cold War was largely associated in Western public opinion with the peaceful everyday character of an affluent life-style. The routine of life, the grounds of which, along with its point of departure in the original human obscurity, remained unquestioned and unshaken, became the decisive experience of the period.1 The acute and drastic spasm of world war was thus succeeded by a soothing, self-isolating defense from the chronic danger to democracy that was posed by the totalitarian regime of communism.

Moreover, the entire peaceful serenity of 'the Golden Age' of western democracies during the greater part of the Cold War (1945-1973) can legitimately be explained as the unequivocal success of the United States in her efforts to turn the catastrophe of two world wars into a democratic 'Century of America' for herself and into a 'Golden Age' for other nations (Kurth 1995, 11).

On the other hand, there are justifiable grounds for questioning whether the democratic world has actually come to grips with the totalitarian menace, and whether the Cold War actually came to an end with the democratic changes in Eastern Europe and the crumbling of the Soviet Union. There are a range of reasons that substantiate such misgivings. Politically, for example, it is obvious that totalitarian regimes have not perished from the earth, and their flexible vitality can be seen in the most practical terms on the vast territory of continental China. This large communist power applies a differentiated approach to the various regions of the country and strata of the population in respect to the usage of communist terror (the substance of totalitarian regimes) and to ideology as the principle of action. No less characteristic of this approach is a nationalistic mixture of Marxist ideological schemes with the traditional Chinese rhetoric of Confucianism.

An analogous trend exists *mutatis mutandis* in certain East European countries, which at first conformed to the wave of anti-Communist upheavals and revolutions that took place in 1989, including most parts of the former Yugoslavia, Slovakia, and the greater part of the former Soviet Union. A visible turn in this direction recently became evident in Russia itself during Spring 1996. The phenomenon of nationalistically tinted totalitarianism has also appeared in such Asian and Africa countries as North Korea, Vietnam, Laos, Burma, Iran, Iraq, Libya, and Sudan, where we find various combinations of the totalitarian aversion to principles of human rights and democracy with both nationalistically and superficially religious approaches to propaganda. By the same token, the religious and national significance of local traditions, along with their possible

conjunction with the principles of human rights and the democratic option of the rule of law, are losing ground to totalitarian ideological distortions.

When investigated more closely from a philosophical perspective, the presumed coping with the totalitarian danger is revealed to be an alarming failure. Both the currently prevailing theoretical notion of human rights and democracy as well as the consequent practical views originate in a half-hearted understanding of liberalism as a given facticity of individual liberties that requires no preliminary conditions for either its possible or actual existence. This is how an unjustified rejection of the verifiable preconditions and grounds for the emergence of the concept of human rights and democracy, the latter being based on the former in terms of dwelling in the natural life-world, has been brought about. Such an approach is the culminating movement of modern dilettantism, whose key theoretical expression consists in systematically ignoring the only possible basis for deducing the existence of natural human rights, namely, the phenomenon of the law of nature.

The basic principle of the law of nature was articulated by Augustinus Aurelius, one of the most distinguished early Christian philosophers, who wrote, "What you will not to be done to you, do not do this to others" (Augustinus, 7).2 This is the decisive point of departure for natural law and natural rights, which later stood at birth of the origins of the Anglo-Saxon notion of human rights and democracy. Its fundamentals had already emerged clearly within the Greek tradition of poetry, drama, and philosophy as the verifiable validity of eternal law, which provides the origins of human legislation.3 The source of the modern tradition of democratic stability, including its basic concept of human rights, consists in the conviction that "[T]he law of nature is that which God at the time of creation of the nature of man infused into his heart, for his preservation and direction; and this is the *Lex aeterna*, the moral law, called also the law of nature" (Coke 1957, 45-46). This tradition became the basic framework for the modern conception of natural human rights, including the demand for religious tolerance and the ideas of democratic political consensus and civic virtues, first formulated by John Locke.

The development of the Lockean conception of the law of nature demonstrates a preference for the irreplaceability of its religious grounds instead of the initial one-sided emphasis on its rational knowability (Sinopoli 1992, 39-51). Besides the meaning of philosophy as such, Lockean philosophic realism is germane to the Christian religion as a distinct phenomenon of world history. John Locke accepts the finding that, apart from knowing God as the creator of all things, mankind is capable of clearly knowing their duties. Locke maintained that it was precisely this aspect of knowledge which, although it was scrupulously cultivated by the ancient philosophers, had not taken secure hold among people (Locke 1958, 60). Nevertheless, Locke does not give in to the tendency to accuse mankind of moral corruption. He writes:

All men indeed, under pain of displeasing the gods, were to frequent the temples, every one went to their sacrifices and services; but the priests made it not their business to teach them virtue. . . Few went to the schools of the philosophers, to be instructed in their duties and to know what was good and evil in their action. The priests sold the better penny-worth, and therefore had all their custom. Lustrations and processions were much easier than a clean conscience, and a steady course of virtue (*ibid*.)

However, the force of natural reason cannot fully provide what Locke speaks of as a natural, morally adequate religion. Locke states that:

[T]his is too hard a task for unassisted reason, to establish morality, in all its parts, upon its true foundations, with a clear and convincing light. And it is at least a surer and shorter way, to the apprehensions of the vulgar, and mass of mankind, that one manifestly sent from God, and coming with visible authority from him, should, as a King and law-maker, tell them their duties, and require their obedience, than leave it to the long, and sometimes intricate deductions of reason, to be made out of them: such strains of reasonings the greatest part of mankind have neither leisure to weigh, nor, for want of education and use, skill to judge of (*op. cit*., 60-61).

The Lockean point of departure at the creation of the modern conception of human rights and liberalism is the philosophical legitimation of both the Christian and ancient origins of natural law. Proceeding in this fashion, Locke saw a harmony between verifiably true insight, understandability, and practical usage. In addition, Locke took into account the obvious danger of a too narrow, egoistic grasp of the natural law. He criticised such attitudes by emphasising that:

[S]elf-interest is not the foundation of the law of nature, or the reason for obeying it, although it is the consequence of obedience to it. . . . Thus the test of the rightness of an action is not whether it is self-interested; but rather a moral action is also self-interested, but only because it is right (Wooton 1993, 183).

The Lockean religious-ethical grounding of the natural law as the basis of human rights is clearly evident. For Locke, the conceptions of the law of nature and of human rights are unequivocally anchored in the philosophical and Christian tradition of the natural law as the identification of Right with Good within the framework of human participation in the eternal by means of the law of nature. This is not at variance in its basic intention with Hegel's philosophical-political conclusions regarding the topic of natural law (Hegel 1972, 419-420). John Locke, as the Founding Father of the modern conception of human rights, sought a harmonious synthesis of the classical concept of natural law with the modern emphasis on the irreplaceability of individuals. For Locke, the rise of the body politic as political civic society in the form of the state comprised a safeguard of the rights to life, freedom, and property on the basis of an application of the law of nature that was more consistent than in the state of nature (Wooten 1993, 309-10). The basic modern concept of human rights and democracy thus differs essentially from the political philosophies of Thomas Hobbes and J. J. Rousseau on this crucial point. These thinkers presented unbalanced and one-sided conceptions of the state of nature as either arbitrariness or the absence of property, and they depicted the state as the subordination of the population to the Sovereign or to the General Will.

As a result of the predominant modern fascination with mathematical natural history, and in the aftermath of the drastic events of the European religious wars, a distorted interpretation of the Lockean concept of human rights, which displaced it from its religious and ethical foundation in the law of nature, became routine. Given the parallel impact of Rousseau's theory of the social contract, the conception of religiously and ethically indifferent liberalism took root initially in France, Belgium, and Germany as a secular, deductive, normative, and all-encompassing system of law and political institutions based on law. Its origins are related to the close of the French Revolution, and its full-fledged development is connected with the aftermath of 1848 in Europe. However, the Anglo-Saxon tradition of democratic civilisation preserved the decisive continuity with natural law and human rights to a much greater extent. The still-growing liberal opposition to this tradition consists first of all in the prevailing tendency to consider the public civic sphere a

strict realm of rationality and objective validity, and to separate it sharply from the spiritual dimension of human life, including religion and ethics, which it presents as a sphere of privacy, subjectivity, and, on the whole, irrationality.

In this way, the modern conception of human rights and democracy lost its force, foundation, and life-world horizon, all of which are expressed in the recognition of the validity of natural law. Along with the abandonment of the latter, the primary element of both self-control and public control, which is intrinsic to public dialogue about basic orientations and decision-making in the common world of human life, was also discarded. As a result, totalitarian movements and regimes were provided the means for raising the claim that this core element of human rights and democracy should be totally eliminated from within the framework of their thoroughgoing efforts to liquidate individual moral responsibility and eliminate it at the point of departure for human reflection, decision-making, and action. Totalitarian regimes thereby eliminated the unnatural separation of morality and public life characteristic typical of the half-hearted continental type of liberalism through their ideological postulate of objective laws of nature and history and through their omnipresent mass terror. Thus, the shallow dilettantish elements and origins of religiously and ethically indifferent liberalism actually served to foster the enthroning of totalitarian regimes, mainly in countries with conspicuously weak and doubtful democratic traditions. These regimes represented, and in many places of the contemporary world still do, a viable alternative form of human existence.

The relative defeats delivered to both totalitarian Nazism in World War II and Marxist Communism in the Cold War have a merely negative significance. A genuine coming-to-terms with totalitarianism in terms of education and democratic civilisation can take place only as a result of a thorough re-evaluation of religiously and ethically indifferent liberalism, including its untenable projects for dividing up human existence into separate units as the ground for a distorted conception of human rights and democracy. The extremist totalitarian challenge to democracy and human rights has so far triggered only largely superficial, negative, and limited aggressive reactions. Evidence of this is provided by the contemporary range of extreme forms of liberalism that culminate merely in its deficient version, i.e., its discontinuous polarisation of and subsequent abstract parcelling out of human existence ad infinitum. Leftist communitarianism also belongs here as an updated version of the post-communist revision of Marxism (Walzer 1989; Mouffe 1992).

On the other hand, the conservative strand of communitarianism, which characteristically stresses the traditional ethical-religious environment of the moral virtues of democratic civilisation and its authentic development in terms of the natural law, has met a revealingly weak response. This tenor of communitarian thought places the primary emphasis on a sense of civic responsibility in terms of the political articulation of community involving civic education understood as duty. Consequently, this sense of responsibility amounts to a sense of dutiful mission representing that which binds democratic civilisation together (Johnson 1995). Ethics is conceived of as the leading scheme of laws such that civil law should be directed in harmony with the law of nature (Kirk 1994). Conservative communitarianism fundamentally argues against the present currents of positivism and realism in law. It rather maintains that the origins of the positivist science of law lie in the interpenetration of Nineteenth Century nationalism with scientific mechanism and materialism. As a consequence, legal positivists and realists conclude that laws are mere commands issued to human beings. In such a conception, there is no necessary coherence between law and morality, i.e., between laws as they exist and how they ought to be. It is thus presumed that value judgements are not defensible by rational arguments.

Conservative communitarians see this as the first stage of a general contempt for laws. That is why they argue for the necessity of reviving a general understanding of both ancient and Christian teachings on justice (Kirk 1993). It appears obvious that the spiritual climate of the United States in the mid-1990s endorses a rejuvenated synthesis of the conservative and liberal bases of American democracy. This development was necessitated first of all by the impasse, long verified both theoretically and practically, facing materialistically grounded liberalism (Heineman 1994; Lowi 1979). Its modern origins date back as far as Hugo Grotius, who declared that he would deduce the law of nature solely out of the humanist condition of a purely secular contract between men independently of the divine mind or will, i.e., apart from any divine framework whatsoever. Grotius's point of departure contradicted the notion of any absolutely valid law of nature and the existence of God, and it in fact renders God superfluous. Grotius writes:

Measureless as is the power of God, nevertheless it can be said that there are certain things over which that power does not extend . . . Just as even God cannot cause that two times two should not make four, so He cannot cause that that which is intrinsically evil be not evil (Grotius 1925, I, i).4

Grotius's alluring efforts moved the unclear distinction between law and morality into the sphere of the self-important Absolute of human self-sufficiency. Human freedom as a crystally transparent freedom of the will, its relation to rationality, and the recognition of duty became isolated in the self-sufficient frame of reference of "rational choice," whose philosophical-political outcome is religiously and ethically indifferent liberalism. The Lockean modern renewal of the original meaning of the natural law, along with its liberal and democratic culmination, thus emerged as the appropriate synthesising and promising response to the challenge Grotius had presented to this notion.

Considering the global turn of events after 1989, we now stand before a task strikingly similar to the one which John Locke had to cope with in the aftermath of the catastrophic European experience of the Religious Wars. It is necessary to stand up today to the still challenging totalitarian alternative of human existence, which arose out of the empty, liberal, voluntaristic rejection of any moral vision, through a revival of the realist moral option as the basis for the movement of human life and the world. This option amounts to a cogent reconstruction of clear rational vision as "a result of moral imagination and moral effort" (Murdoch 1970, 37). The will is not an arbitrary movement, and man is not a combination of impersonal rationality and personal will (*ibid*., 40-41). A true and authentic coming to terms with the totalitarian alternative of human existence at the level of the philosophy of politics involves conceiving of human rights on the basis of a new synthesis of post-totalitarian perspectives in respect to the intrinsic union of individuals, community, the spiritual and moral tradition of "caring for the soul," and the institutions of the liberal democratic state. Such a conception of human rights and democracy is necessarily anchored in an essential unity of the spiritual-moral and public spheres of human existence, and it decidedly involves a hierarchy of values that revives the original meaning of the natural law.

The present impasse facing liberal conceptions and the one-sided arguments of the communitarian critique of liberalism demand a profound philosophical reflection upon the issues at stake. The current literature contains certain references to both this obvious necessity as well as its orientation, which originate from the intrinsic nature of the every-day human experience that always precedes contemporary utilitarian culture (Paparrigopoulos 1995). In particular, the recent development of the Czech tradition of political philosophy has outlined a valid conception and elaborated a viable terrain that comprise an appropriate response to that demand. This can be found

in Jan Patocka's conception of the Third Fundamental Movement of human life, which is a philosophical restoration of the unity of human freedom and responsibility. As such, this conception depends fundamentally on an individual's decision concerning whether s/he will disperse and loose personal integrity in particulars, or retrieve and realise him/herself in terms of a genuine relation to other beings, the universe, and his/her own life. The latter involves a radical reorientation of one's life towards other lives: if an individual human life becomes subscribed to its finality, the natural end of such a self-retrieval consists in self-devotion to others.

In this way, Patocka indicates a life-world sociality that is rooted in the shattering of the seemingly unshakeable Second Fundamental Movement of human life, which alienates human beings from each other as a result of the self-extension of life through endless provision, competition, and defence (Patocka 1989, 280-284; Patocka 1970, 228; Patocka 1980, 1.2.190). This is the source from which arises Patocka's moral philosophy and his conception of human rights in the spirit of the phenomenological recovery of the natural law. Patocka writes:

No society, no matter how well-equipped it may be technologically, can function without a moral foundation, without convictions that do not depend on convenience, circumstances, or expected advantage. Yet the point of morality is to assure not the functioning of a society but the humanity of humans. Humans do not invent morality arbitrarily, to suit their needs, wishes, inclinations, and aspirations. Quite the contrary, it is morality that defines what being human means.

From this perspective, the very concept of a "A Pact on Human Rights" implies:

that even states, even society as a whole, are subject to the sovereignty of moral sentiment: that they recognise something unconditional that is higher than they are, something that is binding even on them, sacred, inviolable, and that in their power to establish and maintain a rule of law they seek to express this recognition. This conviction is present in individuals as well, as the ground for living up to their obligations in private life, at work, and in public. The only genuine guarantee that humans will act not only out of greed or fear but freely, willingly, responsibly, lies in this conviction (Patocka 1989, 341).

This philosophical insight reveals the verifiable and decisive reality that the very existence of human being, society, and the state stands and falls with its non-instrumental, spiritual, and moral basis. The Czech tradition of the philosophy of politics has thus succeeded in grasping as a whole and clearly defining the authentic source and the decisive context of human dignity. The core of the possibility for a fundamental movement in both the private and public dimensions of human life is the verifiable recognition of their common unconditional end in terms of a transcending validity. Accordingly, the philosophical-religious and ethical reality of the natural law reappears disquietingly, but no less legitimately, at the centre of the philosophy of politics.

The problem of how to conceive of the comprehensive public good, which liberal philosophers and political economists since Thomas Hobbes have evaded, has once again been placed on the agenda today with an imperative urgency due to the experience of totalitarianism. The frequent liberal flight into allegedly reliable mechanisms for maintaining social peace by means of generating prosperity have always failed in the long run, and the reason is obvious: private, calculating interests lack the genuine prudence that can never be replaced by any social engineering (Sullivan 1982, 29, 171). The original Aristotelian meaning of prudence consists of knowledge and purpose in bringing about what is unquestionably the best and most fair political order. It also

involves real attainability, prevailing validity, and absolute measure, i.e., measure which is not established according to concrete circumstances. The original notion of constitutional republican democracy (*politeia*) meets the basic assumption that civic freedom and equality comprise a permanent struggle for the virtuous life in terms of recognised natural law (Bluhm 1962, 750-753). The need is obvious that these ideas, including the concept of human rights, must be restored. They together comprise the authentic alternative both to the extreme totalitarian challenge of the Twentieth Century, and also to mainstream, spiritually indifferent liberalism, including the congenial "post-modernism."

Different varieties of a diffusive conception of power apply in these latter cases. Concerning liberalism and the post-modernism that arises from it, there is also an emphasis on freedom as the occasional absence of obligation in respect to any concrete purpose or end (Taylor 1979, 177; Skinner 1986, 193-221). The present post-modernist inclination towards the definition of power as a diffusion without origin belongs to this same category. Its postulate that power is of an exclusively local nature represents a one-sided reception of the present exponential growth of diversity in communication during the present technological era. Adherents of the "post-modern" view of the world supply merely directives and speculations about "strategies of survival" that lack virtually any normative responsibility. The only permissible universally valid response of which they admit is the imperative of pluralistic justice, i.e., the command to maximise and multiply small narratives to the greatest possible extent (Lyotard and Thébaud 1985, 59, 87; White 1991, 132-38). The origin of the "post-modernist" inclination for this dogma of a false infinity of pluralistic otherness is the recurrent phenomenon of the original human entanglement with the neutrality of being, with its essential confusedness that always offers the comfortable recourse of routine in daily life (Patocka 1980, 3.4.29; Patocka 1990, 111). "Post-modernist" dogmatism basically represents a half-hearted modern regression to the level which precedes the understanding "that there is another possibility or possibilities of how to live than, on the one hand, toil for a full stomach . . . and, on the other, orgiastic occasions in public and private" (*ibid*.).

"Post-modern" philosophical claims are in principle in no position to transcend the originally positivist attitude towards philosophical thinking. This by no means entails, however, that it is not appropriate to strive for such a transcending of the modern situation. In our present times, the modern vision of life and of the world culminates in a technological civilisation which is based upon the general release of force and the ensuing universal being-subject-to-force, including the extreme option of totalitarian regimes that clearly ruptured the Western spiritual tradition.

It is without a doubt impossible to proceed beyond the modern tradition as it has existed until now simply by postulating that it is possible to do so; a demonstration of its evident legitimacy must be provided. In order to gain an appropriate insight into the legitimacy of distancing oneself from this tradition, it is first absolutely necessary to attain a thorough understanding of the grounds of its origins and of its subsequent development. In other words, it is necessary that its objective *raison d'etre* be revealed. Only to the extent that a thoroughgoing insight is attained into the modern tradition, including its perspective upon the world and the whole of human life and the activities which may follow from it, will it be possible to go beyond the limits of that tradition as it has been dominant. It is necessary to acknowledge the preceding spiritual tradition of modernity in its entirety and authentic essence, not merely in certain of its particular features or factors. The contemporary wave of declarative philosophical post-modernism, along with its accompanying congenial multi-culturalism, is in no position whatsoever to meet this call. That is why such philosophical post-modernism is incapable of giving rise to a genuine post-modernism, i.e., to a

verifiable breakout from the objectivising subject-object position that has reached its zenith in the present era of a universal, exponentially increasing release of force.

A verifiably acceptable, philosophically grounded, and truly post-modern project that overcomes the horizons of the preceding spiritual tradition, including the technological culmination of modernity, is rather to be found in the approach and attitude adopted by Patocka. This approach displays a self-consistent and radical understanding of the principle of logos within the determining context of appearing-as-such conceived of as the authentic origin of both Western spirituality and the fundamental movements of life. This gives rise to an essential revision of Heidegger's philosophical position of Being, as well as all subsequent levels of philosophical reflection. Patocka thus rehabilitates the problem of truth as the appearing of beings-in-themselves, an appearing which takes place within the phenomenological life-world on its ontologically corporeal, intersubjective, historical, and accordingly political level of existence. Stated otherwise, a self-consistent and thoroughgoing phenomenological reception of logo-centrism within the Western spiritual tradition gives rise to a genuine overcoming of the universal being-subject-to-force that characterises the contemporary developmental tendency of the modern subject-object position (Patocka 1979, 159, 211-214).

Patocka's account of the principle of appearing-as-such emphasises the not-matter-of-course nature of reality and, consequently, its inherent natural enigma. This in principle makes possible unbiased communication with non-Western, non-European cultural spheres as, *mutatis mutandis*, communication with other human beings as such. The phenomenological ontology of the life-world thus penetrates behind the limits of the preceding development of metaphysics through a realisation of the foundational metaphysical position of insight into its ultimate spiritual, ethical, and political consequences.

In regard to the ultimate phenomenological basis of appearing-as-such, which presents the only possibility for comprehending latency, one can hardly imagine a deeper precondition than an insightful life directed towards its own plenitude. This crucial life-orientation could be defined as faith in terms of a religious attitude determining the temperament of life. The unshakability and irreplaceability of this position follows from the obvious fact that it is humanly impossible to continuously endure the plenitude of appearing-as-such that represents the ultimate stage of insight. Consequently, the principle of an indispensable logo-centrism is to be complemented by the principle of a religious attitude of faith as the temperament of life that arises from the ultimate insight into appearing-as-such.

The religious principle as the temperament of the human orientation towards insight into appearing-as-such is in basic accordance with Patocka's Third Fundamental Movement in human life, and it perhaps makes the latter more precise. In this sense, the authentic phenomenon of religion appears as living in the truth of caring for one's soul on the level of an explicit surpassing of the modern project of life and world, as a genuine going-beyond the non-technological essence of technology as the total release of force. From the point of view of human being-with-others, this can be seen as an expression of the originally Masarykian concept of religious democracy in terms of a correlation of eternal souls in a style of life with a view towards God (Ludwig 1937, 62-72, 217). Today this has topical importance because of ongoing encounter with the extreme, totalitarian alternative type of human existence that breaks down the whole of Western civilisation.

The elementary democratic claim that human rights speak for themselves, that they be heard, and that what is spoken be explicitly applied in the time and space of human life in common must have a solid philosophical foundation. This is especially so today after the destructive experience of a not entirely understood, and in fact unfinished, struggle of democratic civilisation against the

totalitarian challenge. The results to date of the continuing polemic between neo-liberalism and communitarianism obviously do not meet this demand. However, the development of the Czech tradition of political philosophy in the course of the Twentieth Century does seem to present one possible philosophical resolution of this crucial problem. This solution results in a reinterpretative renewal of the leading position of natural law in the democratic philosophy of politics. The strength and future prospect of the idea of democracy and human rights does not reside in ideology, Utopia, or some mere vacillation between them (Dunn 1992, 265-266). Nor it is fair to circumvent the question of the Common Good by defining it as the common power of opposing forces while refusing to grasp it within the horizon of moral virtue (Kouba 1995). The verifiable coherence of philosophy, religion, ethics, human rights, and democracy is to be defined with all the pertinent risks instead of being avoided in a half-hearted fashion.

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Notes

1.This is a topical interpretation of an idea that Jan Patocka originally employed in another context.

2. See Patocka 1990, 111.

3. See also St. Mathew's Gospel, 7, l2, and St. Luke's Gospel 6, 13.

4. A typical example is Aristotle, Rhetoric.

5. Also see d'Entreves 1967, 50-54; Henry 1995.

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Chapter II

The Global Crisis of Culture and the Perspectives for Democratic Process

Levan Dalakishvili

The most outstanding philosophers and famous artists unanimously acknowledge that modern Western culture is in its deep crisis, the reason of which is the prevalence (predominance) of empirical-naturalistic philosophy. Following this philosophy, modern man has lost his trust in eternal Being, of individual soul. Proper Being was understood as invariable, immutable existence of single bodily objects; accordingly man's proper Being proved to be in stability and immutability of his body. (1, pp. 269-271)

Long, well-protected (comfortable) Being can be easily guaranteed thanks to technical resources and the systematic (methodical) ruling of nature. Thus, as a result of modern understanding of proper Being, "now everyone strives for ruling all". (2, p. 266)

Life, which was directed by the idea of total ruling, paradoxically reduced man himself to the easily substitutable detail of delivering 'production'. In this very context P. Tillich's idea should be comprehended that in the 20th century man has lost meaningful 'world', and has lost *hisselfhood*, which once lived in that world of meanings issuing from a spiritual centre. (3, p. 99) [my italics,—L. D.]

The loss of meaningful world and one's self is a real sign of the radical distortion of man's life. Just under the impression of such twist (distortion) are formed two sculptural compositions of P. Picasso. One of them ("Pavian with her young," 1951) represents a bronze female, holding her young in her arms. It would be an ordinary sculpture if the mother's face were not so like a car's bonnet. The other sculptural composition,—made of metal too—embodies a woman who walks her baby in a perambulator. It also would be a quite usual thing... but the woman's face is too much like the famous Westminster tower! (4) According to both sculptural groups man is not like himself any longer;—he is most radically estranged.

From the midst of philosophers it is H.-G. Gadamer who notices the estrangement of men to that same extent. Concerning the problem of understanding H. G. Gadamer says, by the way, that "now one can observe the lack of common language, when usual key notions irritate participants of dialogue, and strengthen oppositions (contradictions) and produce strain between them, though mutual efforts were aiming to overcome them." And then, searching for examples to demonstrate, Gadamer offers such key words for Western Life as "democracy" and "freedom." (5, p. 43) Here Gadamer speaks about aberration of language when meaningless, hollow words no longer help to reach consensus; on the contrary they obscure and hide the issue.

The aberration of language is not a problem of linguists, who watch the usage of lexical and grammatical forms to be correct; its roots go much deeper and its flowers, no doubt, are much more perilous. Nevertheless, it must be said, that the aberration of language is inevitable, when man loses the system of meanings and his Self. Aberration of language is a situation when "Weltanschauingly" (my own phrase, "world outlookly,"—L.D.) disorientated man has not sufficient ethical strength and responsibility to restore the collapsed rules of conducting the conversation. The aberration of language and concretely the "twist" while using the notion of *historicity* is a main concern of my article (see 7, pp. 5-18).

Just in this context M. Heidegger's response to the question of whether he intends to write his "ethics" or not seems to be a very significant one: "Write "Ethics"? M. Heidegger answers back, and then he adds: "Who could allow himself to do so and in the name of which authority would he offer it to the world?" (6, p. 152)

I think, there is no need to say something more in edition to what was already said about the Western culture's crisis. In the XXth century man has lost the meaning of being, his self, sense of responsibility and the strength of will, needed for regaining all that was lost. According to the most influential philosopher of modern times, we need a new ethical system, but no one is fit to offer it. In short, the crash of modern Western culture is an undeniable fact. When man—who from the very beginning of philosophy was regarded as "the living creature that speaks" (8, p. 25)—experiences aberration of language to the extent we have marked above, it is easy to understand that we live in an epoch when the most horrible disasters may occur. What's the use of democratic process in such a situation,—what does it mean? How is the spreading and deepening democratic movement to be qualified? Is it good (right), that democratisation now is regarded by the intellectuals throughout the world as a main factor of progress and prosperity? ... as a main weapon by means of which real success can be scored? Why should the process of democratisation be our chief source of hope?

As is clear from H.-G. Gadamer's words, quoted above, the notion of "democracy" may not have a universally accepted meaning, though to some extent each man may understand it in "his own sense". But still I dare to suggest two principal moments, which must be included in a comprehensible notion of democracy. These are:

1. The acknowledgement of equality and equivalence of every man in respect to each one's personal dignity and human rights;
2. Every citizen should have a real opportunity to participate in the social life. Discrimination in the realisation of this "right of participation" is strongly condemned by the idea of democracy itself.

Thanks to these two crucial moments, democracy can be the groundwork nowadays of social and political life. In fact, it's hard to imagine a more important matter than to try to convince our contemporary—who has lost meaning of being, his self, and all rights to be called "a living creature who speaks"- that he has human dignity in himself and thus worthy of social activity.

The democratic acknowledgement of equivalence of every man and call to social activity has a hidden ontological, more precisely anthropological basis, the content of which is clearly a unpositivistic and unnaturalistic one. Being regarded from this anthropological point de view, man is owner (holder) of dignity, based on his freedom and the active, creative essence of his nature. The behaviour of man can't be explained or reduced to interaction of physical-biological forces; besides these factors and "over them," man's conduct always "contains" spiritual moment. As free and active (creative) living being, man conducts his life according to his understandings which are the main characteristics of worthy life. Man is a free creature, hence, responsible for his being and for the destiny of the world. The onto-anthropological basis of the democratic world-outlook "knows" this and that's why democracy bases its demands of man and society upon this human "skill."

All that is already said about the principle of democracy and its onto-anthropological basis, makes democracy a reliable system of social organisation; but though in idea democracy is the best way of conducting common life, its realisation has some "shady sides."

The problem is that—although living in perfect harmony with his deep essence—man is a *free* and *creative* being; and in real life it usually is too difficult for him to bear the burden of freedom. It is a very difficult task for a human to live his own, unique life. That's why man tries to escape from freedom, to live as many others, as "all men" do live; that means to conduct such a life as a copy of "everyone's life, of average life." Because of this burden of freedom, men hide themselves "in the way of life of the multitude"; they "dissolve "the mass of people." Men very often leave the heights their souls could reach if only they were sufficiently courageous; and choose instead an exemplar-like life, which is far easier than a concrete individual's unique, "own" existence. Thus we may say, that man is bifurcated between two kinds of being: "exemplar-like life" and one's own, unique existence. This split is one of the main themes of R. Musil's novel, "The man without characteristics." (9, pp. 160—163) and (10, pp. 463-464)

In modern democratic society decision is made by the multitude (in ancient Greek towns, according to Jose Ortega y Gasset, the average man followed the plan suggested by this or that aristocrat): hence we have every right to suspect whether it will always be the best one. The same matter was the reason of Plato's discontent with democracy, as well as of his struggle against it. In the life of every society there are always competent individuals who have a high commitment to the public fate; but when decisions depend on how the average members of society -who form the majority in every *socium*—understand events, the ideas of aristocrats accommodate to the opinions of the majority and thus lose their quality—becoming themselves middling ideas, average thoughts. Such equalizing is extremely dangerous nowadays, when according to J.-P. Sartre "a little while more, and there'll remain only the digestive tract of man".

Being in its deep cultural crisis, the end of the present millennium is in a great need of democratic principles, which stand for man's active participation in social life and the equality of rights in this activity, stimulating thus the development of human responsibility and dignity; but the danger of even being buried in the very depth of democracy should be a good warning, and remind us that democratic society should be based on non-positivistic and non-naturalistic philosophy and a corresponding system of education (*Bildung*—formation of soul).

What is to be expected from such a philosophic-educational basis of democratic society? The main fact will be that the basis will include ... philosophy with its, to translate the Greek, "wonderful primacy." (11) This should enable us to see the 'wonderful' within the World system, its formation, structure. In the notion of World, I mean here not only man's outer environs, but first of all values, meanings cultural system as a whole. Then we shall be able to realize, that from the positivistic-naturalistic point of view, or we may say, *scientifically*, one can never explain the very "spring" from which arise life, consciousness and "spiritual events" generally. From the non-positivistic point of view could be seen the Wonder that mankind lives primarily in-culture, in full concordance with the inner shape of meanings of concrete culture [the notion of culture implies "meaning-fixed-to the Being of life," "the life of a person and all that s/he has done (formed, shaped) during such a life" (12, p. 5)] and this autonomous "in-culture-Being" is the most important inherent "law" of a person's existence.

From that same non-positivistic and non-naturalistic position, it can be easily seen that when the old system of values collapses and a new one is not yet shaped, man often ends with his life in great existential discomfort, so deep and unbearable is the crisis of his being. This very fact makes clear that it is culture as a whole which has the decisive importance for man's existence, not the physical or biological factors.

Insofar as cultural events have their own law of being, which can't be explained scientifically nor be reduced to physical-biological processes; insofar as positive sciences have no access to the

essence of soul and soul's life or origin; doubts about the final fate (lot) of human well-being (as expressed in Hamlet's famous monologue) should no longer undermine the evidence of my immediate knowledge (intuition), the knowledge that I freely choose the way and shape of my life according to my own understanding of human dignity and good. I choose being and reject nonexistence, but I can also reject Being, if it no longer satisfies moral (spiritual) demands. I am free and that's why I feel myself responsible for my own fate, and to some extent, for the whole world's destiny. The intuition of freedom appears to be the most important fact that makes me responsible for the fate of myself and the world.

R. M. Rilke's IV elegy is the best example of how a man, mortal as a physical and biological creature, stands experiencing true philosophic 'wonder' (GK *thaumazein*) when thinking of such facts as life, the existence of a spiritual being, and its freedom, responsibility and good. In that elegy we read:

Wer zeigt em Kind, so wie es steht? Wer stellt es ins Gestirn und giebt das Mass des Abstands ihm in die Hand? Wer macht den Kindertod aus granem Brot, das hart wird,—oder lãsst ihn drin im runden Mund, so wie den Gröps von einem schönen Apfel?...Mörder sind leicht einzusehen. Aber dies; den Tod, den ganzen Tod, noch vor dem Leben so sanft zu enthalten und nicht bös zu sein, ist unbeschreiblich. (13, p. 265)

The noblest aim of nowadays is to form such a philosophical-poetic inner disposition (purpose) in the soul of our contemporary, who is most radically estranged from his essence and who meanwhile experiences the deep aberration of language. This very purpose, if reached, can save soul, culture and the mankind.

Now I would like to say a few words about the inevitable results of our success or failure in molding such a disposition. To be able to watch the world with philosophic wonder (GK '*thaumazein'*) means to get rid of the positivist-naturalistic world outlook which gives no space to human*aspiration towards eternity*, an aspiration rooted in the very structure of human existence. It means to get rid of our cibernetic epoch of calculating, producing and purchasing. Finally it means to obtain a proper outlook on culture. In accord with this outlook, every national culture will be seen as a unique system of values containing a unique paradigm for life, which can provide help in overcoming existential crisis. (12, pp. 5-13)

If on the contrary, we fail to acquire this philosophical world outlook of 'wonder', or to put it otherwise, if we fail onto the source of philosophy, namely, 'wonder', we'll never be able to cope with our task: to surmount the existential (cultural) crisis of nowadays.

Our technicratic epoch is characterized by a strong tendency: to regard the 'common man' as a mere quantity of people and not to be able "to notice" the cultural characteristics. The reason for this fact is easy to understand if we keep in mind K. Jasper's keen characterization of our epoch: "Technology has radically changed man's life in its environment; it has shifted the working process and society into the different sphere of mass production; turned the whole being into the action of a certain technical mechanism, the whole planet—into a factory. Thus it happened so—and the process is still going on—that man is completely dug up from his soil. Man is converting into a homeless dweller of the earth, having lost the traditions. The spirit is being reduced to the faculty of training and useful functioning" (14, p. 121). That's why: "The truly important battle at the present time is... to enable peoples to draw on their heritage . . . ." (15, p. 47)

In fact, we may say, that here we are facing the problem of reanimation of a peoples traditional culture. To say it otherwise: the question is how to regain the position so characteristic of "Goethe's

epoch," when every nation was considered to be of full value and of equal right *not* because of indefinitely 'general' human characteristics, but for its individually unique features. (16, p. 307)

Normal democratic society is in ardent need of a clear awareness of its own cultural identity; if it lacks one, something will inevitably be rotten in its very heart. As I have already mentioned above, autonomous "being-in-culture" constitutes the most important, inherent law of human existence (p. 4); from what has been said above, we can easily conclude that contemporary 'people' (GK '*demos'*), now the multitude of "homeless dwellers of the earth" (K. Jaspers)—have no clear idea of their cultural identity. Because of the prevalence of positivistic-naturalistic philosophy, positivism/naturalism seems to be the only "authentic mode" of life. Arguments in favour of such a conclusion can be found first of all in the areas of totalitarian rule, or in those "fields" where such totalitarian systems were recently destroyed. Good examples can be given from the post-Soviet area.

The USSR used to be unique fusion of vividly different cultural areas (formerly the independent states), ruled in a most severe totalitarian mode from one centre. In this immense State the Marxist ideology officially has abolished many old interesting paradigms of life, based on the different national world outlooks.

As soon as the Soviet Union collapsed, P. Tillich's opinion, that in Russia communist ideology was mingled with Russian nationalism in its political and mystical forms (3, p. 71), proved to be absolutely correct: from the very moment of the empire's destruction the nationalistic-communist forces tried to restore the ruins of it; therefore they pushed ethnic minorities into military and political adventures, thus intending to force newly formed recalcitrant republics back "into Union" with Russia.

It was the low degree of cultural self-understanding of the so-called national minorities that enabled Russian nationalism to organise military conflicts on the territories of newly born republics. That was quite an easy task because in the Soviet Union Russian nationalism and its accessory communist ideology were always working hard to outshadow (blacken out) the cultural identity of nations, ethnic groups and tribes in the territory of the Soviet Union.

If is interesting to know that, in stirring up two military conflicts in Georgia, Russians and their satellite ethnic groups most cynically neglect the fact that Georgia is a unique area, culturally dominated by Georgians and that is why Georgians should have special rights in this area.

During the last ten years in Georgia, in the Institute of Philosophy the problem of great concern is to work out a proper answer to the question: what is a country as an area, culturally dominated by a concrete nation and why *does this nation have special rights in this area*? It will be impossible for us to deal with ethnic conflicts; to stop bloodshed and save the cultural shape of humanity until we have philosophically thought-through this question.

If "demos" loses its cultural shape and identity, if its every member does not have the ability (virtue) "to survey his own cultural descent from-", humankind will always be facing permanent catastrophies. What is culture? How do "demos" and the individual live within it now and how should they live there in full correspondence with the idea of "being-in-culture" of a human being? These are the most important questions of the present time, so far as culturally shapeless "demos" and its "kratia" fraught with barbaric catastrophies.

What is more, if "demos" is something else than a number of people fully aware of their cultural shape (or Self), then even in a society of immaculate democratic order, its social and political life would be regarded as an effective ruling of the multitude that lacks inner spiritual structure, lacks the "form of soul"; and this means it is merely a brutal mass of people which has lost the most important human characteristics. A democratic order of society which lacks

awareness of its own cultural identity belongs to the paradigm of the technocratic epoch, gravely ill with the mania of unimpeded rule of everything. Democracy within such society will equally reward every individual with equal rights; will equally engage-or, even better—*insert*—every individual into the process of active participation in the *socium's* life; but such equalization will "sing to sleep" every individual's intuition of his unique identity as well as the feeling of responsibility and thus we'll have an easily malleable mass of men, something like pastry for baking cakes of equal size, weight and price.

Well-known Georgian thinker Geronti Khikhodze used to say that democracy should be made better by the touch of a noble soul. These words are still current and meaningful. If we really want to save western culture—which despite its deep crisis still remains the most influential of cultures at the present time -we have to start to investigate concrete national cultures intending to find out the living paradigm of each one. These paradigms can be used as keystones in the rebuilding of our estranged life. We have to found and develop a historical-comparative culturology and base on its ground our attempts to correct the "twisted way" of western culture and western life. Doing so, we'll need to find out a new way of shaping (forming) souls by a much-improved system of *Bildung* (education). We have to try our best to make the Earth-dwelling of various "demoi," of various "peoples," well-aware of their cultural identity. Otherwise they shall be no more than "working factories" where "the homeless dwellers of the Earth" (K. Jaspers) have only one possibility—to sustain no more than a meaningless Being.

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Notes

1. Zurab Kakabadze, *Philosophy and Life*. Tbilisi: 1979.
2. M. Heidegger, *Notes from the workshop*. Moscow: 1993.
3. P. Tillich, *The courage to be*. Moscow: 1995.
4. Werner Spies. *Les sculptures de Picasso.*
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Chapter III
Modeling and Valuing Reality: A Communitarian Perspective

Charles R. Dechert

When I began my formal training in International Relations some fifty years ago, global society was conceived of in rather single terms. The principal actors were states, mainly nationstates, characterized by sovereignty, essentially unlimited dominion over a territory (normally contiguous) and its resident population. States interested with one another in terms of national interest (however defined) and power. The states 'interest' was defined in terms of survival and self-affirmation in the larger geopolitical context through commerce, diplomacy, cultural and linguistic presence and extension, colonies, alliances and ultimately the ability to resort to effective coercive violence both domestically and abroad.

During the 18th and 19th centuries treaty and convention had increasingly regularized these states in both peace and war and had successively banned some activities by non-state actors, piracy and the slave trade, for example. By the beginning of the twentieth century the great powers institutionalized control of advanced weaponry in their own hands; the coup d'etat, group takeover of the levers of national power became the extra-constitutional route to an effective presence in the state system. As a consequence of World War I and II the League of Nations and then the United Nations were established by the victors to institutionalize their global hegemony through a public international organization whose consultative mechanisms facilitated relatively peaceful settlement of disputes, given the assent of all the great powers. The U.N.'s General Assembly might pass resolutions whose content was essentially advisory and often ignored. Most public international organizations were essentially functional, facilitating and coordinating activities of common concern, for example the World Postal Union, International Labor Office, UNESCO, the World Health Organization, etc. K. Mitranyi suggested the emerging global society would achieve "peace by pieces" as institutionalized functional interdependencies created mutual benefits making violence and war excessively costly. The European Coal-Steel Community System and the Common Market created by the Treaty of Rome in 1957 led to the creation of a European Parliament and ultimately the European Union characterized by a continent-wide economy moving toward a common currency, the Euro, increasing mutual recognition of university degrees and professional licenses, compatible and interchangeable labor and social benefits, and an autonomous European strike force distinct both from national armies and the North Atlantic Treaty Organization created as a defensive response to the Cold War and the possibility of a Soviet effort to absorb the populations, resources and industry of Western Europe as they had already done in Eastern Europe (COMECON and the Western Pact).

The bipolar global political system after WWII had clearly superimposed two multi-ethnic, multi-national, multi-lingual "superpowers" on the nation-states, two imperial structures or hegemonies each with characteristic and widely diverse sets of practices and principles governing economic, political, social, cultural and scientific decision-making. The largely informal overall patterns, more closely codified and legally or constitutionally expressed at subordinate territorial and functional levels constituted "regimes" whose interaction rules were subjects of concentrated academic concern for much of the second half of the 20th century.

In the 1950's as I worked in the U.S. Defense Establishment it became increasingly clear that the paradigmatic framework for the study of international affairs was inadequate and also that the exigencies of American military and geopolitical planning were leading to the development of new conceptual tools applicable to an enhanced understanding of the global system and the development of effective technologies, military, civilian, hardware and software, to facilitate an effective U.S. presence (Freeland) in the determination of social outcomes at every level of social aggregation. In the U.S. Air Force the guiding notion was that of a "weapons system," a complex of interrelated elements capable of producing an effect designed to compel or otherwise induce a desired response in an adversary. Among the weapons systems available to the Strategic Air Command at that time was the B47 bomber, a subsonic medium range airplane capable of carrying nuclear weapons, and so possessed of a deterrent capability based on the prospective cost of military aggression. During the Korean conflict the American will to use nuclear weapons was tested and would evoke their use. France's doubts that even the defense of Western Europe would not produce an effective American response, particularly in the face of the USSR's growing nuclear arsenal, led to France's assuming an independent status vis-a-vis NATO and creating a relatively small but credible 'force de dissuasion' whose capacity to inflict damage on the Soviet homeland implied a cost of aggression greater then the benefit accruing from a forcible integration of Western Europe into the so-called "zone of peace."

The key point here is that the B47 weapons system was more, far more, then an airframe; the aircraft also included engines, electronics (communications, IFF, countermeasures, radar and target acquisition, navigation, etc.) personnel who required selection and training, a basing and maintenance system, inflight refueling, and, of course, intelligence,. command and control, failsafe technologies and procedures, target identification and selection, negotiated overseas basing and overflight rights, base security, communications security. etc. As Information Services Officer at the Human Resources Research Center (1953-54), I recall recasting for Air Training Command use, the research results of a research project on the relation of bomber crew selection methods to mission effectiveness in Korea; incidentally, the self-selected crew proved most effective.

Breaking down weapons systems into sub-systems proved a useful management approach to procurement, training and negotiating intra and inter-service relations and diplomatic followup. Often required subsystems were not yet available or still in development; later technologies might have to be incorporated . The aircraft, trained personnel and fully equipped bases all had to come together at a given moment in time and then grow in size and capability as more and later models of the aircraft became operational, and each of these aspects involved different lead-times. In the Airtraining Command simulators (all ultimately dating back tot he Link Trainer) had to be designed and tested for flight crews and when there was a delay in the delivery of aircraft, highly trained, highly intelligent personnel tended to "get lost" down the "ratholen" as units to which they had been assigned on temporary duty (no promotions there) found that these category I and II enlisted personnel could make out the Morning Report in a manner that made the unit look good to higher echelons.

The Defense establishment encouraged the development of the Critical Path Method and Program Evaluation and Review Technique as it sought to grasp and control the complexity of the man-machine systems that characterize modern war. In doing so they provided an ever clearer and detailed graphic and analytic structure to the processes involved in their conceptualization, acceptance, procurement, institutionalization, operation, evaluation and ultimate phase-out. Computer technologies and the emergence of computer simulation and modeling greatly enhanced this process.

Paralleling these developments, academic inquiry was systematizing existing thought on structure and process in the global system in the work of such figures as Quincy Wright, Hans Morgenthal and the Sprouts. The newly created interdisciplinary Behavioral Science Committee at the University of Chicago was investigating the characteristic structures and functions of living systems, open systems that adjust and adapt to their environments autonomously as they process matter/energy and information. J. Miller's Living Systems first appeared as a series of articles in Behavioral Science and the notion of living system is extended to include not only micro-organisms, cells, tissues, and organisms but also groups, organizations and associations as living systems processing matter/energy and information in processes of short term adjustment and long term adaptation to their environments, living and non-living, national and artificial. This work deepened during WWII with Wiener. Rosenblueth and Bigelow's seminal work on "Behavior, Purpose and Teleology" pointing out that the new self-regulating systems perceived their environments, made decisions and acted purposively (e.g., in gun-laying radar conjoined with anti-aircraft artillery). Developed in Norbert Wienco's *Cybernetics: Communication and Control in Animals and the Machine*, these efforts were systematized in the biologist. Ludwig won Bertalanffy's efforts to create a general theory of systems.

While working in Washington and subsequently as a postdoctoral fellow of Johns Hopkins SAIS in Bologna (1956-57), I was struck by the inadequacy of the prevailing paradigm in International Relations. Clearly the coal-steel Community had been established to provide a mediating institution in the provision of the news of war to France and Germany, perennial adversaries. The international trade fairs and the new technologies they displayed were clearly transnational but quite significant. The Bologna Center had students from the United States and virtually every country of Europe. Later, in 1960 I prepared a presentation for the Princeton conference on the proposed Peace Corps pointing out the human and cultural significance of the transnational exchange of university-level student/interns as both teachers and learners. While at the International University of Social Studies (now LUISS) in Rome I worked in the area of policy decision-making (both public and private) and cooperative social and economic policy. Again it was clear that functionally specialized corporate and associational groups played a critical role in both international relations and in the play of interest and power governing relevant public and private decision-making. I would later suggest that large transnational corporations are "para-sovereign," possessed of a very high degree of autonomy and discretion in their investment, production and marketing policies. In the early 1960's the annual sales of Esso Standard were roughly equivalent to the GNP of Yugoslavia; it can be argued they were of equivalent weight in the balance of global power and influence.

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Chapter IV
Democracy, Rationality and Civil Society

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Now, after the collapse of the former Soviet Union, the initial achievement of the forms of political independence and its still more recent reanimation and revivification, the people of the Ukraine are engaged in the construction of a new social life. Government policy takes as its main ends the development of a free market and an open civil society. This society must undertake some new tasks: to assure public stability and guard the peace; to hold down economic inflation and to maintain a living wage.

A new state and society must be constructed. No one doubts that the new society requires democracy and a new type of solidarity. Hence, along with the political and economic, the need for civil society has become a new main force in shaping the development of life in our times. After five years inter regnum the new explosion of independence for the Ukraine makes it clear that an increase in the living wage of people is dependent, not only on political power and economic success, but requires also some additional factors, namely, a civil society with the new qualities of solidarity and subsidiarity.

The problem is to change the social atmosphere from considering people as tools of industry submissive to the Communist Party; in the others words, it is essential to enable a natural exercise of human freedom. How this can be exercised effectively is today the core of the issue of development in our society.

Much has already been done. First of all a new constitution has been adopted guaranteeing democracy and equal human rights and liberties; power has been divided between the political and social systems; private property has been permitted and indeed guaranteed. The constitution established the fundamental law of the society and furthered the establishment of its statehood. There was a political consensus for adopting this constitution, based on democratic principles. In this, Ukrainian society took its place among other democratic societies.

The fact of adopting a democratic constitution shows the existence of some manner of political democracy in the Ukraine or, in other words, a political consensus. This bespeaks as well the existence of a sufficient level of political rationality and cultural democracy on the part of society. Thus, democracy is linked with rationality and exists as an experience in political rationality. The adoption of democracy can be explained by at least two reasons: (a) the need to search for social stability in behaviour between social groups, and (b) a sufficient level of social solidarity among people.

In other words, democracy exists on two levels: the formal and the natural. The first level reflects the formal side of human life related to the legislative system of the state which defends human rights in terms of abstract principles and by means of them abstractly defends human beings. At a second level democracy proceeds from the entire cultural phenomenon, including habits, customs and morality, with the goal of establishing the maximal possibility for the emergence of freedom and the defence of one another against violence. This is the level of social solidarity.

Democracy as a social convention, adopted by citizens on all levels: from government, governance and economic management to more simple social groups such as the family, for example. In the full sense, without rationality and socially established norms, democratic action is

not possible. The question is whether rationality can be a sufficient basis for an acceptable democracy as an evident norm of social life, especially where the society carries the burden of totalitarian practices established in the past.

To understand this I shall situate this problem and proposal in the specific Ukrainian context. Here the question concerns the sufficiency of "rational consensus" for the spreading of democracy and thereby the emergence of freedom as a matter of self-determination. The issue of corporate directive freedom—its nature and range—is the decisive issue as regards civil society.1

As noted above, the formal level of democracy regards first of all the political life of society. It is also the level of theoretical description of human rights with some norms of political ethics. On the other hand, society has real, not only theoretical problems, with human rights and violence, and with the emergence of freedom and of the dignity of man. Unfortunately, in Ukrainian society things do not go so well with regard to prosperity and freedom. The living wage is low and continues to decrease. This has been explained as economic stagnation and very low productivity on the part of workers. This has been called a "crisis of inactivity" in most parts of society. It has many sides: economical, financial, political, and moral; in practical terms this is a crisis of the emergence of freedom.

Some speak of a crisis of creative (in)activity. Its main reasons are related to diminishing confidence between government and society, and within society. This was reflected in the multiplication of political parties, which reflects a decline in the level of social understanding and therefore of social solidarity. In accord with this the level of the threat of violence and the lack of confidence increased. Political authorities became allied with economic forces and vice versa. Instead of a "velvet revolution" as in Poland and the Czech Republic, the ‘Nomenclature’ emerged in the Ukraine. This unstable status and condition of things between the past and the future only now is changing in the political arena as the inertia of totalitarian social habits passes. Where in the past the Nomenclature as a bureaucracy changed its colour only a bit, political and economic control seems now to be evolving in more democratic directions.

Certainly, constitutional guarantees of all main human rights, private property and a new political system was now for Ukrainian society, but this is only on the level of rational description and prescription. There was a gap between political life and these social ideals. In such circumstances the constitution could create sufficient conditions for the emergence a freedom. The excessive authority of the bureaucracy became possible because the immature civil society cannot assure a legislative democracy. Hence, "the meaning of human rights consists in recuperating the existence of the individual as an absolute and unquestionable reality, rather than taking this for granted."2

Some diagnoses of the differences between the state and civil society say that even the notion of civil society is used more rarely and that higher politicians tend to exclude it from the official rhetoric, often using instead the concept of a "democratic society."3 For reasons of space I cannot deepen here the examination of the relation between democracy and the emergence of human rights. Instead I shall attend to distinguishing between understanding and rationality, which in terms of Heidegger and H.-G. Gadamer are not of equal quality. Rationality implies a logical order and may be considered as a methodological procedure ordering the object of thought in a logical manner. Leaving aside the question of the independence or not of the rational order of the human or super human mind and its ontological status, it is certain that the world shows some kind of contingency and hence of elements which are rational in the above restricted sense. Hence, to be fully rational means to have a differentiated world and, especially in society, to be connected with others and to learn to build inductive generalizations. Such rationality has practical meaning and

expression in the wide sphere of human life, from the economic and political to the ethical and daily life.

Is it possible to limit human freedom only to rational norms? Freedom is to be achieved, which requires intentions to act in particular ways. Hence, the emergence of freedom relates to at least two human dimensions. One is the non-conscious needs of individual human beings, as well as their goals and aims. The second dimension is connected with needs and wants which are common so that freedom can gain some rational organization of feelings and sensibility. The free will of persons has intellectual content, because of which rationality is able to emerge in freedom. But such rationality is not a matter of abstract or isolated individuals; it derives from unique persons with their natural being and life, and from their intellects as a mode of thinking related to the person's understanding of the world. This level of understanding operates with a system of categories, but cannot be reduced to them, as was the case in Hegel's philosophy. Understanding has a more complicated nature which cannot be expressed by only a system of logical categories. Many categories by which one operates cannot be reduced to the logical nature of meaning and explained thereby. For example, the very category freedom cannot be expressed in some firm logical context such as "communism," though that was attempted by the former Soviet Union and for other millions of people organized around this notion.

Since Kant it is no longer possible to explain the content of general notions and categories by experience alone: from experience emerges only experience. The notions and categories on which understanding is based are connected with the broad human outlook or "Weltungschauung." Human understanding relates to the whole human world of feelings and meaning, and includes a very broad circle of values and beliefs. Thus, one call upon one's understanding with regard to the exercise of one's freedom and being. Understanding is connected also with non-rational and mythological modes of thinking.

Thus, human existence is known not to be limited only by rationality: the intention of B. Russell's logical positivism to limit the sense of discourse by true or false knowledge has not been realized. The disappointment of Europe regarding this approach turned into a great *scepsis* concerning the very value of philosophy so that 20th century Western civilization prefers to deal with positive decisions rather than with philosophical speculation. Thus, since as far back as the 19th century the whole set of values without which Europe could not conceive itself has remained between the positive and the negative, as suggested by the scientific world outlook. Among the greatest values, that of Divinity, was lost simultaneously with the significance of the non-rational and, as it turned out, the value of a person.

Holding himself to logical argumentation, Bertrand Russell praised rationality, explaining the impossibility of a divine being at the same time. Hence, there came into fashion the discourse, diagnosed by Gabriel Marcel as that in which the "fanatical force of abstraction leads to ignoring of the individual's life value." Not the human person, but rational knowledge was made responsible for action.

Clarification of the non-identity between mind and reality does not assure the fact that thought is quite independent of reality or reality is quite independent of mentality. Connection between thought and reality is cobbled by the European history of the 20th century. It appeared that definition of the truth and decision-making to some extent depend on both the mentality of the participants of a situation and the very situation which may be previously generated by its more or less informed participants. It follows that in acceptance of their socially significant decisions people always refer to knowledge, on the one hand, and to the real situation, on the other hand. This concerns the people, members of the government, political leaders and people in science.

Hence, the procedures for decision-making concerning the rights and liberties of the citizens are not only limited by knowledge but also depend upon convictions, faith and the will of all the participants in the procedure. This is equally true of both parliamentary decisions and the resolution and consequences of judicial procedures. Obviously, that is why it was possible to judge both A. Hitler and Stalin only in the circumstances of the new European semiotics reality.

The Ukraine has lacked the new reality for truly arriving at decisions and resolutions. This is what is now changing in the direction of true, but not declarative guarantees of the rights and liberties of a citizen? Obviously the availability of the Constitution alone was not enough as long as the social situation around it was formed by persons who did not truly accept, not to mention realization of a parliamentary consensus. How, indeed, to change the course of events? Is this even possible without achieving a true "solidarity" in its identity? Taking into consideration the fact that one's sense of identity is grasped not so much through cognitive factors and language as through imagination, fantasy and habits, their inner cultural and ethical content are important. What will be the conditions for a comprehension of identity?—The values of conquest, the humiliation which prevailed before 1991? Or what became the cement for overcoming totalitarism and social closure, namely, the revival of the humanistic moral grounds of social life as a new horizon of understanding?

Along with rationality, it is important to return to the grounds of vital cultural phenomena for the formation of democracy, for there is no other way to be a person than to be identified with a specific culture. We must conform to the democratic procedures which arise from culture past or present, but it is not the same to say that the culture of the society arises from democracy, except for the political culture of tolerance and the acknowledgement of the supremacy of equal rights for citizens. This because the human life from which culture arises is wider than the social system of society and state.

Not so long ago the great minds of Europe considered the future of science to be defined by the mathematics it used. Now, at the end of the 20th century, we know that this is not so. But the positivists, trying to define the measures of non-rationality in order to expand the measures of rationality, proceeded in this manner, claiming that the expansion of rationality did not appear to mean a direct contraction of non-rationality. But claims concerning the contraction of the non-rational sphere turned out to be the destruction of the cultural text, the elimination of the essence of faith, hope, and finally of the subjectivity of a person's world outlook.

A contraction of non-rationality is possible only by a conscious attitude regarding certain phenomena and values which, on the one hand, develop on the grounds of the evolution of scientific investigations and the progress of society and, on the other hand, are formed under the influence of dominant conceptual approaches with regard to social, political and ethnic processes. This is the mentality which generated the European political situation during the 20th century, and which spread at the Universities, under the direction of the state; it formed within the imperial political formation, instead of an open society.

But just as it is quite clear that mathematics does not exhaust the processes of scientific formation and the increase of knowledge, neither is this the case regarding the conviction that social life will be exhausted in rational democratic procedures of decision-making. Even if such procedures provide a maximum of a person's rights, they do not exhaust all one's possibilities. This extends to the sphere of non-rational understanding and is not confined solely to rational institutional structures and the formal means of achieving that aim.

Hence, whereas the frame of rationality is delimited, that of understanding is broader and in accord with the epistemological outlook of the cultural level as a whole. Culture is the main base

of human understanding, for freedom on the level of pure rationality became a negative version of freedom. For Hegel, in its abstract form this has "a fury of destruction" rather than personal self-determination, as confirmed by former Soviet practice.

This can be confirmed if we attend to the functional asymmetry between the two hemispheres of the human brain. There is a functional difference within each hemisphere: the left serves logical and abstractive thinking in notions and concepts; the right serves for thinking by images, symbols and emotive signs. The latter also is more connected with the ability to recognize the world. Thinking draws upon the two hemispheres, but it is impossible to get the meaning of world from the left hemisphere alone. The same is true of understanding, which is impossible without the emotive human world.

We noted above that democracy is grounded in a rational consensus, without which the practice of democracy is impossible. It is at this level that one finds the ethical discourse of social life. Clearly democracy needs a measure of solidarity, but what is its nature, and could it be measured in terms of rationality alone? As a social quality solidarity is not exhausted by ethical discourse alone, but has also a dimension of moral consensus.

Jürgen Habermas distinguishes between ethical claims, which have a teleological orientation to the realization of needs or values, and moral claims which refer first of all to obligatory or prohibited action, to norms or rules which specify reciprocal behavioral expectations.5 Although Habermas had distinguished between the ethical and the moral as corresponding to value judgements and normative judgements respectively, this seems not to have exhausted the nature of morality for we must take into consideration not only the normative side of the moral, but above all the creative character of the moral.

As ethical judgements are related to values and goods, they imply ethical requirements for a rational consensus between people. But even this kind of consensus "requires prior agreement on a tradition-mediated notion of the common good"5

Therefore, rational consensus appears not to be sufficient for solidarity, but only for the rational level of solidarity connected with the legislative system of a society or state. If the discourse-ethics concept of justice includes references to individual welfare and the common good, this means that solidarity is the "reverse side" not of the legal system, but of justice as accepted by people in the some culturally difficult situations. In this case one must distinguish between the legal system and natural statute of human rights.

As a rule, the destruction of social solidarity is due to a disturbance of social life and to violence in the political life. Some examples emerge from the Ukrainian experience. The prominent Ukrainian writer and thinker, Ivan Franko (1856-1916), who was knowledgeable regarding Marxist theory, having translated Marx’s works into Ukrainian, was one of the deepest critics of its main principles. At the beginning of 20th century, when Marxist theory became widespread and influenced so-called intelligence in Russia and in part in the Ukraine as well, he wrote a few articles in which he precisely predicted the consequences of Marxism as totalitarian practice and slavery over human freedom. In particular he described the real Ukrainian agricultural social experience grounded on the rural mode of production built around private property and farming, whereas Russian communism as essentially Marxist promoted collective farming and destroyed the rural social relationship. Unfortunately, the voice of Franko who organized and lead the radical party in Ukraine was not heard because of the national defeat in 1919 and the invasion of the Russian red army. Franko’s understanding of the reality of human freedom, rights and solidarity was not accepted by society in part because hundreds of thousands who agreed with Franko were exterminated by the ruling communists. (There is a deeper question about the basis

of the grounds for spread of Marxist solidarity connected with the so-called "Russian idea," but for reasons of space I will not consider it now.)

In Ukrainian society, the lack of a common understanding or of solidarity was connected with society's loss of social independence. Some do not link social independence with national independence, but this depends upon a number of issues: freedom, solidarity, human rights, human possibilities, social organization, culture and nation, morals and ethics, political life and democracy. In any case, the question relates to the problem of personal identity.

Communism, among the numbers of the Party at least, was set up on a rational basis elaborated and adopted in Congresses. The most influential arguments were the priority of international over national values. There was rational conviction on the part of many people, and a rational consensus for communist solidarity. But such a centrally adopted solidarity became an obstacle for adopting the values of civil society.

It is necessary then to distinguish between "real life world solidarity," on the one hand, and "specific solidarity" on the other hand. Here "specific" means that some values coalesce around determinate ideological and political values and provide a normative basis of group cooperation. In this case we have no real human solidarity as a practical base for living freedom. According to William Rehg, real human solidarity must be elaborated as a rational human solidarity. This "does not rest content with concrete coincidence of world view or interests, but extends to all persons capable of questioning and arguing."6 Here "rational" can mean also that its nature has an inherent cognitive element, namely "the requirement that the individual's autonomous rational conviction depends on that of others."7 But this is only one of the many factors relating to the ontological status of solidarity.

Earlier, we considered the difference between rationality and understanding. It is necessary also to find the ontological dimension of understanding. The ontological status of understanding is not exhausted by rationality, though its content is cognitive. Freedom also has an ontological level like belief, but its ontological existence is more than can be expressed by means of abstract, categorical, and even logical expression regarding the human's being. In other words, this is a broader problem than the relation between the cognitive and rational capabilities of the mind and the mythological nature of outlook and cognition. But both dimensions coincide in the nature of understanding.

Solidarity is linked not only with rationality or reasoning and understanding. The value of solidarity and of broader human action can be established in accord with the criteria not only of rationality, but of understanding as well. At the level of the relation between people's, which reflects their initial nature as human being, understanding as a phenomenon of personal life is transformed into solidarity as a phenomenon of social life. Both are experiences of social life. Both are experiences of human existence in society. As noted by C. Maldonado, sharing the point of view of C. Patocka, "the form par excellence in which life in society is constituted by human beings is solidarity; without a sincere experience of solidarity it is impossible, or at least extremely difficult, for any human community to exist."8

Be that as it may, solidarity is realized in the context of culture and cannot be reduced to the political values of society or to the values of civilization as a whole. In this meaning solidarity is a "reciprocity that renders refusal impossible in principle. It is an eminently horizontal relationship in which any form of hierarchy or hierarchization is totally put aside."9

Solidarity as an understanding and human spirituality "is properly rooted in living experience, whereas knowledge is grounded in an intellectual act . . . only having lived the genesis, life process and hazards of the other can we say legitimately that we know or understand him/her."10 This

enables us to elaborate the connection of solidarity with ethical and moral meaning, on the one hand, and with the human rights and violence, on the other.

The solidarity is a natural emergence of freedom in the broad meaning of that word. For freedom means to exercise in the human world a capacity for creating some new quality. Thus, solidarity has a practical character for it directs a person along the path, which he undertakes by himself, living according to his understanding and producing a product. This behavior produces some possibilities for others. Only through the creation of possibilities, which could be accepted by another, can a person's freedom be able to emerge.

Such action has an element of devotion to bringing into the world one's own understanding and possibilities. This devotion is the reverse side of "vocation"; both characterized one's calling in one's society, as one's proper historical and cultural world. Human life is constituted by such values as devotion, vocation and calling can be called the responsible exercise of freedom.

This is a matter of moral and cultural activity and of human understanding. This is a ground upon which the values of civil society are constituted. This brings us to norms and ideals of human action which constitute human rights. Through ethical description human rights achieve theoretical awareness, which has its rational expression in the law.

This understanding exceeds rationality and demands a theoretical expression of human possibility. If moral understanding and action be exercises of freedom and possibilities the ethical level of understanding is more general and greater regardless of the concrete forms of social violence. Thus, "not all ethics fulfil the task of exalting and understanding human life; rather some ethics are at the service of other interests and goals, thereby converting the value of human existence into a means for other ends."11 This could be explained by the social and cultural context of the preponderance in multi-cultures of some kind of rational ethical discourse over other cultural values. Only when such ethical discourse has been established and developed is one culture politically overwhelmed by others. Because of this it seems to have been insufficiently stressed that "at the basis of moral solidarity, finally, there lies a rational human solidarity, the counterweight pulling practical reason out of its ego-ethnocentric centripetal spiral, orienting it rather towards the cognitive force of the other's presence and claim."12

First of all, moral solidarity is not equal to "rational human solidarity" because morality has a wider nature than rationality. It includes some practical action which coincides with morality. In other words, the moral is not only an act of abstract thinking, but action loaded with inherent values. I live according to values which have not only some social content, but a "Weltungschauung." These include such values as joy, belief and perhaps dignity in its first preliterate symbols. The cognitive nature of morality and solidarity are connected with the human capacity for the universalization and generalization of personal experience received at birth and in accordance with the place where the person is born. As human spirituality, and not only cognition or rationality, it "is grounded upon and fed by the living experiences in which solidarity operates as a central motive or chief motivation."13

At the same time, the point of view of W. Rehg cannot be ignored. Finally, solidarity needs a cognitive expression and arranges this in forms of rationality. The rational expression of solidarity is also defined by cultural language and ethos. Hence, a "moral consensus" is broader than a "rational consensus" and the content of solidarity as a moral posture can be explained in terms of understanding related to vital human experience. "Such understanding is neither an intellectual act nor a rational elaboration such as is found in the formal or positive sciences. Rather understanding is the best and most authentic way to know the other without reducing him or her to a thing; it is the act of identifying with the other's goals and aims."14

Thus, actual solidarity with regard to human rights shows that solidarity is not the reverse side of violence, but grows from the human being in the world. Here we are not dealing with definitions, but trying to unfold the links between understanding and rationality in the social context. By its inner sense Democracy, formed in order to realize a person's possibilities and in formal response to the challenge of self-realization, is not reduced merely to rationality. Indeed rational behaviour is a condition not only of the democratic, but of the authoritarian state as well.

We quite agree with K. Popper that in order for the openness of the social processes to provide for a full degree of human self-respect there can be no strict regulation and norms beyond the agreement of social groups and communities. Such social or common agreement is formed as the nature of identity and is connected with the common needs of civil welfare and the discussions connected therewith. But on the negative side, democracy can also constitute a deliberative form of repression and antisocial action; the measure of democracy itself may change according to legislation.

That is why inner contradictions are characteristic of democratic procedures. On the one hand, the nature of democracy is formed on the basis of social diversities connected with multi-cultural elements which are not reduced to the usual human rights. One of the most important parameters of the democratic processes is security for personal transformation and the determination of one's personality. On the other hand, democracy demands equal social rights and relations between people in social, economic and political space. Thus it shapes the conditions for one's socialization and personalization.

Though history does not have a libretto written in advance, there is something similar with regard to democracy: the operatic parts sound differently in accord with the theatre, producer, and conductor. Similarly, in the theatre of democratic process the national cultural context and the government play the roles of producer or conductor.

In social democratization the common people's welfare is realized through the individual's efforts to find his or her identity. But when in a democratic society a significant part of the people remains at a low level of self-realization a vacuum forms between the society and the state. Such a vacuum has existed in the Ukraine. It was a vacuum of social justice, caused by old habits of social and state behaviour, based on the inherited power of the staff of the previously totalitarian regime. To a certain extent this is formed by the state's elimination of the processes of self-identification in terms of national values. Hence there is the paradox that expansion of democracy in the Ukraine is connected with processes in the non-rational field. To expand democracy means to expand the limits of the common understanding of existential values, among which is the attitude of a person towards God, whether positive or negative, conscious or unconscious. Further, at the centre of mutual understanding we must place the priority of a person's rights and of social justice. These are connected with the right to live in a defined national culture, the right to be oneself.

This is in opposition to the earlier Communist ideology and its form of rationality. There exists then a need to define the reality or being of our reintegrated society. This may approach openness with regard to a person on the basis of common acceptance of social civil values, which undergird both the long earlier struggle against authoritarianism and the current progress toward an open society.

A common acceptance of values also emerges as a form of national association. This needs a proper rational guarantee through the state government, lest the democratic processes be oriented around competition for the promotion of private interest above all else. For promotion of private material interests of itself does not create the conditions of equal rights; on the contrary, private

interests are realized also in authoritarian and totalitarian societies—in Communist Russia private interest led people to ever higher levels of power, which was treated as a kind of property.

Without taking into account that "the Universal Declaration of Human Rights" states that "A human-being is born free and equal in dignity and rights," even a legal democratically elected government cannot guarantee equal rights for the citizens and often ignores human possibilities and resources. Hence, we quite agree with J. Habermas with regard to orienting democratic processes mainly round discussion about general or common goods. It is important to reach such a social consensus or consolidation, in order for a non-rational understanding of the "common good," through the social mentality and the aspirations of a constitutional national identity, to elicit action by the majority of the citizens of the society. In this we observe, according to J. Maritain, a great personalizing truth, namely, that "to offer to a person only human life means to deceive a person and to wish him or her evil, because one is called chiefly to something greater than simple human life".15

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Notes

1. George McLean, "Solidarity and Subsidiarity."
2. Carlos Maldonado, "Human Rights, Solidarity and Subsidiarity: Essays toward a Social Ontology" (Washington: The Council for Research in Values and Philosophy, 1997), p. 35.
3. Jaroslav Pasko, "Civil Society: Eastern Europe and Ukrainian Perspectives," in *Analytic-Information Journal*, ed. S. Eremenko, No. 3, 10 (Donetsk, 1997).
4. Jurgen Habermas, *Essays: On Practical Reason's Discursive Ethic in relation to Practical, Ethical, and Moral Use* (Frankfurt: Suhrkamp, 1991), pp. 100-118.
5. William Rehg, *Insight and Solidarity* (Berkeley: University of California Press, 1994), p. 91
6. William Rehg, *ibid*., p. 171.
7. Ibid., p. 171.
8. Carlos Maldonado, "Human Rights, Solidarity and Subsidiarity" (Washington: the RVP, 1997), p. 48.
9. *Ibid*., p. 48.
10. *Ibid*., p. 50.
11. *Ibid*., p. 33.
12. W. Rehg, *ibid*., p. 247.
13. C. Maldonado, *ibid*., p. 51.
14. *Ibid*., p. 50.
15. Maritain, *Philosopher in the World*, p. 52.

Chapter V

The Presence of Ethnicity as a Paradigm for Federal Governance

James K. Kigongo

Introduction

In this paper an attempt is made to show a profile of a conflict (that is, disharmony, sometimes tension) between a centralistic political system and a dominant ethnic community (Buganda) within the nation (Uganda) context, which resulted in development of a strong ethnic awareness. This subsequently motivated a consciousness of federalism as a political paradigm for the development and well-being of this ethnic group and others. With this ethnic particularity Buganda endeavored to preserve its individuality, yet tried to accommodate the demands of the nation.

The group found the two endeavors problematic because: first, it was not allowed sufficient opportunity to define and determine itself and its own interests when it was integrated into the new political structure by colonialism; second, this did not allow it to enhance its self-consciousness and its development as a basis for its participation in the larger unit and therefore contribute to realistic harmony in the ethnic plurality of the nation. Despite the problematic situation the group continued to envision the appreciation of its particularity as the rational basis for its development and well-being within the nation. This harmonic perspective prompted my anticipation of a possibility to build the two opposites into a unity, as the paper unfolds into its conclusion.

Colonization

The existence of Uganda as a political structure or nation state began with the time of European colonization of Africa in the 19th century. Numerous political entities which originally existed as autonomous ethnic communities were forcefully put together by British colonialism to constitute a single political community. It is important to stress here that the external intervention terminated the social evolution of the ethnicities according to which each had determined its own development, though with considerable external military and economic pressure from its neighbors, thus giving basis for its own sustenance. Whereas influence on any social entity as it evolves in history is a normal social order, the colonial impingement negated this order, because it defined and determined (as a matter of course for any colonizing endeavor to ensure its effectiveness) for these communities their subsequent political course, that is, political units within a political and economic system which was not a product of their evolution and consent and thus over which they had no control. They lost their autonomy, therefore possibility of shaping their own political, economic, cultural and intellectual milieu and course. This new existence of the ethnic communities was principally based on constraint and compulsion as essential ingredients of the colonial order. As regards the nation, a political community in the classical sense of the concept as perceived by Aristotle was not established, as one would not discern "some good," a normative end as he viewed it.1 It had no moral inclination to unite the communities into a solidarity.

As we try to grasp the colonial intervention, we need to consider not only the establishment of the nation state but also its sustenance. The latter led to crystallization of tension between some ethnicities, especially Buganda, in their desire to pursue autonomous fulfillment within the bigger political unit. This is to further help us understand the relationship of conflict between the

centralistic political order and the autonomous disposition manifested in the individuality of each ethnic group.

The colonial authority established an administrative system whereby in the kingdom areas (the most prominent of which was Buganda) they governed through the indigenous rulers to manage the local affairs, with the colonialists of course wielding more powers in the form of determining policy and overall supervision of the whole colony. The supervision was close. We may note that the local population and therefore each group as a whole had no opportunity to influence the political process and the political "leaders" could only implement colonial policy. As leaders in the local government whose geographical scope was essentially ethnic, the African's political horizons and perspectives became confined to the ethnic environment. Since the administrative structure did not allow physical mobility at nation level and intellectual appreciation of the notion of a nation, the ethnic consciousness within the nation began to take shape. There was no conscious, deliberate effort to establish institutions so as to evolve unification of the groups into an integral whole. The ethnic rather than the nation became the foci of identity and loyalty.

Ethnic individuality was strengthened by the colonial economic and social policies which were not designed to develop a positive integration of all the ethnic units as they had a regional inclination. Cash crop production was encouraged for the south, especially Buganda which also received more attention in the provision of transport infrastructure, education and health services, whereas the north remained at the economic and social periphery. Its contribution was mainly provision of migrant labor and manpower for the security forces. The economic and social policies therefore had strong potential for disintegration rather than integration.

Out of the colonial situation one region emerged conspicuous in the nation-ethnic dichotomy, i.e. Buganda. British colonial authority developed a collaborative relationship with her as they found her the super-power among the ethnic states they put together to form Uganda. They used Buganda agents to conquer and administer over the other parts and to spread education there. This made her to become a crucial factor in Uganda's political change and to develop a sense of superiority over the others. Buganda developed a strong sense of political identity whose foundation was in the pre-colonial era, having evolved as a closely-knit society with a military hegemony and a monopolistic relationship with her neighbors.

Despite the collaboration, more fundamental to the relationship was a feeling of suspicion Buganda developed about the British. It was clear to Buganda that the colonial order was undermining her authority, as indeed the authority of the king—who was the core of the Bugandan ethnic structure—had lost its political substance to colonialism. So the political identity was a manifestation of resistance to colonialism and central to this political identity was demand for an autonomous status in the event of attaining independence by the nation state, though there was a radical position urging for separation from the nation.

We need to remind ourselves that Buganda's political psychology was being shaped by two important external factors which were: the colonial, as the primary one, and the centralistic, caused by the former. However, underlying each of them was the strand of coercion and its accompanying authoritarianism which became the crucial elements in the ensuing political milieu after colonialism, hence provoking more the sense of self among the ethnicities.

As I conclude this consideration of the colonial factor I wish to note the criticism that most African countries, having acquired independence from colonialism more than three decades ago, should no longer be blaming it for their contemporary malaise. My response to this position is that: first, the ethnic consciousness is a historical phenomenon which evolved into the contemporary epoch; second, colonialism is a major historical intervention in the entire life process of Uganda.

Institutionalization of Centralization from within the Nation State

When Uganda got independence from colonial rule in 1962 the independence constitution granted Buganda an autonomous and full federal status in relation to the center, with a lesser degree of autonomy to the other (four) kingdom areas and a strong system of local government to the rest of the units (ten), though they were to maintain a unitary relationship with the central government as districts. This tripartite arrangement gave a possibility for decision-making and political participation at the local levels. The majority of members to the federal legislatures and district councils were to be elected.

The newly established autonomous and semi-autonomous system was not allowed to take root as it was brought to an end in 1966-67 with the abolition of kingdoms and introduction of an authoritarian constitution which also effectively abolished the system of local government, thus narrowing the scope of political activity and decision-making, and allowing the participation of only a small section of the political elite. This arose out of tension between the republican oriented politicians led by the Prime Minister who was from one of the districts where anti-monarchical sentiments were being whipped up, and monarchists led by the President who was the king of Buganda. It became a crucial, defining moment in the ethnic consciousness of the people as it seemed to mark the termination of the group as a political entity.

We may however place this situation in a wider historical and political landscape. The political trend in Africa was institutionalization of authoritarian centralistic regimes consequent to the attainment of independence. The intellectual and ideological leadership for this tendency was provided by Nyerere, Kaunda and Nkrumah. This was the era of institution of the single party system, which system was ensured in Uganda in 1969, strengthening the authoritarian fabric. There seemed to be a thinking that the state should only be managed by a small group of political elites who were assumed to have the necessary wisdom to provide guardianship, the Platonic sense of political leadership. There was a tendency towards personalization of the state.

The 1969 constitution allowed parliament, from time to time, to form such districts and other administrative units or rearrange the administrative units as it considered necessary for the proper and efficient administration of the country. It was also allowed the possibility of establishing, suspending or resolving councils or any other local authority in the district. It was given the right to appoint, nominate or elect some or all of the members of any council, etc. In effect it got the power to control the local authorities, also with powers conferred to the President in exceptional circumstances to control the local authorities. This set a precedent for the central authority to introduce more districts so that what was originally the federal state of Buganda was demarcated into several districts to mutilate its political entity.

From 1967 centralization and authoritarianism became central to the political life of Uganda with the executive wielding considerable powers, though this did not assume the dimension of classical authoritarianism which viewed the persons as merely parts of the society in which they existed to serve its ends as defined by the state to which they were totally subjected. Explaining such a situation, Chaoura Bourouh gives the typical example of the Communist states of Eastern Europe where as he says, the social and economic life of society was subordinated to the state as part of a socialist strategy of development.2 A civic culture outside politics continued to flourish in the society.

A New Dimension of Democracy

In 1986 a rebel movement (National Resistance Movement), led by Yoweri Museveni took over power and began a process of change which was inclined to democratization of the society, to some extent also favorable to federalism. A central tenet of the new democracy was building a political system which facilitated participation of the people in the political process and in the entire life of the local communities. A purely elective system of local councils from village level to district level was set up and ensured by the constitution.

The making of the constitution itself involved direct participation of the people organized at all the five levels of the councils; the state gathered ideas from them. One notices here a collaboration between the state and the society though the state tended to be paternalistic, and in some instances manipulative, having preceded the making of the constitution with well-organized lessons in political education which were biased against political parties. In fact, it was aimed at destroying the parties. They were portrayed as largely responsible for the turmoil the nation went through after independence, moreover to a largely rural people with almost no access to the mass media to enable them follow critical debate about democracy that was going on especially in the newspapers confined to the urban areas. The political parties themselves were restricted in their operation.

The federal sentiment however suffered a drawback. The districts were related to the central government in a unitary arrangement. For instance, the President had authority to appoint a representative of his office in each district to coordinate the administration of government services there. This denied the local administration a distinct sphere of jurisdiction as 'what seemed to be' was encroached upon by the central authority, whose encroachment was morever guaranteed by the constitution.

The new political arrangement is operating within a positive and broader social environment: political leadership which is open-minded and tolerant, freedom of speech and a vibrant free press, freedom of association though the political parties have to operate within parameters defined by the government and by the Constitution (which tends to be unduly restrictive), etc. A psychology of motivation to initiate and participate is building up in almost all spheres of social activity. The localization of political activity and decision-making in the political realm has significantly contributed to this internally motivated dynamism. Such vigorous activity is certainly a reinvigoration of virtues of civil society, such as voluntary communalism (a sense of solidarity) and individual participation to realize the common good (a sense of subsidiarity). The two civic elements were imbued in the African traditional society and they survived the colonial coercion and postcolonial repression. According to some scholars of African society like D.N. Kaphagawani (a philosopher from Malawi) this civic culture is a voluntary pulling together of diverse energies. In Uganda this solidarity molded out of individual contribution seems to have built a sense of resilience and cohesion among the people to live together in their communities to survive the repressive regimes.

With this sense of solidarity, together with the "collaboration" between the state and the society the majority of the people have supported the state in its attempt to suppress the political parties which are generally viewed by them as suppressive to the efforts to institute the new democracy, especially that one of the political parties played a leading role in the muzzling of democracy before 1986. The subjugative efforts of the government however seem to have as the underlying factor the persistence of authoritarian tendencies, manifesting the perennial problem of persistence of the status quo, or elements of it, in change.

Nevertheless the collaborative relationship between the ethos of individuality and collectivity to develop a civic culture is strong, hence the new democracy. This new civic development and

consciousness is an emancipation from the constraint and compulsion of colonialism and state control in the postcolonial time. The new constitution (1995) embodies this spirit of building a civic culture as it was evolved out of the intellectual paradigm which nourishes the new democratic epoch. But there can be noticed a fundamental point of contradiction to this situation. Most of this political process is being propelled by the charisma of a single personality, the president, who is its genius. This does not afford sufficient opportunity for it to be entrenched in the society to nourish the spirit of civil society.

Some skepticism is indeed noticeable in Africa generally regarding the growth of civil society especially in the political culture. A lot of energy after the attainment of independence was put in stifling of the democratic ethos particularly the free democratic participation of the citizens in the life of the political communities. The paradigms of the Cold War did not allow African countries to make their own choices in the development arena generally and in the political sphere. Yet the contemporary democratization wind which is blowing across the world and impacting Africa cannot be said in large measure to have roots in the continent. Because the new political awareness in Africa generally has not been inspired primarily from within the African mind the authoritarian undertones tend to persist. Thus, whereas in Uganda internal civic dynamism has significantly contributed to the new democratic change the overall African situation does not favor the change.

The continuum of authoritarianism in Africa can mainly be attributed to entrenchment of similar disposition in the African family which is the core unit of the society and it is therefore central to the socialization process and hence to the inculcation of values. Power essentially lies with the father who is regarded as the guardian of the family, and this guardianship is not to provide leadership but to rule. He is therefore a master. Though this master status does not entail a slave relationship of the others with him, it means unquestionable authority. This concept of leadership filters into other areas of the African society such as the educational system. While the head of the school or School Master is not supposed to be questioned or criticized by the teachers under his authority, the pupils are expected to pay unquestioned and uncritical obedience not only to him but also to their teachers.

In Uganda, as a resentment against the extension of this conception of leadership it is not uncommon to hear complaints from the people of the dictatorial disposition of their chairmen of the local councils especially at the village level where the impact of their presence is felt more than at any other level. The family and the school as crucial institutions in the socialization and value inculcation processes certainly do not show signs of reducing in importance, not even in the distant future. The democratization process and ultimately the building of civic culture in politics and in the rest of the society realms become problematic, both at the level of the individual persons and the social groups in relation to the state. As will be considered later in this article, this problematic can be envisioned as an issue, among others, to be pursued by formal education.

Resurrection of the Issue of Federalism

Although federalism was one of the major constitutional issues in the course of the constitutional debate leading to the new constitution it was not catered to at all in the constitution. Many political elites dismissed it as not a national issue but an ethnic one because it was mostly strong and mostly advocated in Buganda. Yet many monarchists in Buganda and the other kingdom areas shunned it because their kingdoms had just been restored by the government after the president proposed an amendment to the constitution of 1967, and they did not want federalism to jeopardize their monarchies. Besides, there was a strong fear especially among the republicans

that a federal government would lead to disintegration of the nation state, especially since the federal sentiment was strong in Buganda and the Bugandan ethnic consciousness had been enhanced by the restoration of the monarchy.

Despite the maltreatment of the federal issue the sentiment seems to be strong though not quite vibrant. In Buganda it was reinvigorated with the anticipation and subsequent restoration of the monarchy in 1993, and here one notices a stance to view monarchism as synonymous with federalism. In fact, to the republicans this synonymity tended to undermine its cause because the anti- monarchical feelings were strong and particularly directed against Buganda. Buganda was seen by some as having hegemonistic interests in Uganda's politics and by others as having separatist intentions. Whereas before colonialism she pursued territorial expansionism, during the colonial era she nursed separatist ambitions. A synthesis of these fears about Buganda built a feeling among the anti-Buganda and non-Buganda of Buganda regarding herself as an exceptional political entity whose self-consciousness and self-assertion would motivate sentiments of self-governance not only in Buganda but also in other parts of the country.

The government itself tried to campaign against it with the argument that "moreover, the decentralization principle underlying the local council system in essence points to federalism," which was of course dismissed by federalism protagonists as mere politicking because the principle did not ensure the element of autonomy, notwithstanding the division of power between the central and the local authorities, which is the cardinal tenet of federal governance. This means in essence specification of a distinct sphere of jurisdiction in which a federal unit would be supreme. The new administrative order provided for dispersal and distribution of powers but kept the pervasiveness of the central authority in relation to the local units. The critical issue here is the meagerness of moral commitment to disperse and distribute the political power.

We can now make an assessment of the federal issue in relation to ethnicity as the question manifests in the nation's contemporary politics to distinguish some characteristics of it; two will be highlighted. Probably the most profound, though it does not seem to emerge distinctly in the political spectrum of the nation, is the one of identity. At this stage I suggest two categories of identity given the context of the discourse of the paper, that is, nation identity and ethnic identity.

The two identities were motivated by the conditions of centralization and authoritarianism which, beginning with colonialism became ingrained in the body of the nation state. As Kumar Rupesinghe observes: state formation evolved by increasing the power of the center at the expense of the periphery.3 Yet according to Martin Doornbos, though many African countries incorporate significant cultural and ethnic diversity, in the Ugandan case this is particularly pronounced.4 The two conditions which emanated from the coercive manner by which the central unit was constituted and maintained for most of the time of its existence could not allow the smaller units to develop a strong sense of oneness, attachment and belonging and therefore identity to the nation, a sense which one would expect if the people had a contribution to make to the formation of the nation, a contribution deriving out of their free will which we may term "moral". We may call such identity to the nation "moral identity."

Given that a person will always search for strong bonds of identity when any of his identity categories is in a crisis, especially to strengthen his cultural foundation where he perceives some moral sense, the lack of national identity left a big gap and possibility for the ethnic identity to flourish.

The situation of identity crisis was the demand of loyalty imposed on the individual by the presence of the nation state and the demand of loyalty to the ethnic community, which demand can be said to be morally obligatory, at least in the sense that it was inherent in his mental

framework; at least because it was not fundamentally a product of freedom or personal choice so that it had some inherent compulsion in the sense of being imperative, but natural to his social being, a being which was a product of cultural evolution. We notice in the two demands a tension of having to balance the being and the becoming, the former having a moral legitimacy and the latter basically coercive or suppressive. Although the issue of identity does not manifest strongly in politics across the nation it is an important social dimension in the people's social relations, especially noticeable in urban areas and in tertiary institutions where the population is a complex mixture of diverse ethnic identities. Associations deriving from the cultural-ethnic background easily attract membership and collaboration from the members of the urban and education communities, and in the educational institutions they seem to be the most popular.

Federalism has also a socio-economic dimension. This stems from the failure of the nation state to fulfil its economic and social obligations to the satisfaction of the people. At independence there was much trust put in the state by the people, viewed as a source of benefit, and thus was expected to provide for the economic and social welfare, which trust over the time did not materialize. Then the state assumed the socialist role, as in the contemporary European sense, but this largely contributed to enhance its centralization. Besides, as Rupesinghe says: the state was unable to reform itself, to transform itself in accordance with the changing requirements of its citizenry.5 The disappointment was increased with the problem of corruption among the political leadership and state bureaucrats which impeded development; and the state was largely insensitive to the public outcry to tackle the problem. Thus taxation by the state was seen as exploitation and deprivation. The state was alienated more from the society. The citizen perceived himself merely as a member of the political community; he did not have moral inspiration from it to draw his loyalty.

Federalism is however not a dominant issue in the political life of Uganda but it has potential significance. The perennial problem of conflict between the center and the dominant ethnic unit persists. In Buganda's ethnicity one notices a collective outlook though a collective endeavor is lacking, not lacking in the sense of being totally absent but it needs ideological mobilization. The collective capacity seems to be taking shape especially after the restoration of the kingdom but mostly assuming economic and cultural dimensions. The economic mainly involves revival and enhancement of Buganda's economy, while the cultural involves revival and cultivation of some traditional values especially moral ones, mainly among the youth. A form of political cohesion does not exist. The anticipation of a political consensus would not imply a political uniformity in the sense of cohering different political trends into a monolithic whole, but a kind of political unity that would pool together multiple political beliefs, outlooks and ideologies, which indeed prevail in Buganda and Uganda at large, to contribute to a common stock of federalism. The new democratic orientation in the nation is to an extent favorable to the possibility of such a consensus. The intellectual mood can be exploited, despite the political impediments.

Towards Balancing the Nation-Ethnic Dichotomy

The existence of the two stances, that is, the "nation identity" and the "ethnic identity," in the same social setting would seem to suggest a dichotomous situation, in other words, a situation of two mutually exclusive realities. That problematic does not always obtain. In a social context humanity has always lived with the problem of unity in diversity which in fact is a perennial philosophic problem. Therefore, within the nation-ethnic context, the problematic that is posed to us is the construction of a unity in multiplicity to bring forth a whole (nation) to which the parts

(ethnic groups) contribute and in which they share reasonably, so that each stake holder can attain some degree of contentment, whereby resentment would be minimal. This entails what George McLean calls "a creative integration."6 When we are faced with the indubitable existence of the realities within the same social panorama we are presented with a very strong justification to undertake the exercise so as to attempt the harmonization of the two. Such coexistence of human solidarity and subsidiarity is a moral imperative, and in history it has always been an underlying, though elusive, constituent of human society.

J. Messner, referring to the ethnic community as ethno-cultural group, says it has natural and cultural bonds contained in ties of blood, common dialect or language, common historical experience and natural milieu, common local patriotism and modes of life.7 These are elements which help to shape an inherent unity in the group and which give it internal dynamism to grow and develop, that is, realize material and non-material change in time and space. The unity of the group is not a mere conglomeration of various entities but what Anthony Smith calls a commitment and attachment to the shared elements,8 thus developing a sense of self or definite identity, as Messner refers to it, both in their own eyes and in those of the outsiders.9

On the other hand, we have the phenomenon of the nation state, which is an artificial social structure established on the foundation of coercion from outside itself and maintained with this same instrument, first from without and later from within it. This strain could not enable it to develop an inner order and collaboration among its components, the ethnic communities.

The first identity is natural and basic to the ethnic group. It is internal to it, and therefore to its well-being. The second, being artificial, is external to the group. Nevertheless, both are crucial as they contribute to the constitution or making of the group. The ethnicity is primarily or originally a cultural entity and secondarily takes on a historical nature as influenced by the colonial aspect and the colonial's subsequent political outcome.

Let us try to elucidate the nature of the ethnic a bit more: while the ethnic group needs to be conceived in the environment of having been historically determined, a conditioning that has to be recognized, at the same time (and most important) we ought to recognize the need to afford it freedom to be itself and this essentially lies in its cultural existence. This duality is the basis for the phraseology: "towards balancing the nation-ethnic dichotomy."

Of course some critics may dismiss the proposition as a stance of traditionalism, contending that traditionalism has actually been a hindrance to development in Africa. As a reaction to this position, traditionalism in itself has not been the obstacle to development. The fundamental limitation to development is the crisis of intellectual and institutional dislocation in which Africa was plunged by colonialism, and the inability, consequently, of the intellectual and political leadership of post-independent Africa to grasp the problem.

In fact, the solution to Africa's development crisis lies in our capacity to synthesize what is of value in the traditional milieu and in modernity; and if we define the concept of development so inclusively as to include politics (or management of society) as well, we get the challenge of synthesizing the interests of the nation state (a tenet which in history belongs to modernity) and of the ethnic communities. There is no doubt that traditionalism, if it takes the form of fanatical cultural conservatism, can be a liability to development and progress. But if properly exploited as an asset it can be an energizing force, as it would ensure the self-confidence of the people which they tend to feel is rooted in their culture when society is impacted by tension in the process of externally motivated change. And probably a major contribution such positive exploitation would make to Africa is de-Europeanizing the mentality of most educated Africans who in the contemporary times are the guardians of the development process; de-Europeanizing so as to have

them appreciate the need to ensure coexistence of what is African and what is not when change conditions it.

More fundamental, however, than the reeducation of the leadership elite is the reconceptualization and reformulation of the education system, as it significantly lacks ethical content: ethical education must be advanced: first, where it is implied in the social/humanistic disciplines at the elementary stage of education and, second, as a specific discipline at the higher levels. This is where the challenge of "creative integration" would be addressed to enable the individual persons, each of whom has the dual membership of the nation state and the ethnic community, to appreciate the reality and importance of each of the two communities in their collaborative relationship. A positive indication in favor of this educative disposition is discernible in the constitution (1995) which explicitly recognizes the existence of the ethno-cultural multiplicities as constituent elements of the nation state. The task demanded of the education system would be to identify unifying cultural ethos, that is, those common to the ethnic groups as cultural units. On the basis of these a community of interests can be built to evolve a national consciousness without foisting any set standards accruing to the demands of the nation. The most conspicuous of such affinities is the intense sense of humanity imbued in the African traditional culture. In addition to the aspect of commonality, education ought to isolate ethical cores in the culture which are inherently positive, to support not only the unifying endeavor but also the democratization process. But an elaborate theorization of the contribution of education would require a separate article for a fruitful discussion of the subject.

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Notes

1. Richard McKeon, ed., *The Basic Works of Aristotle* (New York: Random House, 1941), p. 1127. However, the term "nation" is used in this article to refer to nation state, and my inclination is towards the moral or ethical content implied in the subject of discussion rather than the political.

2. Chaourn Bourouh, "The State, Development and Civil Society: The Case of Algeria," in George F. McLean, ed., *Civil Society and Social Reconstruction* (Washington, D.C.: The Council for Research in Values and Philosophy, 1997), p. 116.

3. Kumar Rupesinghe, "Internal Conflicts and their Resolution: The Case of Uganda", in Kumar Rupesinghe, ed., *Conflict Resolution in Uganda* (Oslo: International Peace Research Institute, 1989), pp. 3-4.

4. Martin Doornbos, "The Uganda Crisis and the National Question", in Holger Bernt Hansen and Michael Twaddle, eds., *Uganda Now* (London: James Currey, 1988), p. 263.

5. Ibid., p. 3.

6. George F. McLean, "Philosophy and Civil Society: Its Nature, its Past and its Future", in George F. McLean, ed., *Civil Society and Social Reconstruction* (Washington, D.C.: The Council for Research in Values and Philosophy, 1997), p.7.

7. J. Messner, Social Ethics: *Natural Law in the Modern World*, trans. F.F. Doherty (South Broadway, St. Louis: B. Herder Book Co., 1949), p. 327.

8 Anthony D. Smith, *The Ethnic Origins of Nations* (New York: Basil Blackwell, 1986), p. 49.

9. Messner, Ibid., p. 327.

Chapter VI
Civil Society and International Discourse

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The theme of the seminar as stated in George McLean's lead paper is a philosophic exploration of the concept of "democracy," defined in the context of "civil society as the exercise of freedom," which in turn is understood as "self-governance, solidarity and subsidiarity."1 Freedom, as articulated in Fr. McLean's paper, thus includes not merely the so-called negative freedom from external restraint but also what might be called positive freedoms that derive from participation in community life (solidarity), including a role in determining the community's future (self-governance), subject to the condition that governance be exercised to the maximum extent possible at the appropriate levels (subsidiarity), so as "to maximize the participation in governance or the exercise of freedom of the members of the community, thereby enabling them to live more fully as persons and groups so that the entire society flourishes."2 The philosophic exploration is intended, as I understand it, to transcend particular conceptions of democracy and freedom that might be instantiated in cultures—political, economic, and social—of particular societies. It seeks to identify transcultural, and thus universalizable, principles for the implementation of democracy and freedom, thus defined, within particular cultures. Finally, it seems to suppose consensus-based modes of deliberation and decision-making.

A student of international law will find these concepts discordant with the traditional main tenets of that discipline. This paper, first, will explicate those traditional assumptions and show that they arguably are in tension with some of the themes developed in this seminar. The most important feature of this discordance is that Fr. McLean's views of solidarity, subsidiarity and self-governance appear to depend on a prior view that democratic deliberation entails decision-making by consensus rather than a formal process of voting. This premise is arguably at odds with traditional conceptions of international law, as well as with the dominant tendencies of international law in the current environment even with respect to cases in which global governance functions are increasingly being transferred to international institutions. Second, the paper explores the role that certain particular international rules and institutions play in permitting, prohibiting and channeling democratic deliberation. It considers whether and how these emerging institutions reflect consensus-based philosophic premises or rival views of democratic discourse and freedom in the transnational setting. Finally, the paper concludes by showing that leading international law scholarship recognizes the problem of the democratic legitimacy of existing international law, but that this body of work does not necessarily favor as the preferred solution the transnational consensus-based deliberation and decision-making Fr. McLean's insights into the meaning of true freedom would appear to prescribe.

The Traditional International Law Conceptions of a Sovereign State's Self-Interest as a Community Norm

At the risk of oversimplification, international law is mainly grounded in arguments that derive their force from appeals to rational calculations of self-interest of a narrowly defined set of actors. This conclusion, which is based on the nature of the subjects governed by international law and nature of the sources for identifying rules of international law, is subject to qualifications based

on some emerging trends to the contrary. Yet, if accurate, this characterization of international law suggests a particular mode of discourse that is probably at odds with the philosophic premises of the McLean paper.

International Law's Subjects and Sources

One might describe traditional international law as a set of rules accepted by states governing their relations in a society constituted by states alone. This conception flows from the so-called Westphalian paradigm of European states, which in the 17th century were essentially possessions of their "sovereign" monarchs. The conception is positivist, because it relies on the will or acceptance of the sovereign to mark the legitimacy or authority of law. It is statist, because the historical settlement of Westphalia marked the end of the European Wars of Religion, confirmed the authority of the sovereign to dictate a central feature of social life—namely religion—and thus disenfranchised substate entities or groups. The Westphalian conception excluded religion and other modes of social association or solidarity from international law because such matters were not of "international concern" but rather were within the "domestic jurisdiction" of states. Accordingly, the paradigm left little room for a conception of democracy, however defined.

These modes of thinking have survived as the basic paradigm of modern international law. One example is the inclusion of the notion of "sovereign equality" and the "domestic jurisdiction" principle in the United Nations Charter.3 Another is the doctrine of sources of international law, stated in the Statute of the International Court of Justice (ICJ) as including only the positive sources of law of treaty, international custom, and general principles of law accepted by "civilized" municipal legal systems.4 The strength of Westphalian paradigm is formally buttressed by the willingness of even judges of the ICJ drawn from non-Western European legal systems to invoke its vocabulary and rhetorical style in explaining their legal conclusions in cases and requests for advisory opinions before the ICJ, perhaps in part due to tendency of non-Western legal elites to receive legal training in elite European and U.S. law schools.

That said, the tendency to broaden and deepen the theory of society and representation that underlies international law is expressed in myriad ways: international organizations now have legal capacity and personality independent of states; persons and groups have in many institutions entitlements to participate in decision-making procedures and, in the noteworthy case of the World Bank, affected private persons may invoke dispute resolution procedures that require the Bank to review its compliance with its own rules.5 In sum, there may well be an erosion of the narrow concept of representation in international law so that more actors are represented more of the time.

Similarly, the normative foundations of international law in the post-Nuremberg generation now include fundamental conceptions that cannot be derived solely through the exercise of the sovereign will of states; thus, the doctrine of *jus cogens*, or peremptory norms of international law, has been included in the Vienna Convention of the Law of Treaties, which is regarded by most states, including the United States, as a reliable statement of international law.6 Even if the precise content of *jus cogens* is widely debated, its increasing relevance is amply demonstrated in the international response over time to apartheid in South Africa, in which initial resistance based on state sovereignty to foreign intervention was overcome by the eventual recognition that individual liberty was a direct concern of international law. 7 The normative pull of *jus cogens* norms may well inform much of the international response to the situation in the former Yugoslavia, Haiti, and (on a less consistent basis) in other situations of humanitarian concern throughout the globe. United Nations intervention is thus now regarded as legally legitimate in cases that were outside

the traditional understanding of the scope of consent to international intervention given by states through their membership in the United Nations. 8 Thus, the judges of the ICJ seem increasingly prone to articulate rationales that draw from an emerging conception of international law that focuses on community values rather than state autonomy. The sharp division of Western and non-Western ICJ judges in the recent advisory opinions issued by the ICJ on the Legality of the Use or Threat of Use of Nuclear Weapons in terms of whether the global community's interest should trump a state's right to use nuclear weapons even in a case of self-defense in extremis is, as I have recently argued, an argument that lays bare the fundamental moral premises of the international legal order.9

Yet, even with the qualification that new tendencies in modern international law theory are in tension with the traditional conception of state sovereignty, a balanced assessment would conclude that the community conception of international law has not yet fully rewritten the code in which international law is expressed.

The International Law Concept of Representation and its Mode of Discourse

The resilience of state sovereignty, it could be argued, has implications for the particular mode of representation in the international system and, in turn, for the kind of political discussion it yields. The impact of state sovereignty as a postulate for the international legal system appears to operate at two distinct levels: first, at the level of international politics; and, second, at the level of domestic politics.

To the extent that the traditional conception flowing from state sovereignty holds, the controlling view of representation in international law and institutions requires the expression of a single voice for the state as its authentic representative. In theoretical terms, each state then retains the power to block action at an international institution, and the practical considerations imposed by the relative absence of direct or coercive enforcement mechanisms in most international institutions drives most international institutions to operate on the basis of consensus.

A survey of particular organizations tends to show, however, that to overcome the background veto constraint to decision-making, the "majority rule" principle seems to be included as the default rule for decision-making. Accordingly, *ex ante* consent by a state serves to authorize the imposition of a rule or decision inconsistent with that state's contemporaneous will. The predominance of majority voting procedures in the formal structure of most international institutions, thus, is rationally connected to the organizing postulate of state sovereignty. Therefore, despite the apparent contradiction that initial, background voting rules at international institutions might facilitate consensus-based decision-making, state sovereignty remains the central organizing principle of the international institutional system and, in practice, yields majority voting processes in the most important cases.

The most notable example of this is Chapter VII of United Nations Charter, which authorizes enforcement action against a state in the event of "threat to the peace, breach of the peace or act of aggression."10 The Security Council has arguably interpreted this limitation out of existence in recent years through the exercise of raw political power by the UN Security Council, so as to permit intervention by international oligarchies even in cases in which a true international consensus had not yet formed. Another example, perhaps even more important in its impact on global governance, is that the most important economic international organizations also employ representational rules that limit the role of consensus building. The International Monetary Fund (IMF), the International Bank for Reconstruction and Development (IBRD) and its affiliates

(together the World Bank Group) allocate voting power in terms of economic power of states determined by their capital contributions to the organizations. The IMF, for example, in a display of naked power, reallocated the capital contribution (or quota) of the former Yugoslavia among the successor states without their consent.11 Similarly, the World Trade Organization (WTO) authorizes decisions by majority under the one-member, one-vote principle.12 But even this formal equality of states is practically modified to reflect state power, because the WTO is more a negotiating forum for multilateral rounds of trade negotiations rather than truly a rule-making institution. Accordingly, the relative economic power of states with large economies in offering access to their markets through tariff concessions allows those states to induce states with smaller economies to reform their economies and societies so as to give preference to market solutions over state intervention in the economy to serve social purposes, such as redistribution of resources in favor of non-elites. Thus, the interaction of WTO voting rules and bargaining processes continues to favor power over reason and thus provides further evidence that state sovereignty through voting rules reflects the actual distribution of power in the international system, rather than informed, reasoned justification at the level of international decision-making.

The emphasis on state sovereignty on the external plane of international relations also seems to generate external intervention to reinforce state sovereignty at a domestic level in the form of reinforcing the democratic legitimacy of governments as authentic expressions of popular sovereignty. Admittedly, scholars question the conception of sovereignty as state sovereignty by calling the authority of the state as such a relic of a bygone absolutist political era; indeed, scholars are beginning to articulate clearly the view that state sovereignty is entitled to respect only if the regime in power in a state reflects some measure of popular consent.13 It is even argued by some scholars that in permanently divided societies, where governing coalitions are not temporary and particular groups might find themselves permanently in a de facto disenfranchised minority, interest-based politics is not consistent with the broad-based exercise of freedom.14

Yet, even when the international community intervenes to facilitate the protection of universal human rights, it does so in the language and through the mechanisms of state sovereignty. To take one example, during the dissolution of the former Soviet Union and the former Yugoslavia, the United States and European Union indirectly intervened for humanitarian reasons in the internal affairs of those states by conditioning their recognition of the new states on compliance with, among other things, international human rights standards. Indeed, the United Nations itself increasingly has permitted its assessment of the internal policies of various regimes to influence the collective decision whether to accept the credentials of delegations from particular states.15 Furthermore, direct intervention through UN and other international involvement in elections monitoring—and, in certain cases such as Cambodia and Namibia's elections under UN auspices, direct international supervision and control of elections—has been undertaken in accordance with electoral principles derived from the tradition of one-person, one-vote and secret balloting characteristic of pluralist democracies that, in turn, are built around notions of popular sovereignty and majoritarian elections. At the risk of generalizing excessively from a handful of recent cases of international intervention, it is probably fair to anticipate that the kind of politics stimulated by elections under international auspices leads to majority rule, especially when representatives are elected from single-member districts (and, perhaps even if proportional representation devices are employed). For such electoral politics favor coalition-building to achieve majority status, rather than consensus-building to accommodate diverse interests.

Indeed, one striking confirmation of the tendency of electoral politics built around majority rule to generate, depending on one's view of the nature of European Union law, quasi-

constitutional or quasi-international law concepts at variance with Fr. McLean's view of democracy is the European Union's formulation of its concept of subsidiarity. This conception is, as a matter of EU law, defined not in terms of Pope Pius XI's 1931 Encyclical *Quadragesimo Anno's* commitment to the dispersal of authority for the setting of community goals, but rather exclusively as a function of the economic efficiency of dispersing regulatory authority to achieve goals set by the EU's increasingly centralized and majoritarian political processes.16

In sum, even with the emerging trends transforming the Westphalian conception to include actors other than states and to give weight to norms that express fundamental conceptions of morality rather than mere interests of the actors, the continuing importance of states and the consolidations of economic and other power they represent cannot be overestimated. As the English legal historian F.W. Maitland said in a different context, "The forms of action we have buried, but they still rule us from their graves."17 State sovereignty, both external and internal, continues to dominate the practice of international law. Electoral politics built around the concept of individual interest and coalition-building seems a central part of the law of governance of international institutions and the law that states and international institutions purport to apply to states and communities within states. Yet, at the same time, it seems at war with the discursive mode embedded in the conception of democracy advanced in Fr. McLean's paper. This tentative conclusion should be subject to serious scrutiny given its implications for the legitimacy of existing international law and institutions or for the relevance of Fr. McLean's conception of democracy as the necessary means to "maximize the participation in governance or the exercise of freedom of the members of the community, thereby enabling them to live more fully as persons and groups so that the entire society flourishes." (p. 4)

Accordingly, this paper now turns to countervailing evidence of consensus-based international decision-making and potential sources of change in the international system, which could in time reduce the effect of state sovereignty in maintaining the current emphasis on interest-based politics.

Transformative Transnational Institutional Structures and Discourse

Given the importance of rational discussion of differences in the conception of democracy articulated in Fr. McLean's paper, international law governing the transmission of information across and within states will play a central role in the democratic project.

Globalization, understood by many to represent the extension of American values,18 suggests a starting point. The First Amendment to the U.S. Constitution, 19 which protects freedom of speech and freedom of the press together with certain associational freedoms, has been understood to be at the core of American democracy. Its twin principles—access to the public square and, to the extent government regulation of access is required, neutrality of the government with respect to the content of regulated speech—work to remove the state from the advancement of any particular conception of society and economy. Accordingly, the U.S. government will come to the question of the organization of transnational channels of communication with the same assumptions that govern the regulation of communication in the U.S. In brief, the maximum flow of information will be sought under the theory that access to information is ultimately liberating for the individual and maximizes his opportunity to pursue his self-interest.

A related U.S. interest is in the triumph of free market principles in the sector of the economy related to communications, given the existing U.S. advantage in the relevant technologies. And arguably, the underlying philosophy of freedom of speech in the U.S. constitutional law governing

U.S. democratic process is related in a much deeper way to social organization based on the competitive values associated with free market-based society. Justice Holmes in a seminal view connected the democratic theory of the U.S. Constitution to the "marketplace of ideas."20 Strikingly, Homes' felicitous phrase hearkens back to the formulation of John Milton—"Let [truth] and falsehood grapple…."21 It may well be significant that Milton's views expressed the worldview of the Protestant and secular forces which, during the 17th century English Civil War, laid the foundations for the emergence of capitalist society, economy and politics in modern England.22

Thus, if the particular understanding of the relationship between economic self-interest and democratic representation that dominates U.S. society and the U.S. approach to international organization continues to be widely influential in international law generally, it would not be surprising to see economic dimensions of self-interest take precedence in the management of the global communications regime as well. Early evidence of this development is the recent telecommunications agreement at the WTO, in which WTO member states agreed, in varying degrees and in varying timeframes, to adopt pro-competitive regulatory policies for even their most basic national telecommunications systems and to reduce barriers to trade in this services sector.23 Another noteworthy development is the successful pressure the U.S. deployed at the International Telecommunications Union (ITU) for the allocation of orbital slots—like the seabed under the Law of the Sea Convention of 1980, part of the "common heritage of mankind"—for privately-owned (including Bill Gates of Microsoft) efforts to deploy low-earth orbit satellites to create a global system of wireless telecommunications.24 At the same time, it should be noted that earlier in this decade, the ITU's International Frequency Registration Board (IFRB) rebuffed Tonga's attempt to lay claim, by mere notification as provided in the rules of the IFRB, to certain orbital locations.25 It seems clear that the market mechanism of the WTO is inexorably, even if gradually, taking precedence over the public mode of resource allocation of global communications resources through the ITU. The reinforcement of the market mechanism will serve it seems inevitably to direct the provision of communications services along channels cut through current patterns of economic development, connecting business interests in Windhoek, Namibia better with their counterparts in Silicon Valley than with their fellow nationals, tribesmen, or even kinsmen.26

As these developments accelerate, the possibilities for global culture increase. If so, the need for theory to reformulate international law in terms that take account of developments that can no longer be explained in the traditional language of state sovereignty also will become more pressing. If these new facts of transnational government begin to predominate, then, the model of freedom McLean advances may well become more persuasive to international law theorists (and perhaps even international law practitioners).

Treating Symptoms or Diseases—International Law Scholarship's Failed Remedies

The traditional international law scholarship has recognized the democratic deficit of international institutions and taken varying approaches in attempting to resolve it. One view has redefined sovereignty in terms of state participation in governing institutions, focusing on technical competence and managerial values of elite groups. 27 I have previously noted the deficiencies of this view.28 Another view has focused on right process and the alleged emergence of consensus on substantive values in a supposed transnational civil society (which, not surprisingly, conforms to the author's particular neo-Rawlsian views on legitimating principles for transnational

governance).29 Philip Trimble has demonstrated that this view seems to disregard the need to reconcile international law with non-Western conceptions of legal order. 30 An explanation for compliance with international norms, and thus the legitimacy of transnational governance, has also been sought in the "complex process of institutional interaction whereby global norms are not just debated and interpreted, but ultimately internalized by domestic legal systems." 31 Professor Trimble's analysis complements this approach by focusing on the possibility that international law becomes legitimate for each state through a process of translation of transnational norms.

One new promising approach, however, analyzes states, and accordingly state sovereignty, from a sociological perspective. Professors Goodman and Jinks thus argue that "the constitutive features of states derive from world-level cultural models, and the nature of sovereignty itself is a global cultural product."32 Surely, this approach opens the door to factoring in the effect of changing world culture—as it treats the state as only one of a number of institutions potentially having a role in transnational governance33 —along the lines of American-style globalization or along such other lines as may yet develop, for the theory and practice of international law.

Yet, as this recitation of recent, leading international law scholarship reveals, Fr. McLean's approach to the development of human freedom is not reflected in current, mainline international law scholarship. Marx may have argued that understanding the world yields the insight necessary to change it.34 It may be closer to the truth that the world first needs to be changed, before it can be understood, at least in the way that Fr. McLean's brilliant, and perhaps prophetic, paper envisions.

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Notes

1. See George McLean, "Solidarity and Subsidiarity as the Social Exercise of Human Freedom," at 1.

2. Id. at 4.

3. See Charter of the United Nations, Articles 2(1) and 2(7).

4. See Statute of the International Court of Justice, Article 38.

5. See generally David Bederman, The Souls of International Organizations: Legal Personality and the Lighthouse at Cape Spartel, 36 Virginia Journal of International Law 275 (1997); and Daniel Bradlow, International Organizations and Private Complaints: The Case of the World Bank Inspection Panel, 34 Virginia Journal of International Law 553 (1994).

6. See Vienna Convention on the Law of Treaties, Articles 64 and 71.

7. Compare UN Charter, art. 2(7)(domestic jurisdiction) with arts. 55 and 56 (human rights).

8. See generally Antonio F. Perez, On the Way to the Forum: The Reconstruction of Article 2(7) and the Rise of Federalism Under the United Nations Charter, 31 Texas International Law Journal 353 (1996).

9. See Antonio F. Perez, The Passive Virtues and the World Court: Pro-Dialogic Abstention by the International Court of Justice, 18 Michigan Journal of International Law 399, 429-444 (1997).

10. UN Charter, art. 39.

11. See Paul Williams & Jennifer Harris, State Succession to Debts and Assets: The Modern Law and Policy, 42 Harvard International Law Journal 355, 409 (2001). Similarly, "the creditor states were indifferent to inter-successor state agreements when determining liability for debts and took little interest in promoting agreement on the allocation of assets." Id. at 414. This absence of consent brings into sharp relief the political process and accountability defects of international financial institutions, which serve as an example of a broader deficit. See also Daniel D. Bradlow, Symposium: Globalization and Sovereignty: Should the International Financial Institutions Play a Role in the Implementation and Enforcement of International Humanitarian Law?, 50 Kansas Law Review 695 706 (2002) (highlighting lack of political accountability); see generally Thomas Franck, Fairness in International Law and Institutions 3 (1995)(identifying governance failures of international institutions from a procedural justice framework of analysis); and Paul B. Stephen, The New International Law—Legitimacy, Accountability, Authority, and Freedom in the New Global Order, 70 University of Colorado Law 1555 (1999) (explaining governance failures of international institutions from a public choice perspective).

12. See Agreement Establishing the World Trade Organization, Arts. IX and X, 33 International Legal Materials 1125 (1994). For most purposes, this means "states," although the WTO does contemplate non-state members that constitute a territorial entity with control over customs issues (even if that territory, such as Taiwan, is not for political reasons recognized internationally as a sovereign state.

13. See W. Michael Reisman, Coercion and Self-Determination, 78 American Journal of International Law 642 (1984); and Sovereignty and Human Rights in Contemporary Perspective, 84 American Journal of International Law 866 (1990); see also Thomas Franck, The Democratic Entitlement, 86 American Journal of International Law 1 (1992).

14. Compare James Madison, The Federalist Papers, No. 10 (reliance on factions to form temporary governing coalitions as interests converge on particular, but not all, issues) with Arend Lijphart, Ethnic Minorities in Power-Sharing Systems, in THE RIGHTS OF MINORITY CULTURES 275, 284 (Will Kymlicka ed., 1995) (discussing conditions for stability in permanently divided societies).

15. See Henkin et al, Cases and Materials on International Law 266 et seq. (1993); and John Dugard, Recognition and the United Nations (1987).

16. See Koen Lanaerts, The Principle of Subsidiarity and the Environment in the European Union: Keeping the Balance of Federalism, 17 Fordham International Law Journal 846 (1994) (member of the Court of First Instance of the European Court of Justice); and George Bermann, Taking Subsidiarity Seriously: Federalism in the European Community and the United States, 94 Columbia Law Review 331 (1994).

17. F.W. Maitland, The Forms of Action at Common Law 2 (1936 ed.).

18. See Thomas L. Friedman, The Lexus and the Olive Tree (1999) (arguing no country with a McDonald's has bombed another country with a McDonald's).

19. U.S. Constitution, Amendment 1 ("Congress shall make no law … abridging the freedom of speech, or of the press; or the right of the people peaceably to assembly, and to petition the Government for a redress of grievances.").

20. See Abrams v. United States, 250 U.S. 616, 630-31 (1919) (Holmes, J., dissenting).

21. John Milton, AEROPAGITICA: A Speech for the Liberty of Unlicensed Printing to the Parliament of England (1644) ("[a]nd though all the winds of doctrine were let loose to play, so truth be in the field, we do injuriously, by licensing and prohibiting, to misdoubt her strength. Let her and Falsehood grapple: Who ever know Truth put to the worse in a free [en]counter?").

22. See Max Weber, The Protestant Ethic and the Spirit of Capitalism (Talcott Parsons trans., 1958)(1904)(emphasizing the Reformation's role in increasing the role of individual conscience and autonomy, thus laying the groundwork for capitalist individualism); and Michael Walzer, The Revolution of the Saints: A Study in the Origins of Radical Politics (1965) (describing the seventeenth-century struggles between Calvinists and Jesuits as the beginning of modern revolutionary politics and radical parties).

23. See WTO: Agreement on Telecommunications Services [Fourth Protocol to the General Agreement on Trade in Services], 36 International Legal Materials 354 (1997).

24. Motorola's Iridium project, with 70 satellites planned for low Earth orbit, was well publicized. Patrick Seitz, Iridium Venture Sews Up Equity Financing, SPACE NEWS, Sept. 26-Oct. 2, 1994, at 16. But Bill Gates and Craig McCaw's Teledesic project was intended to be larger than any satellite installation ever planned or built, by a factor of ten. Sandra Sugawara, A Glut Around the Globe?, WASH. POST, Sept. 13, 1994, at D1; and Mike Mills, Orbit Wars, WASH. POST MAGAZINE, Aug. 3, 1997, at 8. While these particular commercial ventures have since failed, the pressure for privatization of space continues to mount. See Richard Berkley See, Space Law versus Space Utilization: The Inhibition of Private Industry in Outer Space, 15 Wisconsin Journal of International Law 421 (1997)(arguing for increased privatization to improve efficiency of resource use).

25. See Francis Lyall, Posts and Telecommunications, in 2 United Nations Legal Order 789, 816-17 (Schachter and Joyner eds. 1995).

26. See generally William Wresch, Disconnected: Haves and Have Nots in the Information Age (1996).

27. See Abram Chayes & Antonia Handler Chayes, The New Sovereignty: Compliance With International Regulatory Agreements (1995).

28. See Perez, Who Killed Sovereignty? Or: Changing Norms Concerning Sovereignty in International Law, 14 Wisconsin International Law Journal 463 (1996).

29. See generally Frank, Fairness in International Law and Institutions (1995).

30. See Philip Trimble, Globalization, International Institutions, and the Erosion of National Sovereignty and Democracy, 95 Michigan Law Review 1944 (1997).

31. Harold Koh, Why Do Nations Obey International Law?, 106 Yale Law Journal 2599, 2602 (1997) (italics omitted).

32. Ryan Goodman & Derek Jinks, Toward an Institutional Theory of Sovereignty, 55 Stanford Law Review 101, 136 (2003).

33. See Anne-Marie Slaughter, The Real New World Order, Foreign Affairs, Sept.-Oct. 1997, at 183 (describing the new world governance system as a network, or "dense web of relations" between a changing cast of transnational state and non-state actors).

34. See Karl Marx, The Communist Manifesto, in The Marx-Engels Reader (Robert C. Tucker ed., 1972).

Chapter VII

Solidarity and Subsidiarity as the Social Exercise of Human Freedom

George F. Mclean

As we come to the close of the 20th century, the turn of the millennium calls for, and augurs, profound changes. The last millennium has been characterized by an intensive development of human reason. In the West this began soon after 1000 AD with the reintroduction of the work of Aristotle; it was radicalized from 1500 as the age of rationalism and the enlightenment unfolded. This now has borne its fruits, which in the last century have been both sweet in the important rise in the standards of living and the emancipation of peoples, and bitter in devastating ideological conflicts both hot and cold.

Now, however, the peoples of the world seem to be moving beyond rationalism to a great project of reconstructing democratic practice. This focuses no longer on ideologies and structures, but on people in natural communities and solidarities and their efforts to become increasingly creative and to take responsibility for their life. This, in a way, is the utopian vision of Marx as people seek to realize the conditions of freedom and to begin, with others, to shape their common life after the ideals of justice and peace, harmony and cooperation. As a result the focus of attention reaches beyond the political with its focus on power, and the economic with its focus on profit. It focuses upon its people, now no longer as amorphous masses or tools of industry, but as persons informed and responsible, uniting freely in human solidarities, to act responsibly and creatively each in their own field. This is the reality called civil society or civil culture emerging as a newly vibrant reality which promises in contrast to the negative and skeptical critique of modernity to begin positively to shape a more globally sensitive 3rd millennium.

In order to understand this development and how it can be appropriately promoted we will first look back to Parmenides and Aristotle in order to understand the place of freedom as basic to community; second, consider how this might be redeveloped in ways which surpass the reductionist structures of modern rationalism if considered also in the more integrative categories of culture and aesthetics; and then look for the foundations of a metaphysics which can weld people together responsibly, in a unity that is truly civil both in its members and in their mode of exercising their freedom.

Democracy, Civil Society as Exercise of Freedom: Self-Governance, Solidarity and Subsidiarity

Aristotle begins his politics not historically but by thematically delineating the elements in which political life consists.1 Both however bring us to the same point, namely, that to be political means to govern and be governed as a member of a community. Most properly the political bespeaks governance or directive action toward the goal. This involves then both the source and the goal of governance.

Self-Governance

Governance is expressed by the term *arché* which originally means beginning, origin or first source. Secondly, this is extended to governance in the sense of sovereignty, that is, directing others toward a good or a goal while not oneself being necessitated by others. The focus then is not autocratic imposition of self-serving will, as it has been commonly interpreted, but the beginning or origin of social action, which takes responsibility for the overall enterprise as characteristically human; it is the exercise of freedom by individuals and groups in originating responsible action. Though most actions of humans at the different inorganic and organic levels can be performed by other physical realities, it is precisely as these actions are exercised under the aegis of freedom that they become properly human acts. This issue of corporate directive freedom—its nature and range—is then the decisive issue as regards civil society. How this is needed and how it can be effectively exercised today is the heart of the issue of civil society for our times.

The second dimension of the issue of governance in Aristotle is its end, goal or purpose. This is indicated in what many have seen as a correction of his evaluation of types of governance. His first classification of modes of government was drawn up in terms of the quantity of those who shared in ruling. When ruling is seen as a search of material possessions or property, this tends to be an oligarchy; rule is by the few because generally only a few are rich. Democracy, in contrast, is rule by the many who are poor.2 Aristotle needed to improve on this basically quantitative division founded empirically on the changing distribution of property, for conceptually there could be a society in which the majority is rich. Hence, he chooses instead a normative criterion, namely, whether governance is exercised in terms of a search not for goods arbitrarily chosen by a few out of self-interest, but for the common good in which all can participate.3 In this light governance has its meaning as a species of broader reality, namely, the community (*koinonia*) which comes together for its end, namely, happiness or the good life of the whole. Community supposes the free persons of which it is composed; formally it expresses their conscious and free union with a view to a common end, namely, the shared good they seek.

The polis is then a species of community. It is a group, which as human and hence free and self-responsible, comes together in governance to guide efforts toward the achievement of the good life. Community and governance are not the same or tautological, but they do go together for persons are united as a community by their common orientation to the same end, and as free they rightly guide or govern themselves toward that end. In this way Aristotle identifies the central nature of the socio-political order as being a *koinonia politika*or "civil society."

Civil society then has three elements. First there is governance: *arché*, the beginning of action or the taking of initiative toward an end; this is the free and responsible exercise of human freedom. But as this pertains to persons in their various groups and subgroups there are two other dimensions of freedom, namely, communication or solidarity with other members of the groups and the participation or subsidiarity of these groups or communities within the whole. In search for the goal or end, that is, for the common good, the participants form communities marked by solidarity and interrelated in subsidiarity. Thus to understand a civil society we must seek to uncover the solidarity and subsidiarity of the community as ways in which the freedom of its members is shaped into the governance of life toward the common good.

Solidarity and Community

Through time societies have manifested in increasing diversity of parts; this constitutes their proper richness and strength. As the parts differ one from another, this increase is numerical,

thereby bringing quantitative advantage as with an army. But it is even more important that the parts differ in kind so that each brings a distinctive concern and capability to the common task. Further, differing between themselves, one member is able to give and the other receive in multiple and interrelated active and receptive modes. This means that the members of a society not only live their freedom alongside others, but that their shared effort to realize the good life thrives through the mutual interaction of their freedom.

Aristotle develops this theme richly in chapter 6, "On Friendship," in Book IX of his *Nicomachean Ethics*, stressing a theme which will reemerge later, namely, that the members of a civil society need to be of one mind and one heart. Toward the end of this chapter he evolves the importance of this for the common weal.4

Such solidarity of the members of society is one of its essential component characteristics. Plato would use the terms *methexis* and *mimesis* or participation for this. But Aristotle feared that if the individual were seen as but another instance of a specific type or an image of the primary form, then individuals would lose their reality. So he soon ceased to use this term; the term 'solidarity' which recognizes the distinctive reality of the parts seems better to reflect his thought.

In the human body, where there is but one substantial form, the many parts exist for the whole and the actions of the parts are actions of the whole (it is not my legs and feet which walk; I walk by my legs and feet). Society also has many parts and their differentiation and mutuality pertain to the good of the whole. But in contrast to the body, the members of a community have their own proper form, finality and operation. Hence, their unity is an accidental one of order, that is in terms of the relation or order of their capabilities and actions to the perfection of the body politic or civil society and the realization of its common good.

Aristotle does not hesitate to state strongly the dependence of the individual's exercise of freedom on the community in order to live a truly human life, concluding that the state is a creation of nature prior to the individual.5 Nevertheless, in as much as the parts are realities in their own right, outside of any orientation to the common good of the whole, society is ultimately is for its parts: the society is for its members, not the contrary.

*Subsidiarity and Community*6

But there is more than solidarity to the matter of order of which a civil society is constituted. Community in general is constituted through the cooperation of many for the common goal or good, but the good or goal of a community can be extremely rich and textured. It can concern nourishment, health maintenance, environmental soundness; it includes education both informal and formal, both basic and advanced, initial and retraining; it extends to nutrition, culture, recreation, etc., etc., all the endless manners in which human beings fulfill their needs and capacities and seek "the good life." As each of these can and must be sought and shared through the cooperation of many, each is the basis of a group or subgroup in a vastly varied community.

When, however, one adds the elements of governance (*arché*), that is, the element of freedom determining what will be done and how the goal will be sought, then the dimension of subsidiarity emerges into view. Were we talking about things rather then people it would be possible to envisage a technology of mass production in a factory automatically moving and directing all the components automatically toward the final product. Where, however, we are concerned with a community and hence with the composite exercise of the freedom of the persons who constitute its membership, then it is crucial that this not be substituted for by a command from outside or from above. Rather governance in the community initiating and directing action toward the

common end must be exercised in a cumulative manner beginning from the primary group, the family, in relation to its common good, and moving up to the broader concerns or goals of more inclusive groups considered both quantitatively (neighborhood, city, nation, etc.), and qualitatively (education, health, religion) according to the hierarchy of goods which are their concerns.

Aristotle recognizes the many communities as parts of the political order when he treats justice and friendship inasmuch as this seeks not particular advantage but that of the whole.7 Justice here, as distributive, is not arithmetic but proportionate to those involved according to the respect and honor that is due to each.8 In the *Politics* in his concern for the stability of the state he stresses the need for a structured diversity. Groups such as the family and village differ qualitatively from the state and it is necessary to recognize this and promote them as such for the vitality of the whole.

The synergetic ordering of these groups, considered both quantitatively and qualitatively and the realization of their varied needs and potentials is the stuff of the governance of civil society. The condition for success in this is that the freedom and hence responsible participation of all be actively present and promoted at each level. Thus, proper responsibility on the family level must not be taken away by the city, nor that of the city by the state. Rather the higher units either in the sense of larger numbers or more important order of goods must exercise their governance precisely in order to promote the full and self-responsible action of the lower units and in the process enable them to achieve goals which acting alone they could not realize. Throughout, the concern is to maximize the participation in governance or the exercise of freedom of the members of the community, thereby enabling them to live more fully as persons and groups so that the entire society flourishes. This is termed subsidiarity.

Thus through considering phenomenologically Aristotle's analysis of the creative activity of persons striving consciously and freely toward their goals it is possible to articulate the nature and constituent elements of civil society as a conscious goal of persons and peoples. It is a realm of persons in community solidarity and through a structure of subsidiarity participating in self-governance.

This manifests also the main axes of the unfolding of the social process in Greece, namely:

- (a) from the Platonic stress upon unity in relation to which the many are but repetitions, to the Aristotelian development of diversity as necessary for the unfolding and actualization of unity;
- (b) from emphasis upon governance by authority located at the highest and most remote levels, to participation in the exercise of governance by persons and groups at every level and in relation to matters with which they are engaged and responsible;
- (c) and from attention to one's own interests, to attention to the common good of the whole.

Levels of Freedom

If civil society is the work of freedom, their study requires first a consideration of the levels at which freedom operates. A number of such levels have been distinguished through the history of Western philosophy. Each can makes its proper contribution to the realization of human life. But if the range of freedom be limited then society life will be stilted at its source and peoples will be deprived of the competencies they need to relate constructively to others.

To examine these levels we shall draw especially upon the work of Mortimer J. Adler and his team at The Institute for Philosophical Research; this was published in two volumes as *The Idea of Freedom: A Dialectical Examination of the Conceptions of Freedom*.9 Their corporate examination of the body of philosophical literature identified three major modes in which freedom

has been understood, namely, circumstantial, acquired and natural, as well as the corresponding abilities or powers of the self in virtue of which freedom is exercised, namely, self-realization, self-perfection and self-determination."10 This yields the following scheme:

Mode of Possession Mode of Self11
1. Circumstantial <———> 1. Self-realization
2. Acquired <————————> 2. Self-perfection
3. Natural <————————————> 3. Self-determination

As a result the team distinguished three major levels of freedom, namely:12

(A) Circumstantial freedom of self-realization: "To be free is to be able, under favorable circumstances, to act as one wishes for one's own individual good as one sees it";
(B) Acquired freedom of self-perfection: "To be free is to be able, through acquired virtue or wisdom, to will or live as one ought in conformity to the moral law or an ideal befitting human nature"; and
(C) Natural freedom of self-determination: "To be free is to be able, by a power inherent in human nature, to change one's own character creatively by deciding for oneself what one shall do or shall become."

When we look into the philosophical basis from which these various senses of freedom have arisen, what appears striking is that each of the three types of freedom corresponds to a specific epistemology and metaphysics: Circumstantial freedom of self-realization is the primary type of freedom recognized by empirically oriented philosophers; acquired freedom of self-perfection is characteristic of rationalist, formalist and essentialist philosophers; natural freedom of self-determination is developed by philosophers who are sensitive as well to the existential dimension of being. This suggests that the metaphysical underpinnings of a philosophy control its epistemology; that, especially in modern times, this in turn controls its philosophical anthropology, ethics and politics; and by extension that it specifies the range of meaning to which a culture is open and consequently the level at which it can respond to present challenges. With this is mind the following review of the types of freedom will begin from their respective epistemological and metaphysical contexts and in that light proceed to their notion of freedom.

Circumstantial Freedom of Self-realization

At the beginning of the modern stirrings for democracy John Locke perceived a crucial condition for a liberal democracy. If decisions were to be made not by the king but by the people, the basis for these decisions had to be equally available to all. To achieve this Locke proposed that we suppose the mind to be a white paper void of characters and ideas, and then follow the way in which it comes to be furnished. To keep this public he insisted that it be done exclusively via experience, that is, either by sensation or by reflection upon the mind's work on the materials derived from the senses.13 From this David Hume concluded that all objects of knowledge which are not formal tautologies must be matters of fact. Such "matters of fact" are neither the existence or actuality of a thing nor its essence, but simply the determination of one from a pair of sensible contraries, e.g. white rather than black, sweet rather than sour.14

The restrictions implicit in this appear starkly in Rudolf Carnap's "Vienna Manifesto," which shrinks the scope of meaningful knowledge and significant discourse to describing "some state of affairs" in terms of empirical "sets of facts." This excludes speech about wholes, God, the unconscious or entelechies; the grounds of meaning and all that transcends the immediate content of sense experience are excluded.

The socio-political structures which have emerged from this model of Locke have contributed much, but a number of indices suggest that he and others have tried too hard and too exclusively to work out their model on an empirical basis. For in such terms it is not possible to speak of appropriate or inappropriate goals or even to evaluate choices in relation to self-fulfillment. The only concern is which objects among a set of contraries I will choose by brute, changeable and even arbitrary will power, and whether circumstances will allow me to carry out that choice. Such choices, of course, may not only differ from, but even contradict the immediate and long range objectives of other persons. This will require compromises in the sense of Hobbes; John Rawls will even work out a formal set of such compromises.15

Through it all, however, the basic concern remains the ability to do as one pleases: "being able to act or not act, according as we shall choose or will."16 Its orientation is external in practice as regards oneself; over time this comes to constitute a black-hole of self-centered consumption of physical goods in which both nature and the person are consumed. This is the essence of consumerism; it shrinks the very notion of freedom to that of vicious competitiveness in the pursuit of material wealth. Freedom in this sense remains basically Hobbes' principle of conflict; it is the liberal ideology built upon the conception of human nature as corrupted, of man as wolf, and of life as conflict. Hopefully this will be exercised in an "enlightened" manner, but in this total inversion of human meaning and dignity laws and rights can be only external remedies which by doing violence to man's violent tendencies attempt to attenuate to the degree necessary of man's and self-centered choices and hence basic vicariousness of his life. There must be better understandings of human freedom and indeed these emerge as soon one looks beyond external objects to the interior essence and existence of the human subject of all things.

Acquired Freedom of Self-perfection

For Kant the heteronomous external and empiricist character of the above disqualifies it from being moral at all, much less from constituting human freedom. In his first *Critique of Pure Reason,* Kant had studied the role of mind in the scientific constitution of the universe. He reasoned that because our sense experience was always limited and partial, the universality and necessity of the laws of science must come from the human mind. This was an essential turning point for it directed human attention to the role of the human spirit and especially to the reproductive imagination in constituting the universe in which we live and move.

But if the forms and categories with which we work are from our mind, how we construct with them is not arbitrary. The imagination must bring together the multiple elements of sense intuition in a unity or order capable of being informed by the concepts or categories of the intellect with a view to constituting the necessary and universal judgments of science. The subject's imagination here is active but not free, being ruled by the categories integral to the necessary and universal judgements of the sciences. In these terms the human mind remains merely an instrument of physical progress and a function of matter.

In his second *Critique*, of the Practical Reason beyond the set of universal, necessary and ultimately material relations, Kant points to the reality of human responsibility. However, if man

is responsible, then there is about him a distinctive level of reality irreducible to the laws of physical nature. This is the reality of freedom and spirit which characterizes and distinguishes the person. In its terms he recasts the whole notion of law or moral rule. If freedom is not to be chaotic and randomly destructive, it must be ruled or under law: to be free is to be able to will as I ought, i.e., in conformity with moral law.

Yet in order to be free the moral act must be autonomous. Hence, my maxim must be something which as a moral agent I—and no other—give to myself. I am free because I am the lawmaker, but my exercise of this power cannot be arbitrary. If the moral order must be universal, then the maxim which I dictate must be fit to be also a universal law for all persons.

On this basis, a new level of freedom emerges. It is not merely self-centered whimsy in response to circumstantial stimuli; nor is it a despotic exercise of the power of the will; nor is it the clever self-serving eye of Plato's rogue. Rather, it is the highest reality in all creation; to will as I ought is a wise and caring power, open to all and bent upon the realization of "the glorious ideal of a universal realm of ends-in-themselves." In sum, it is free men living together in righteous harmony. This is what we are really about; it is man's glory—and his burden.

Unfortunately, for Kant this glorious ideal remained on the formal plane; it was a matter of essence rather than of existence. It was intended as a guiding principle, a critical norm to evaluate the success or failure of the human endeavor—but it was not the human endeavor itself. For failure to appreciate this, much work for human rights remains at a level of abstraction which provides only minimal requirements. It might found processes of legal redress, but stops short of, and may even distract from and thus impede positive engagement in the real process of constructing the world in which we live (witness the paralysis of Europe in the face of the Jugoslav dissolution of Europe's moral and hence legal foundations).

Thus, this second level of freedom makes an essential contribution to human life; we must not forget it nor must we ever do less. But is does not give us the way in which we as unique people in this unique time and space face our concrete problems. We need common guides but our challenge is to act concretely. Can philosophy, without becoming politics or other processes of social action, consider and contribute to their actual process of human existence as we shape and implement our lives in freedom?

When the contemporary mind proceeds beyond objective natures to become more deeply conscious of human subjectivity, and of existence precisely as emerging in and through human self-awareness, then the most profound changes must take place. The old order built on objective structures and norms would no longer be adequate; structures would crumble and a new era would dawn. This is indeed the juncture at which we stand.

Natural Freedom of Self-determination

Progress in being human corresponds to the deepening of man's sense of being from the Platonic forms and structures, essences and laws, to 'act' in Aristotle and especially to 'existence' as it emerged in Christian philosophy through the Middle Ages. More recently this sensibility to existence has emerged anew through the phenomenological method for focusing upon intuitionality and the self-awareness of the human in person in time (*Dasein*). This opens the task of deciding for oneself in virtue of the power "inherent in human nature to change one's own character creatively and to determine what one shall be or shall become." This is the most radical freedom, namely, our natural freedom of self-determination.

This basically is self-affirmation in terms of our teleological orientation toward perfection or full realization which we saw to be the very root of the development of values, virtues and hence of cultural traditions. It implies seeking when that perfection is absent and enjoying or celebrating it as attained. In this sense, it is that stability in one's orientation to the good which classically has been termed holiness and anchors such great traditions of the world as the Hindu and Taoist and the Islamic and Judeo-Christian. One might say that this is life as practiced by the saints and holy men, but it would be more correct to say that it is because they lived in such a manner that they are called holy.

In his third *Critique*,17 Kant suggests an important insight regarding how this might form a creative force for confronting present problems and hence for passing on the tradition in a transforming manner. He sees that if the free person of the second *Critique* were to be surrounded by the necessitarian universe of the first *Critique*, then his freedom would be entrapped and entombed within his mind, while his actions would be necessary and necessitated. If there is to be room for human freedom in a cosmos in which man can make use of necessary laws, indeed if science is to contribute to the exercise of human freedom, then nature too must be understood as directed toward a goal and manifest throughout a teleology within which free human purpose can be integrated. In these terms, even in its necessary and universal laws, nature is no longer alien to freedom; rather it expresses divine freedom and is reconciliable with human freedom.

This makes the exercise of freedom possible, but our issue is how this freedom is exercised in a way that creates civil society, i.e., how can a free person relate to an order of nature and to structures of society in a way that is neither necessitated nor necessitating but free and creative? In the "Critique of Aesthetic Judgment," Kant points out that in working toward an integrating unity the imagination is not confined by the necessitating structures of categories and concepts as in the first *Critique18* or the regulating ideal of the second*Critique*. By returning to the order of essences these would omit the uniqueness of the self and its freedom. Rather, it ranges freely over the full sweep of reality in all its dimensions to see whether relatedness and purposiveness can emerge. This ordering and reordering by the imagination can bring about numberless unities. Unrestricted by any *a priori* categories, it can integrate necessary dialectical patterns within its own free and therefore creative production, and include scientific universals within its unique concrete harmonies.19This is the proper and creative work of the human person in this world.

In order for human freedom to be sensitive to the entirety of this all-encompassing harmony, in the final analysis our conscious attention must be directed not merely to universal and necessary social structures, nor to beauty and ugliness either in their concrete realizations or even in themselves. Rather, our focus must be upon the integrating images of those which we imaginatively create as manifesting the many facets of beauty and ugliness—actual and potential. Further, if this creative freedom, rather than abstract schemes, is to rule our creative choices then our integrating images must be evaluated in terms of our free and integrating response of pleasure or displeasure, enjoyment or revulsion, generated by these images deep within our person as in our lives we attempt to have our world according to the relation of our will to the good and hence to realize the good for our times.20

In this manner freedom becomes at once the creative source, the manifestation, the evaluation and the arbiter of all that imaginatively we can propose. It is goal, namely to realize life as rational and free in this world; it is creative source for through the imagination it unfolds the endless possibilities for human expression; it is manifestation because it presents these to our consciousness in ways appropriate to our capabilities for knowledge of limited realities and relates these to the circumstances of our life; it is criterion because its response manifests a possible mode

of action to be variously desirable or not in terms of a total personal response of pleasure or displeasure, enjoyment or revulsion; and it is arbiter because it provides the basis upon which our freedom chooses to affirm or reject, realize or avoid this mode of self-realization.

Thus, freedom in this third existential sense emerges as the dynamic center of our life. It is the spectroscope and kaleidoscope through which is processed the basic thrust toward perfection upon which we shall see culture to be based and by which its orders of preference are set. The philosophical and religious traditions it creates become the keys to the dynamics of human life. Hence the possibilities of peace and cooperation must be fundamentally in their potentialities for overcoming the proclivities of the first level of freedom for confrontation and violent competition, for surmounting the minimal criteria of the second level of freedom, and for setting in motion positive processes of peaceful collaboration.

Principles of Freedom as Essentially Social

The previous sections have enabled us to locate the specific existential level of freedom at which we are able to create a civil culture and society. Concretely it is the question of whether human life and hence human freedom are closed, self-centered and basically anti-social or rather open, social and hence basically conative of the solidarity and subsidiarity of which civil society consists. This raises the question: Does human freedom have civil society as an integrating horizon and, indeed, an integrating reality?

Kant himself could say only that to be authentically human, life had to be lived "as if" all is teleological. But then its exercise would be restricted to the confines of the human imagination; freedom would be not only self-determining but self-constituting and self-limited. In contrast, if the human spirit strives deeply to realize the life of persons, then the transcendent principle it requires must be the most real in heaven and earth; if freedom presents us with a limitless range of possibilities, then its principle must be the Infinite and Eternal, the Source and Goal of all possibility. This Transcendent is the key to real liberation: it not only gives absolute grounding to one's reality and certifies one's right to be respected, but evokes the creative powers of one's heart, frees them from the confines of one's own slow, halting and even partial creative activity, and plunges them into infinite possibility and power.

This can be approached through the steps of phenomenological reflection on the person as gift. First, our self-identity and interpersonal relatedness are not made by us, but givens with which we work.

Second, if we reflect on the character of a gift we note that it has a radical character: to attempt to pay for it in cash or in kind would destroy its nature as gift. As gratuitous, gift is based primarily in the freedom of the giver, not in the merit of the one who receives. There is here striking symmetry with the 'given' in the sense of hypothesis or evidence. In the line of hypothetical and evidential reasoning there is a first, namely, that which is not explained, but upon which explanation is founded. Here, there is also a first upon which the reality of the gift is founded and which is not to be traced to another reality. This symmetry makes what is distinctive of the gift, namely, that the gift's originating action is not traced back further, that it is precisely free or gratuitous. Once again, our reflections lead us in the direction of that which is self-sufficient, absolute and Transcendent as the sole adequately gratuitous source of the gift of being.

Third, as an absolute point of departure with its distinctive spontaneity and originality, the giving is non-reciprocal. To attempt to repay would be to destroy the gift as such. Indeed, there is no way in which this originating gratuity can be returned; we live in a graced condition. This

appears in reflection upon one's culture. What we received from the Bible, the Koran or the Vedas, from a Confucius or an Aristotle, can in no way be returned. Nor is this simply a problem of distance in time, for neither is it possible to repay the life we have received from our parents, the health received from a doctor, the wisdom from a teacher, or simply the good example which can come from any quarter at any time. The non-reciprocal character of our life is not merely that of part to whole; it is that of a gift to its source.21

This parallels a basic insight suggested in the Upanishads and perhaps the basic insight for metaphysics.

In the beginning, my dear, this world was just being (*Sat*), one only, without a second. . . . Being thought to itself: 'May I be many; may I procreate.' It produced fire. That fire thought to itself: 'May I be many; may I procreate.' It produced water. . . . That water thought to itself: 'May I be many; may I procreate.' It produced food. . . . That divinity (Being) thought to itself: 'Well, having entered into three divinities (fire, water, and food) by means of this living Self, let me develop names and forms. Let me make each one of them tripartite.22 (*Chandogya Up*., 6.3-1, 12-14)

In a certain parallel to the antinomies of Kant which show when reason has strayed beyond its bounds, many from Plotinus to Leibniz and beyond have sought knowledge, not only of the gift and its origin, but of why it had to be given. The more they succeeded the less room was left for freedom on the part of man as a given or gift. Others attempted to understand freedom as a fall, only to find that what was thus understood was bereft of value and meaning and hence was a source of violence in human life and its cultures. Rather, the radical non-reciprocity of human freedom must be rooted in an equally radical generosity on the part of its origin. No reason, either on the part of the given or on the part of its origin, makes this gift necessary.

Fourth, the freedom of man as the reflection of his derivation from a giving that is pure generosity is the image of God. Freedom thus received implies a correspondingly radical openness or generosity: the gift is not something which is and then receives, but is essentially gift. It was an essential facet of Plato's response to the problems he had elaborated in the *Parmenides* that the multiple can exist only as participants of the good or one. Receiving is not something they do; it is what they are.23 As such they reflect at the core of their being not the violent self-seeking of the first level of freedom or the passive principles of the second level, but the open, active and creative reality of the generosity in which they originate.

The truth of this insight is confirmed from many directions. Latin American philosophies begin from the symbol of earth as the fruitful source of all (reflected in the Quechuan language of the Incas as the "Pacha Mama"). This is their preferred context for their sense of human life, its relations to physical nature, and the meeting of the two in technology.24 In this they are not without European counterparts. The classical project of Heidegger in its later phases shifted beyond the unconcealment of the being of things-in-time, to Being which makes the things manifest. The *Dasein*, structured in and as time, is able to provide Being a place of discovery among things,25 but it is being which maintains the initiative; its coming-to-pass or emission depends upon its own spontaneity and is for its sake. "Its 'there' (the *da-* of *Dasein*) only sustains the process and guards it," so that in the openness of concealed Being beings can appear un-concealed.26

The African spirit, especially in its great reverence for family, community and culture—whence one derives one's life, one's ability to interpret one's world, and one's capacity to respond—may be uniquely positioned to grasp this more fully. In contrast to Aristotle's classical 'wonder', these philosophers do not situate the person over against the object of his or her concern,

reducing both to objects for detached study and manipulation. They look rather to the source from which reality is derived and are especially sensitive to its implications for the mode and manner of life as being essentially open, communicative, generous and sharing.

Seen in terms of gift, freedom at its third level has principles for peaceful cooperation, not only with my people whose well-being is in a sense my own, but with increasingly broader sectors, and potentially and in principle, with the whole of mankind. First, the good is not only what contributes to my perfection; being received, it is essentially out-going. The second principle is that of complementarity. As participants in the one, self-sufficient and purely spontaneous source, the many are not in principle antithetic or antipathetic one to another. Rather, as limited images they stand in a complementary relation to all other participants or images. This means that others and their cultures are to be respected simply because they too have been given or gifted by the one Transcendent source. This is an essential step which Gandhi, in calling outcasts by the name "harijans" or "children of God," urged us to take beyond the first sense of freedom which sees others only as contraries against whom we choose. Conversely, it means that as complementary we need each other.

Fifth, as one does not first exist and then receive, but one's very existence is a received existence or gift, to attempt to give back this gift, as in an exchange of presents, would be at once hopelessly too much and too little. On the one hand, to attempt to return in strict equivalence would be too much for it is our very self that we have received as gift. On the other hand, to think merely in terms of reciprocity would be to fall essentially short of my nature as one that is given, for to make a merely equivalent return would be to remain centered upon myself where I would cleverly trap, and then entomb the creative power of being.

Rather, looking back I can see the futility of giving back, and in this find the fundamental importance of passing on the gift in the spirit in which it has been given. One's freedom as given calls for a creative generosity which reflects that of one's source. This requires breaking out of oneself as the only center of one's concern. It means becoming effectively concerned with the good of other persons and other groups, and for the promotion and vital growth of the next generation and of those to follow.

Finally, that others are quintessentially free and creative implies the need to open one's horizons beyond one's own self-concerns to the ambit of the freedom of others and what they freely would be and would become. This involves promoting the development of other free and creative centers and of the cultures they create—which, precisely as such, are not in one's own possession or under one's own control. One lives then no longer in terms merely of oneself or of things that one can make or manage, but in terms of an interchange between free men and peoples. Personal responsibility is no longer merely individual decision making or for individual good. Effectively realized, the resulting interaction and mutual fecundation should reach out beyond oneself and even one's more limited group to reflect ever more perfectly the glory of the one infinite and loving source and goal of all.27

Will this indeed eventuate? Can we overcome the violent conflicts which the recent emergence of a sense of self-identity appears to have engendered? Freedom must not be reduced to its first level as an isometrics of violent conflict or to stop at the passive and universal formalisms of the second level. Rather to be human is to take up the burden of freedom at its existential level and to search deeply into its source and nature for principles of unity and open cooperation. The truth of these principles will be manifest most of all in their call for ever more inclusive patterns of solidarity and subsidiarity. Human progress for the coming millennium will consist in human genius in responding creatively to this call.

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Notes

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2. *Politics*, III, 7.
3. *Politics*, III, 8.
4. *Nichomachean Ethics*, IX, 6, 1167b13.
5. *Politics*, I, 2, 1253a20-37.
6. John Mavone, "The Division of Parts of Society According to Plato and Aristotle", *Philosophical Studies*, 6 (1956), 113-122.
7. *Nichomachean Ethics*, VII, 9, 1159b25-1160a30.
8. *Ibid*., V, 3.
9. (Garden City, N.Y.: Doubleday, 1958), 2 vols.
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11. *Ibid*., p. 587.
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17. Immanuel Kant, *Critique of Judgment*, trans. J.H. Bernard (New York: Hafner, 1968), pp. 205-339.
18. Immanuel Kant, *Critique of Reason*, trans. N.K. Smith (London: Macmillan, 1929), A112, 121, 192-193. Donald W. Crawford, *Kant's Aesthetic Theory* (Madison: University of Wisconsin, 1974), pp. 83-84, 87-90.
19. Immanuel Kant, *First Introduction to the Critique of Judgment*, trans. J. Haden (New York: Bobbs-Merrill, 1965).
20. See the chapter by Wilhelm S. Wurzer "On the Art of Moral Imagination" in G. McLean, ed., *Moral Imagination and Character Development* (Washington: The Council for Research in Values and Philosophy, in preparation) for an elaboration of the essential notions of the beautiful, the sublime and taste in Kant's aesthetic theory.
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23. Juan Carlos Scannone, "Ein neuer Ansatz in der Philosophie Lateinamerikas," *Philosophisches Jahrbuch*, 89 (1982), 99-116 and "La Racionalidad Cientifico-Technologica y la Racionalidad Sapiencial de la Cultura Latino Americana," *Stromata* (1982), 155-164.
24. William J. Richardson, *Heidegger: Through Phenomenology to Thought* (The Hague: Nijhoff, 1967), pp. 532-535.
25. Joseph Kockelmans, "Thanksgiving: The Completion of Thought," in Manfred S. Frings, ed., *Heidegger and the Quest for Truth* (Chicago: Quadrangle Books, 1968), pp. 175-179.

26. Schmitz, 84-86.

Chapter VIII

Towards the Idea of Civil Society and Two Understandings of the Principle of Subsidiarity

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In what follows I shall try to describe the fact that the idea of civil society has become fashionable today in political and social theory. My starting point characterizes two concepts of the idea of civil society; a normative notion and an ethical one. I will take account of this idea with respect to historical experience and the political tradition of Eastern/Central European countries, especially, those that struggle with transitional problems at every level of social life.

Regarding the issue of how civil society can be or could be organized, I examine the principle of subsidiarity, and its two different interpretations in Catholic ethics and within the process of European integration.

Introduction

It could be argued that as the new millennium approaches, the basic question which must be dealt with in our contemporary world revolves around reconstruction of society. Thinkers as diverse as MacIntyre, M. Walzer, D. Bell, R. Dahrendorf, Timothy G. Ash, A. Seligman and others seem to hold in common the view that the idea of civil society has returned to political and social theory in West and East/Central European thinking. But the revival of the concept of civil society in different definitions and uses has a different motivation for West authors and for Eastern Europe. Associational life in the West democratic countries seems at risk. Trust, solidarity, mutual assistance, political consensus are less certain and substantial than they once were. Networks scanning civil society are produced but reproductions have been neglected.

The former political and social thinkers try to analyze the idea of civil society regarding problems of democratization of institutions while the later ones investigate the idea of civil society in context with transitional problems in Eastern and Central Europe. After the collapse of communism in 1989 a slogan of civil society has become very popular among politicians and intellectuals in post-communist countries. This slogan has been used as the opposite to the authoritative state or as a synonym for democracy rather than as an *elaborated task* for political action.

Between Two Concepts of Civil Society

Generally, by civil society we can have in mind a normative concept, and on the other hand an ethical ideal. The first concept, different from the state and economy, is related to elements as plurality—a set of voluntary associations, informal groups; as publicity—institutions for communication, interaction, culture; as privacy—a domain of self-realization and self-development; as legality—including basic rights needed to demarcate these themselves from the state.1

Civil society simply means a place where in principle coercion is used only in order to keep the peace and all associations are equal before the law. The normative ideal of civil society of course has been attacked from every side. I would like to recall this one by H.Arendt. She tried to

rethink and rediscover key elements of civil society in light of Aristotle' s view of politics and ethics. According to Arendt the separation of the social sphere from the state was the beginning of political demobilization, leading to a gap between public and private and to the emerging of the totalitarian mass movement. This aspect of her criticism plays an important role today for me, facing contemporary nationalism in the sense of political ideology that is used for goals of political mobilization.

The second concept of civil society represents an ethical ideal of social order that could be harmonizing of conflicting interests and common good. Whiles the normative concept of civil society is related, primarily, with problems as equality before the law, various individual rights such as right to privacy, property, free speech and association; the second one obviously refers to principles of democracy and common good.

The concept of civil society as ethical ideals also has its own weakness. It is questionable whether its sphere of applicability is morality or politics or both. In fact we have to admit that the relationship of the ethical ideal of civil society to institutions of democracy has been never satisfactorily articulated.

Social thought provides different answers to questions about the 'good life'. Good life is related to the political community: the preferred setting for good life is the free cooperative production, or the market which is the basis for personal choices. Many authors state that civil society as ethical ideal may be well founded on incompatible moral and social ideals. This fact has its roots in different understandings of the nature of the individual and its relation to the social order.2

It can be said, for instance, that J. Rawls's position represents the individual as the source of important community arrangements, and MacIntyre's conception exemplifies the individual as the product of social arrangements. But with respect to the idea of civil society, it is also uncertain if civil society, like the ethical ideal, can make universal claims without presupposing a particular kind of life. Regarding the contemporary state of affairs in post-communist countries, it can be observed that the idea of 'civil society' in both uses tends to operate as an ideological alternative which lacks substantive value.

I would recall R. Dahrendorf, who rightly points out that there are not patterns ready at hand with which we could build democratic institutions and structures of civil society. According to him, it is clear that each of the new democracies will have to find its own way and can rest only on its own culture. Looking back it seems that Dahrendorf's warning was right. We are witnesses of a dangerous social polarization and disintegration and various conflicts which result from the emergence of the free market economy. Political demobilization, apathy, fear, and despair are widely spread among people in post-communist countries.

Whereas the Western tradition of parliamentary liberal democracy has always maintained the primacy and autonomy of civil society in its relation to the state, East/Central European countries have been characterized by a subsuming of the interests of civil society to ones of the state. This tradition is currently being transformed in a most crucial manner.

But the second side of the coin is that the authority of reborn institutions, absence of civil consciousness, the instability of values of modern representative democracy, the lack of tradition in pragmatic policy making, hand in hand with nostalgia for securities of the past,— all these facts create a chance for the rise and establishment of a type of authoritative regime instead of legal state and civil society.

Regardless of the different development in the post-communist countries in Eastern/Central Europe we can identify certain facts which they share in common. To my mind there is,

particularly, a very narrow level of legal awareness of populations and the limited role of the juridical system in the social structure. Provisions of legal state and welfare state in this region inherit the legacy of the past. Problematic effects produced by the weak position of law are the following:

1. Definitions of laws, rights and liberties are ambiguous.
2. Laws are not applied impartially.
3. Laws are not applied in some respects to some social groups of people, for example, to members of parliament or police.

In connection to this position vis-a-vis the law, it can be said , for instance, that the government of the Slovak republic tries ever to extend its executive power in order to make restrictions on the other two branches of power, judicial and legislative, putting into effect a lot of laws that are contradictory to the Constitution, and that the government bends the rules of the game and tries to interfere with the actions of parliament. Consequently the Slovak Constitutional Court is a very busy institution, indeed. Under these circumstances democracy is understood by the ruling coalition to mean the majority is right in everything.

Facing these difficulties in the process of transition, it is no wonder that re-born freedom in the people' s mind is often associated with chaos, the market economy with avarice, and that the essence of state and law is seen as coercive power and violence. For a working democracy in the sense of a political system it is necessary to have a suitable political culture and for creating in the structures of civil society a mental climate that can support emerging structures as networks of civil society. There is a need to decentralize the state in order to make more opportunities for citizens to take responsibility for their activities and at the same time it is necessary to socialize the economy.

I believe that countries which lack a strong constitutional tradition, and this is just an example for post-communist countries, it is very important that values and principles which form the basis of democratic institutions in West must be implemented explicitly in the newly drafted constitutions and in the legislature. The term "civil society" indicates a whole set of social components, the determining principle of which can be seen as citizenship. The main problem of citizenship is related to issues about conditions of membership, and with the question of who is expelled. The progress of citizenship in the sense of collective political identity must be based upon rights and liberties which are extended to more and more levels of the population.

Of course, civil society presupposes a presence of civil virtues, such as tolerance toward others, solidarity, respect for human dignity and especially an active participation in political and social life. Civil society as a body of various institutions, associations, and social groupings which are counterparts of the state should work on the basis of subsidiarity as the organizational principle for the building of civil society.3

Two Understandings of the Principles of Subsidiarity

The term has its origin in the Latin *subsidium*, meaning "help" or "support." This etymological origin spells out the limited role of the state in the light of a social theory that insists on the dignity and social nature of the human being, the rights of family, the need for intermediate associations, and the 'limited state' with the positive function of seeking the common good. The word was used the first time by Pope Pius XI in *Quadragesimo Anno* (1931):

Just as it gravely wrong to take from individuals what they can accomplish by their own initiative and industry, and give it to the community, it also is an injustice and at the same time a grave evil and disturbance of right order to assign to a greater and higher association what lesser and subordinate organizations can do.4

The notion of subsidiarity in the narrow political sense has been related to the problem of how Catholicism can be reconciled with the tasks of social progress under circumstances which demand increasing differentiation, and even the polarization of modern society.

But from the point of view of Christian metaphysics, the real concern of subsidiarity was to save and create a place for the person and her/his exercise of freedom facing various kinds of liberal and totalitarian threats to participation in the social and political order.

In Catholicism , subsidiarity functions as a principle for creating harmony among different groups of society in order to control the abuses of power of the state. In other words, subsidiarity in the view of the Catholic interpretation is characterized by a strong anti-state attitude. This attitude towards the state depends on the fact that the rights of the state and other social institutions have an origin external to their existence.

After World War II, the concept of subsidiarity has been extended beyond the Catholic Church to ever more spheres, including those of culture and education. The question is, however, if this interpretation—in the light of Catholic ethics—can be used in the contemporary efforts to build European Unity.

One of the main proponents of subsidiarity in the process of the integration of Europe is J. Delors. His opinion is in accordance with the Catholic tradition in this matter. According to Delors subsidiarity can be related to two aspects: the first is connected with the right or duty of everyone to realize his/her responsibilities; the second is related to the obligations of the public authorities to provide all means to develop and reach their own capacities.5

Delors's position is compatible with the Christian interpretation of the principle of subsidiarity because he considers that the idea comes from a moral requirement for the dignity and responsibility of the people. With regard to the process of unification of Europe the term "subsidiarity" has enjoyed popularity since the Danish electorate rejected the ratification of the Maastricht Treaty in referendum. In the Treaty of Maastricht, subsidiarity is defined as follows (article 3b):

In areas which do not fall within its exclusive competence, the community shall take action only if in so far as the objectives of the proposed action cannot be sufficiently achieved by the members-states and can therefore, by reason of the scale or effects of the proposed action, be better achieved by the community.6

Many authors object that the general principle of subsidiarity may mean very different things to different people. Therefore Maastricht cannot serve as a sufficient and reliable safeguard against the EC Leviathan. Unfortunately, the general principle begs the major questions:

a) Accordingly, which separate tasks of government are to be allowed to its various layers (EC, national, regional, local)?

b) What is the proper realm of government activities in the first place, regardless of the layer of government which may undertake specific activities?

Also I would agree with these authors who state that this subsidiarity principle is formulated in such general terms as to be almost useless. Many authors state the principle needs to be clarified to serve as an effective safeguard against excessive centralization. It should be elevated to a constitutional level so that it takes precedence over all existing and future Community legislation. Maastricht's Treaty embodies a vision of a uniform EC, to be modeled along the lines of an interventionist state.

The subsidiarity principle is often interpreted as the Magna Carta for European unification but its putting into practice within a state causes a lot of tension, and becomes even worse, when we try to apply this principle across frontiers.

In short, the concept of subsidiarity concerning the process of European integration has become related to the problems of defining democracy, federalization and common interests. In other words in the term "subsidiarity" we come face-to-face with problems of the distribution and decentralization of power and decision-making. This includes whole sets of reforms at the level of every member of the EC and at the level of the EC as well.

But the problem remains whether the ultimate competence is to be left to the European Tribunal and Commission or to the legislatures of particulars states. In this view there are several domains of current concern: economic and monetary policy, interpretation of foreign policy, the social and environmental issues, and the question whether the integration of Europe should be represented by a Europe of 'people' or 'nations'.

With regard to attempts of post-communist countries to join the EC, it must be said that joining the EU does not mean only passing the political test of democracy and respect for human rights and minorities. Members are expected to adopt the ever-increasing number of European competition rules and market regulations. Moreover, the relative poverty of Central and Eastern Europeans will impose an unpopular extra demand on EU agricultural spending and the budget for regional aid.7

Regarding the process of integration of Europe and its difficulties in every domain, it can be said that current discussion leads to diversity rather than to unity and subsidiarity in juridical understanding, and its applicability is a matter of further development and future. In light of what we know about contemporary society, states and economics, the question could be raised: Do the two interpretations of the principle of subsidiarity have something in common?

In this case we deal with the issue of how society is to be understood, and the nature of the state and the human being in the framework of both these conceptions (in Catholics ethics and in liberalism). On the one hand the principle of subsidiarity rests on the idea of social contract the embodiment of which is a state as ultimate reality or sovereign; on the other hand, the principle of subsidiarity is considered as a personification of natural law. One norm has roots in an agreement among people, the other norm depends on the universal order that has been created by God. Subsidiarity in the sense of Catholic ethics claims that models of human community should be defined from below and their natural hierarchy and interaction are in a pattern of subsidiarity. There is a need for a change of spirit, moral resurrection, creation of a new order and the reconstruction of social life according to the principle of Christian love. The Catholic conception of unity is a result of an *a priori* working process of teleology. This is realized spontaneously as soon as the spiritual turning point of the human person is fulfilled. In the process of European integration teleology has no place. The pluralism of goals is determined by single interests and replaced by this one. Economic growth is the main aim here.

According to the Catholic theological system the subsidiarity principle explains how relations should be formed between a state and an individual; personal growth, interactions and fulfillment

should be integrated in accordance with other people. Human solidarity, respect for personal dignity and subsidiarity in the sense of a guide for responsible acting and of serving, help and support is required in order to reconstruct the structures of civil society.

But on the other hand there is no community spirit where there are cruel competition rules and when society is divided along many lines in different directions that depend on private interest. The system which is based upon diversity must take subsidiarity as the means whereby goals are distributed in relation to interaction between a center of power and lower social layers. In order to increase competition and power to make a decision, various preferences compete with each other. In this light I would say that the original sense of the word "subsidiarity" in the field of present politics, especially regarding the process of unification of Europe, has been forgotten. It is obvious, e.g., regarding the attitude of the EU to new applicants.

Of course, one could judge that any attempt to create networks of civil society according to the principle of subsidiarity or reconstruction of social and political order by implementing subsidiarity is in fact beyond the realm of possibility. In respect to those underlying ideas and purposes, it seems to me that there is no common feature between the concept of subsidiarity in the Maastricht Treaty and this Catholic conception. We could only say that both interpretations deal with the problem of how we can rebuild and reconstruct the social and political order.

But one has to take into account that we need a vision of how we could carry out realistic politics which relate to the concrete needs of people. I would recall that Wellmer states that historical probability cannot be derived from a philosophical ethics. Of course pure philosophy should not be imposed on reality. However, existing institutional arrangements could be seen as a medium between ‘ought’ and ‘is’, between philosophy and the ‘given’ of society. This topic remains open to discussion, of course.

NOTESS

1. Jean L. Cohen and Andrea Areto, *Civil Society and Political Theory* (Cambridge, Mass., London, England: The MIT Press, 1995), p. 364.

2. Sandra B.Rosenthal, "Self, Community, and Time," in *The Review of Metaphysics*, 1996, Vol. L, No. 197, pp. 101-119.

3. Carlos Eduardo Maldonado, *Human Rights, Solidarity and Subsidiarity: Essays toward a Social Ontology* (Washington: The Council for Research in Values and Philosophy, 1997), pp.41-101.

4. *The Westminster Dictionary of Christian Ethics*, eds. James F. Childress and John Macguarrie (Philadelphia, Pennsylvania: Westminster Press, 1967), pp. 607 -608.

5. Jacques Delors, "The Principle of Subsidiarity," in ‘Contribution to the Debate’, in *Subsidiarity: The Challenge of Change: Proceedings of the Jacques Delors Colloquia* (Maastricht, The Netherlands: European Institute of public Administration, 1991), pp .9, 18; see also in 3 , pp. 71-73.

6. Holger Schmieding, "Maastricht: A Dead End of European Integration?" in *Kiel: Discussion Paper*, October 1992, p.17.

7. See the analysis in *The Economist* (July 19,1997), pp.1-3.

Chapter IX

Public Sphere and Deliberative Democracy: Rethinking Politics

Semou Pathé Gueye

One major preoccupation which appears clearly in the contemporary problematic of democracy is reflected in the important issue named "civil society." The question may be summarized as follows: How to create the conditions which render possible an autonomous public sphere, free of all forms of vassalization by either political or economic powers, and inside which can function regulations intended to guarantee a harmonious coexistence of particular individuals and groups with their diverse natures, interests, and preoccupations?

From that point of view the question of democracy implies, of course, an institutional dimension. In effect, it needs institutional, legislative and judicial mechanisms to permit and guarantee the expression of differences in a manner which does not endanger the cohesion and stability of the entire society, as well as the freedom and security of those who live therein. The existence of a pluralist parliament working according to democratic procedures; the separation of legislative, executive and judicial powers; the existence of laws guaranteeing fundamental freedoms of opinion and association, as well as the rights of man; equality of all before the law; and the principle of political alternation, which presupposes the organization of free and transparent elections;—in brief all that is included in the concept of "a state of law"—constitute the conditions without which any talk about democracy is an abuse of language.

These conditions, nevertheless, are far from being sufficient. In saying this, we are thinking not only of what every observer can easily note, namely, that the political freedom acquired in these conditions, no matter how important, does not automatically imply social justice or even minimum material well-being without which one remains enslaved to the basic needs of a civilized life, namely, to feed and cloth oneself decently and gain minimum access to the possibilities provided by progress.

What is lacking in the enumeration of these conditions and constitutes the evident limitation of the concept of democracy which they describe is its ethical dimension. This dimension derives from the fact that the institutions by which societies assure their order and inner equilibrium, as well as the laws and regulations decreed for that purpose, do not have in themselves their principle of legitimation. These can be imposed upon the sometimes destructive conflict of private interest only in the name of a principle of universalization regarding what ought to be, that is, to the sphere of norms.

From this point of view Jürgen Habermas's reflection on democracy and, more fundamentally, on the essence of political life is of particular interest in the measure to which it is situated in an ethical perspective—particularly dialogical and communicative ethics. The concepts of a deliberative democracy and of the public sphere it entails are intelligible only on the basis of such an "ethics of communication" linked with a theory of "universal pragmatics" and enlightened by the concept of "communicative action." For this reason the first part of our study will consist in sorting out the content and philosophical principles of such an ethic, focusing only upon what is of direct relevance to our concern.

Then we shall develop the concept of deliberative democracy,1 and end with an examination of implications, drawn by both Habermas and ourselves, regarding the sense, indeed the essence, of political activity.

Normative Grounds of Mutual Understanding: Universal Pragmatics and Communicative Ethics

This part will attempt to show how, according to Habermas, universal pragmatics and communicative action could fulfill the need for a rational grounding for a social life and contribute thereby to opening a truly autonomous public sphere.

The main task assigned by Habermas to "universal pragmatics" is "to identify and to reconstruct the universal condition of a possible mutual understanding." This definition of the project of universal pragmatics encounters a first difficulty, namely, the epistemological status of Habermas's social theory. He located it deliberately in a not yet explored epistemological space between science and philosophy. It is neither a mere philosophy, nor a specific social science. It recognizes the necessity of the general approach which characterizes philosophy and borrows from the social sciences in recognition of the need for an empirical approach.2

A specific social science is unable, within its own limits, to grasp effectively the nature of the very specific epistemological object constituted by the sphere of politics. This can be dealt with effectively only in the basis of an interdisciplinary inquiry combining the methodological opportunities offered by such varied social sciences as sociology, economics, public law, political science, social history, the history of ideas, etc.3

The concept of universal pragmatics was forged in the framework of a reflection, which, beyond empiricism as reflected by the different social sciences, seems to follow in a certain way the line of the tradition of transcendental philosophy deriving from Kant. It does this by trying to discover the formal conditions of mutual understanding and social interaction.

However, as Habermas himself emphasized and as we shall show below, his universal pragmatics is less Kantian than it seems, if compared for instance with the "hermeneutic transcendentalism" of Apel, who is said to have inspired the concept of universal pragmatics.4 Apel projected a "transformation of philosophy" which would begin from a "critics of meaning" to reach the "a priori of a community of communication." This would constitute the ultimate ground for the meaning of discourse and guarantee its claim to validity. This is a "necessary postulate for any critics of meaning" and the "obligatory reference for any meaningful human practices." Thus, one can say that Apel does not really separate himself from a transcendental philosophy.

For Habermas the issue is quite different. By his concept of universal pragmatics he does not want to propose more than a simple analysis of the requisites without which any mutual understanding or communication becomes unthinkable. Habermas's purpose is simply to define the norms of a specific sphere of human practice,5 namely, that of "communicative action," as "a human activity specifically oriented towards mutual understanding." In other words, it is a fundamental reflection on the conditions of possibility for the social itself. As noted above, this aims neither at a transcendental philosophy oriented towards an auto-foundation of reason nor at an epistemological critique oriented towards a logic of the social sciences.

Let us see how it contributes to laying a normative ground for mutual understanding. Any sentence implies a claim to validity, (that is, either to objectivity as truth in the field of knowledge, or to legitimacy as rightness or good in the field of practice). But the acceptability or unacceptability of such a claim is neither a psychological nor an ontological matter; it depends upon the procedures for the validation of sentences in any argumentation.

Nevertheless universal pragmatics differs from a mere linguistic approach. It is concerned not with the linguistic competencies of the speakers, but with speech, that is, with the pragmatic context in which different subjectivities are engaged in communication.6

Any speaker knows that if he or she wishes to be understood by the hearer and win his or her agreement, he or she must do so according to the following rules:

- the speaker must choose expressions that are intelligible, so that the hearer can understand what he is saying;
- the speaker must express his or her intention in a convincing manner, so that the hearer can trust him or her and agree with him or her;
- the speaker must express his or her intention in the right way so that he or she and the hearer can agree on the validity of his or her sentence through reference to a common normative basis.7 Such are, as systematized by Habermas's universal pragmatics, the rules which enable mutual understanding.

But if in universal pragmatics such rules state the condition of possibility of mutual understanding, are they sufficient for answering how different subjectivities, with their own interests and plans for realizing or preserving these interests, can be coordinated so as to render their coexistence as harmonious as possible? The theoretical interest of Habermas's theory of "communicative action" is that it lays the philosophical ground for answering that question.

This is distinct from the category of work,8 which implies the subject/object relation constitutive of project of domination (whether of nature by man, or of the man by man) and represents one form of what Weber named an "activity oriented towards an end" (a "strategic" activity). Communicative activity concerns only an interaction between subjectivities oriented toward mutual understanding. It postulates that no society can exist without the presumption of a possibility of mutual understanding between its members, and of a "consensus"9 regarding norms capable of coordinating their actions. To postulate such norms, it is necessary to formulate the condition of possibility of their existence by referring them to a type of activity which, by its very nature, could not only constitute them, but also achieve agreement in their regard. Only communicative activity can fulfill such a requirement because it alone can produce a "meaning" and interpret the social experience. Only that activity as "reflexive" is able to establish what could be considered socially valid in intersubjective communication. Referring to the rationality at work within such an activity, Habermas speaks explicitly of "communicative rationality"10 which acts as a principle of universalization, as it does in any discussion.

Of course discussion begins from differences in the positions of the discussants. Thus, the universality of their agreement cannot be considered as guaranteed from the beginning, but is a necessary postulate because the discussion has no sense if the partners are not ready to be convinced by the exchange of arguments. For that reason, the universality of a consensus is the horizon of any discussion.

The structure of any discussion is a necessary anticipation of an agreement either on what is or what ought to be. In any case, discussion tends to a consensual model of truth while the principle of universalization implies the logic of argumentation.

It appears that communication has a spontaneous normative function. By essence it is ethical and the concept of truth it postulates can be realized only in intersubjectivity, that is, by moving from "I" to "we", as becomes possible in a good discussion. To understand the meaning of such an ethics, it is necessary to underline what distinguishes it from both what Habermas has called the

"ideology of science and technics" and the ethical decisionism of existential philosophies. For instance, on the basis of the concept of that rationality which is founded only in science and technics, either one could consider that the political question might be treated as a technical question, or if they cannot, then they must be rejected from the sphere of rationality and treated as irrational. In both cases, democracy as such becomes impossible. In the first case politics is reserved to technicians and experts, and in the second, the relativism of values annihilates any reason to claim a superiority of democratic values.

In both cases, we have a restricted rationality unable to broaden itself to the dimensions of "practical reason"11 which alone can link political rationality and ethics and provide a strong normative basis for democracy. The essential rule of communicative ethics as derived from the procedure of good argumentation—to be receptive to the other's arguments and ready to accept the best arguments—implies a principle of universalization different from the abstractions of Kantian ethics which formulate an a priori rule of behavior which transcends particular interests. It is grounded upon the dialogical intersubjectivity of partners who recognize that their private interests are preserved through the agreement they have realized in the discussion.

Here we see the difference between "consensus" in Habermas's theory and the liberal model of "compromise." Later we shall return to that distinction. But we can already underline that the legitimacy inherent in Habermas's concept of democracy is not the "Jacobin" postulation of the subordination of the individual to an abstract universal and from the classic liberal model of particular interests spontaneously coordinating themselves by their own logic.

Deliberative Democracy as Consensus

The introduction raised the question of how to make possible an economically and politically autonomous public sphere able to offer the appropriate framework for the expression of different interests. This is the main concern of the contemporary problematics of "civil society." Habermas answers by defining the normative grounds of mutual understanding (universal pragmatics) and social interaction (ethics of communication). The concept of "deliberative democracy"12 can be understood in the light of these two. Let us see now what concretely it means for Habermas.

Deliberative democracy is linked to what Habermas calls the "public political sphere," which he defines as the "quintessence of those conditions of communication by which a discursive formation of opinion and of the will of the public (the citizens) can be realized." That is why Habermas considers the concept of public political sphere to be "the fundamental concept of a normative theory of democracy." It is this "normative theory of democracy" that Habermas means by "deliberative democracy."

The concept of deliberative democracy has been borrowed from J. Cohen, for whom it is rooted in the intuitive ideal of a democratic association. Within this the justification of the terms and conditions of the association is based on the public argumentation and reasoning by equal citizens. In such a system, they share a common commitment to resolve the problems of collective choices through public reasoning. They consider their fundamental institutions to be legitimate in so far as they establish a social framework favorable to free public deliberation. Habermas speaks of a "discursive conception of democracy" which depends on "the collective mobilization and on the use of that productive force of communication."

Methodologically, two conditions are required for the possibility of such a concept. First, one has to prove that the controversial social questions generally can be resolved rationally, which means, in the common interest of those who are concerned. Second, one needs to explain also why

the medium of the argumentation and of its public recognition fits in with the rational formation of the will. If not, Habermas adds, there is no choice but to agree with the "liberal model in its premise according to which the compromise between interests irreducibly in conflict is nothing but the result of a struggle carried out in a strategic perspective."

As deliberative democracy grounds its legitimacy on the "possibility of a justified agreement between concerned peoples," great attention might be devoted to the role of participants in the argumentation. The reason for this is that, the communicative presuppositions of any argumentative practice postulates impartiality and the expectation that the participants will question and go beyond their particular preferences. Habermas considers that these two conditions must even be considered routine.

Deliberative democracy has also what we can call its institutional costs. It requires, as Habermas emphasizes, the institutionalization of judicial procedures which insure realization of the demanding presuppositions of communication for equitable debate and argumentation freed from any constraint. Such institutional conditions must favor the participation of all persons concerned, their equality, the exclusion of any form of constraint, good faith in the choice of themes, debate on the contributions, and the revisable character of the results.

In the light of this concept of deliberative democracy, Habermas has to reconsider or reformulate some key elements of the classical model of democracy. One is the "principle of the majority": democracy usually is defined as the rule by the majority. For Habermas that principle is to be understood as a mechanism for the discursive formation of opinion oriented ultimately toward truth, in coordination with the formation of the will which must come to a decision. More explicitly, Habermas says that from the specific point of view of discursive ethics, the majority decision must remain internally related to the argumentative practice. This implies such other institutional measures as the constraints due to the need for justification, principles of distributing the burden of proof, repeated readings of legal proposals, etc. According to the same presuppositions, a measure taken on the basis of the principle of the majority can be considered as valid or legitimate only if it can be recognized as rationally motivated—even if fallible—and as being the result of a closure of discussion under the pressure of the need to bring a just solution to a given problem. In sum, the principle of majority must not be understood and applied as if the majority could impose its personal will without attending to the need for argumentation, without responding to the need for rational legitimacy.

A phenomenon found mostly in immature democracies is clientelism. Deliberative democracy has to face this phenomenon, according to Habermas, by building appropriate institutional instruments on the basis of an analysis of the obstacles which, in existing mechanisms, condition citizens in a non-political frame of mind and which thereby prevent them from adopting a reflexive point of view which goes beyond their narrow and immediate personal interests. This requires that the elucidation of the democratic meaning of state institutions from the point of view of discursive theory be complemented by a critical analysis of the mechanisms of alienation on the part of the citizens.

Another "strategic" concept in the classical conception of democracy is "the sovereignty of the people." How can that concept be understood in the light of deliberative democracy? Habermas speaks of a "procedural conception of the people’s sovereignty." This must be understood as the "quintessence of the conditions for the realization of a discursive process of public communication." That means a "totally dispersed popular sovereignty" which, as such, can embody itself only in forms of communication without subject (nevertheless demanding) which rule the flux of the formation of opinion and of will so that its results, while always fallible, can

satisfy the presumption of political rationality. That "process without subject" leads to a "communicatively liquified subjectivity" which can assert itself only in the power of public discussion which exposes themes which are pertinent to the whole society, interjects values, contributes to the resolution of problems, and produces good reasons while rejecting bad ones. Such a concept of "people sovereignty" coincides with the concept of a politically educated and properly informed public opinion, for which is required, as necessary conditions, free and fair public debate, political and social pluralism, a free press, a strong and active network of civil society organizations, etc.

As we said above, deliberative democracy as proposed by Habermas calls for a special and very demanding behavior from the actors on the public scene. From it one could also derive what could be called the rules of a civilized political game. We would briefly substantiate that idea by beginning with one of its main principles, namely, that of co-responsibility. By that we mean that such a deliberative democracy cannot work without a shared feeling of common responsibility of the actors in building its necessary prerequisites. Among these one that is essential is a common engagement in broadly spreading democratic values within society and in defending democratic institutions. In a word, this is creating a public sphere inside which greater attention is paid to the need to reach a reliable consensus at least on the democratic issues.

We shall touch again upon the important question of "consensus" in the next part of this paper, but the principle of co-responsibility as defined above implies that people accept for themselves and apply effectively in their daily political behavior rules which are able to keep political contradictions and conflict within limits which do not endanger their freedom and security.

The rhetoric on "civil society" seems to be quite *un*-useful and even dangerous unless freed from the common, but wrong, idea that by its own nature and capacities civil society could bring about automatically a politically "civilized society."13 The legitimate demand of a large sphere of economic, social and political autonomy, both for individuals and for national groups and their private interests, can lead directly to a new kind of barbarity if it is not articulated with the equally legitimate demand of a political "civilized society."

Such a society requires at least five rules which we would enumerate as follows, with no any pretension to being exhaustive.14

First, all the political actors must agree on the principles that politics must not be considered to be a game free from any regulation and excluding a priori from the political scene any reference to "good" and "truth," or interpreting these only in the narrow pragmatic terms of "efficiency" and "success."

Second, all political actors have to agree on the principle that no political decision or measure can be considered legitimate unless accepted as such by citizens in appropriate condition for an enlightened and free opinion. This is not only a matter of educating people politically, it supposes that those who might give that education themselves are politically educated which, though presumed, is not always true. It is also a matter of concrete behavior by the political actors. They must, for example, avoid any form of clientelism or "idolization" of the people; they must also avoid popular demagoguery based on the manipulation of irrational feelings on the part of the people.

Third, all political actors must agree on the principle that by nature democratic political power can and must be gained and/or preserved only by democratic means. These include: reliability and responsibility on the part of those who govern; full respect by them of the rights and legitimate aspirations of the citizens, including those in the opposition; agreement of all participants on the principle of the alternation of parties, which entails the need for free and fair election; respect by

the minority for the legitimate rights of the majority to govern insofar as it does so within the framework of democratic rules, principles and values.

Fourth, all the political actors must agree on the principle that politics is a means for man and not man for politics. This means that any politics which directly or indirectly is against human dignity, freedom and security is illegitimate and immoral. On that basis any kind of intellectual, psychological and physical violence against people is to be banned from political methods of governing or struggling for the power.

Fifth, all the political actors must agree on the principle that in order to constitute the human grounds of society, any politics must raise the people's consciousness of solidarity and subsidiarity. These are not only fundamental prerequisites of social life as such but also of self-enrichment though contact with others. Hence, intolerance must be banned from political and social behavior, as from relations between different cultural entities within society. Ethnicism, regionalism, tribalism and racism, etc., might, for that reason, be considered incompatible with, and unacceptable in, a politically "civilized society."

The principles and rules of such a society as rapidly expressed above, and in some cases directly or indirectly derived from the presuppositions and concept of a deliberative democracy, lead to a quite new understanding of what politics is or might be in order that it be practiced for the benefit of the people.

Rethinking Politics

Important changes are taking place in the world, which are deeply and rapidly modifying the context, content and forms of human existence. Such developments, whose main factors are scientific and technological revolutions in the fields of information and communication, along with the new international atmosphere created by the end of the Cold War, are radically reconstructing our system of values, modes of thinking and behavioral stereotypes.

The political sphere and practice are so influenced both in these forms and content by such changes, that we personally do not hesitate to speak about a "change of paradigm" in the very meaning given to that word by Thomas Kuhn. By this we want to suggest that, little by little and through various cultural, intellectual and psychological difficulties of adaptation and adjustment, without the participants necessarily being conscious of that, politics is moving from the paradigm of "exclusion" and "conflict," to a new paradigm of "communication" and "dialogue."

The paradigm which is being replaced was forged in the context of the political and social struggles which marked the European historical scene in the 18th and 19th centuries. This was consolidated by the rise of imperialist contradictions (competition for political and economic spheres of influence in the different regions of the globe) and, mainly, since October, 1917, by the confrontation between the two economic and political systems which existed before the collapse of Soviet Union and the disappearance of the "Socialist" bloc.

In such historical conditions (of which some aspects or their remnants shall exist), political mentalities and behaviors were structured by the paradigm of "exclusion" and "conflict." On that basis, the political sphere was generally perceived as a battlefield ruled by the balance of forces. Phrases about dialogue and, mutual understanding had the sound of innocent dreams which had nothing to do with a reality obeying only the logic of interest and conflict, in which categories the notions of "truth" and "legitimacy" were defined.

The dominant political discourse, essentially oriented towards "strategic" ends, reflected that paradigmatic context by the frequent use of the military metaphor of "camps" while the dominant

political strategies were modeled on "trench-warfare." In the best cases, peace could mean only "armistice" and "cease fire" and, in the worst, an unconditioned surrender that the defeated "camp" had to face with its heavy consequences. Ideas, values and outlook, by which each "camp" used to identify itself, were conceived as "barricades." Political intolerance and ideological fundamentalism polluted the national and international public spheres. Violence, political egoism and trickery were quite sacralized as the essence of any realistic political action. They were considered the only way to realize what each "camp" considered, according to its own interests and ideological prejudices, as the "sense of history."

Such a situation of tension and hostility has, of course, not yet completely disappeared, neither in the social and political relations existing inside societies, nor at the international level. But anyone willing to look carefully beyond the contradictory phenomena of contemporary world evolution, would grasp a different and more decisive tendency trying to assert itself through the events and circumstances of current political life. It is a tendency towards a more "communicative world" which, more likely, will open a positive road to a political and social environment with which each individual or particular group might be able to live without feeling threatened by the presence of others and vice versa.

The optimism, which is reasonably allowed by such a tendency does not derive from mere philosophical speculation completely disconnected with the cruel realities of daily political life. It is deeply rooted in the current powerful historical dynamics of the diffusion and interpretation of ideas and values, which also is a dynamics of coordination and adjustment of mentalities and behaviors. Due to that tendency individuals and societies will be less and less able to accept any form of culture, social, political and intellectual closure. They may also have greater opportunities and more reliable means to know each other. All that will contribute to the pacification of the public sphere, and make easier consensual resolutions of political and social contradictions and thereby, little by little, turn politics into a "communicative action."

That does not mean that political and social differences, reflecting the differentiated interests of individuals and groups acting inside society, will miraculously disappear and leave place for a new social order free of any contradictions. Such differences will remain as they are constitutive of any single real and concrete society. What is going to change is the spirit in which they were usually approached and the method which was usually considered as the natural way to overcome them. Consensual procedures of resolution of political and social contradictions, more and more, will be preferred as less "expensive" and, so, as more rational.

There we meet again Habermas, whose concept of deliberative democracy, which bases its legitimacy on the principle of the discursive formation of will, puts a strong accent on the idea of "consensus." But by "consensus" Habermas means something different from and going beyond "compromise" as understood in the liberal concept of democracy. Democracy, from the liberal point of view, refers to a political system aiming to preserve private freedom and individual autonomy by compromise between different forces at work within society and whose interests are considered a priori (that is, without any prior discussion) as not universalizable. Hence the conflict of such interests can be transcended only by referring to the abstract universal principle of "equal rights for all." Thus, according to Habermas's theory of compromise, true compromise requires two necessary conditions. First, there must be an equilibrium between forces and, second, it has to be proved that such interests which are in negotiation have effectively a non-universalizable character. If any of these two conditions is lacking, we do not have a genuine compromise.

So, consensus as understood by Habermas differs from compromise in the following two main aspects. First, it can only be based on universalizable interests, which require a concept of

"common good" forged through the discursive formation of will. From there derives the second aspect: consensus presupposes necessarily a discussion which only can prove whether the different interests are universalizable or not. Thus, it is guaranteed not by an abstract principle of universality but by a concrete principle of universalization grounded in the above mentioned norm of mutual understanding and communicative action. Habermas considers the liberal concept of "compromise" to be nothing but an application of the concept of "strategic activity" in the organization of social and political life.

The concept of politics, which is announced by that "communicative" approach of social relations, replaces the ethics of force, based on the pursuit of narrow private interests, with the force of an ethics, grounded on a rational consensus and able, therefore to transcend the opposition between "private" and "universal" interests, on behalf of a "common good" which is accepted as such by all the partners, through a free and fair discussion. Such a politics derives its legitimacy, neither from constraint nor from a "strategic" compromise but from a normatively guaranteed principle of universalization.

We recognize that to be easier to write than to do for some reasons linked with the postulates functioning in the dominating political thought and behavior and which play within them the role of what the French epistemologist Gaston Bachelard has criticized under the name of "epistemological obstacle," making it difficult for them to correctly apprehend and adjust to the necessity of rethinking politics today.

One of these hammering philosophical postulates considers that such practical questions as politics cannot pretend to any kind of universality and, thus, that it is impossible in politics to go beyond a mere personal certainty or conviction regarding the "truth." The whole work of Habermas in universal pragmatics and communicative ethics intended to show the irrational character of such a postulate, which leads to political decisionism with its negative consequences for the democratic life.

A second postulate, following Hobbes, apprehends human nature only from its worst side by considering man to be always a "wolf in the place of a man." That conception, which had powerful influence in the formation of modern political thought, seems not only inconsistent but also dangerous for many seasons. Inconsistent first of all because it is reductionist. The history of human beings has shown that humans are capable of the worst, acting as a beast or a devil, but also of the best, behaving as an angel; that, they are capable of hate and cruelty, but also of love and generosity. There are not only the deeds and teaching of the founders of the religions which dominate the world (Buddha, Jesus Christ, Mohammed, etc.), but also, closer to us normal human beings, such preeminent figures of our contemporary world as Mahatma Gandhi, Martin Luther King, and Mother Theresa (the list is far from being exhaustive). These bear convincing evidence against any conception intending to reduce the essence of human being to its asocial and bestial aspects. Bearing such evidence in mind allows us reasonably, not to negate the worst in our nature, but to count upon our capacity to transcend it, so that we can base human relations not on hostility and agressivity, but on a permanent search for love, solidarity, subsidiarity and mutual understanding.

A pessimistic and reductionist conception of human nature is not only inconsistent, as we have said above, but also dangerous, for at least the following reasons. First, because it annihilates anything in our very nature which could ground a rational demand for personal freedom and individual autonomy. These can be guaranteed only by an external "contract" whose possibility itself might be questioned by our presumed natural inability for spontaneous sociality. A second reason why such a postulate seems to us dangerous is linked to that first one. It is precisely due to

the ontological deficiency implied by the Hobbesian concept of human nature, that a "leviathan" is needed as the sole way to make society livable, that is, to prevent the "war of all against all." But how to legitimate, from that point of view, the contemporary demands, which fit with our deepening aspiration for genuine democracy, for the reduction of the role and power of the state in the management of our daily social life? How to challenge. from that point of view, the validity of an argument used by all kinds of tyrannical regimes, which, under a so called supreme necessity of saving the "social order" and the "collective security" of the peoples, violate private freedoms and human rights? The concept of "human responsibility" has no meaning on the basis of Hobbesian material determinism. If we cannot be responsible and act responsibly, if we cannot understand and choose consciously what is "good" and what is "bad"—not only for us but also for others—then any "contract" becomes rationally impossible between ourselves and others. Where sociality (which means deep feeling of solidarity with others and a tenacious seek for mutual understanding) is not possible, society becomes impossible. For the same purpose we must free our political mind from the influence of Machiavelli. Summarizing his postulates in a few words, we can say that, for Machiavelli, mature politics is nothing but a will for power in the pursuit and realization of personal interests, and which, for that reason, might be freed from any moral consideration. Politics has nothing to do with ethics and cynicism is considered as the preeminent political virtue. It is said, truly it would seem, that by such a "disconnection" of ethics and politics, Machiavelli perpetuated an "epistemological rupture" which made possible the passing of politics from the status of philosophy to that of science. For that reason he is considered to be the founder of political science. But one must take into consideration the heavy ethical cost of such an epistemological benefit. From that point of view everything is possible and can be considered as legitimate in politics as long as it succeeds in promoting and guaranteeing the personal goals and interest of the ruler. "Means" become "ends" and humans are reduced to mere instruments for the realization of personal interests. We have tried above to underline the irrationality of such an understanding of politics based on the rule of the "strongest" (not only physically, but also intellectually, that is, in trickery). Because the "stronger" cannot be always the same, any victory gained on that basis must be considered provisory and unstable. For the situation implies for those who have lost, not only the permanent right to counter it, but to do all in their power for revenge.

Conclusion

The contemporary debates on democracy open up better prospects for human freedom, autonomy and responsibility, namely, by trying to elaborate the conceptual and intellectual tools which could allow a proper apprehension of their very meaning. What we have tried to do, through the exposition of Habermas's concept of "deliberative democracy," is not to be understood as expressing a simple academic preoccupation, by a scholar specialized in the history of modern and contemporary thought, but to be understood as one who earnestly wanted to elaborate on one of the more fascinating figures of current philosophy. In fact, even if Habermas's philosophical presuppositions surely can and must be discussed, they have the merit of putting the key questions of democracy and politics in a very fecund perspective under the light of his concept of "communication". There they have practical interest for politics and politicians too (namely, in African countries engaged in very complicated and sometimes violent processes of transition towards pluralist democracy).

But the fecundity of such a concept goes beyond the sphere of politics, to reach the crucial question of the way and means to realize mutual understanding. By raising such a question in the

framework of his personal philosophical and cultural background (namely "rationality" as derived from the enlightenment and criticized by such authors as Kant, Hegel, Marx, Weber, the Critical Theory of the Frankfort School; and "democracy" as practiced in developed Western societies in crisis), might have considerably limited the benefit one could wish from his concept of "communication." The further elaboration of such a critique will be the matter of another study. So let us harvest what he offers at this point, namely, a renewed vision of the political conditions of what we have called a "socialized society." It is not enough but it is something, namely, if we keep in mind the egoism and cynicism of present-day politics and the urgent need to challenge them by a rationally grounded ethics, not derived from abstract universal principles, but from the need for the reciprocal trust and mutual respect inherent in any fruitful social interaction.

We need today a methodological optimism, in order to rebuild the normative foundations of our existence and, by humanizing politics, to pave the way for a safe present and a better future. This is both necessary and urgent, if we want to exclude definitively from our horizon the evils of violence and political intolerance and aim instead for an open national and international public sphere ruled by principles of mutual respect, understanding, security for all, and peace.

Notes

1. We shall see, in the following pages, what concretely Habermas means by that.

2. Explaining that idea, Habermas writes: “In this approach, philosophy surrenders its claim to be the sole representative in matters of rationality and enters into a nonexclusive division of labor with the reconstructive sciences. It has the aim of clarifying the presuppositions of the rationality of processes of understanding, which may be presumed to be the universal because they are unavoidable. Then philosophy shares with the sciences a falliblelistic consciousness, in that strong universalistic suppositions require confirmation in an interplay with empirical theories of competence. . . . With its self-imposed modesty of method, a philosophy starting from formal pragmatics preserves the possibility of speaking of rationality in the singular.” See Habermas, "Questions and Counterquestions" in *Habermas and Modernity*, R.J. Bernstein, ed. (Cambridge, MA: MIT Press, 1985), p. 196.

3. See the foreword of *Public Sphere.*

4. See K.O. Apel, "The a priori of the Communication Community and the Foundations of Ethics" in *Towards a Transformation of Philosophy* (London, 1980), and "The Problem of Philosophical Foundations Grounded in the Light of Transcendental Pragmatics of Language" in *AfterPhilosophy*, K. Baynes, J. Gohman and T. McCarthy, eds (MA: MIT Press, 1987).

5. See Habermas, *The Theory of Communicative Action*, Vol. I, *Reason and the Rationalization of Society*, T. McCarthy, trans. (Boston: Beacon Press, 1984) and *II, Lifeworld and System: The Critique of Functionalist Reason*, Thomas McCarthy, trans. (Boston: Beacon Press, 1987).

6. Habermas, "What is Universal Pragmatics" in *Communication and the Evolution of Society*, T. McCarthy, trans. (Boston: Beacon Press, 1979), p. 26.

7. *Ibid*., p. 63.

8. The concept of work (as opposed to interaction) was borrowed by Habermas from the young Hegel’s philosophical anthropology. But we can see here an influence of Max Weber (which appears through the distinction between "activity oriented to an end" and "activity oriented to understanding").

9. We expose further the very meaning of that word inside Habermas' theory where it plays a key role.

10. That concept of "communicative rationality" could be referred to the Kantian concept of "publicity" as Habermas himself does in *Public Sphere* where he writes that "Publicity as defined by Kant must be understood as the only principle able to guarantee the unity of politics and morality."

11. "Practical reason" is another concept referring to Kantian philosophical categories which has a specific meaning for Habermas. It can be considered as a synonym of what Habermas means by "communicative rationality."

12. All the quotations about the concept of "deliberative democracy" are taken from the French version of *Public Sphere* which we have read in that language. No English edition was available where and when we were writing this paper. So the quotations, translated by ourselves from the French edition cannot be referred to the pages of any English edition We apologize for that but the English reader will easily locate them in the first chapters of their edition.

13. The discussion occasioned by the presentation of the paper during the seminar in Washington has lead to the conclusion that the concept of "civilized society" can and must be extended beyond its political signification so as to explore its various economic, social, cultural and ethical national and international dimensions. A next paper will try to fulfill that task.

14. It cannot be exhaustive, first because we consider only the political rules of "civilized society," and second because even among such rules we focus only on those that seem to us to be the more interesting according to the current African political situation.

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Chapter X

Solidarity and Subsidiarity as the Embodiment of Humanity and the Practice of Humanism

Wei Zhang

Nowadays most countries in the world enforce the market economy. Today China is gradually transforming from a planned economy to a market one as well, and the latter becomes dominant. This brings double effects: On the part of the positive, economically it leads to the use of resources with reasonable optimization and motivates economic vigor, and ideally it promotes the popularization of some advanced ideas, such as efficiency, the rule of law, creative consciousness, competitive consciousness and so on; on the part of the negative, the pursuit of maximum profit in the market exchange makes people regard the hot pursuit of private economic interest as their life goal; the individual becomes a selfish economic man. Money fetishism, egoism and hedonism prevail in the minds of many people. There is a fierce competition in a market-oriented society. Love, sympathy and help are being increasingly challenged by selfishness, indifference and fights. The interpersonal relation that heretofore linked up friendly fellowship with the feeling of love has partly changed into money relation or commodity relation. Facing reality, we need to think and answer a worldwide problem: Can we establish a good interpersonal relation and how to do this under market economic conditions? Let us live in solidarity, with a 'subsidiary-based' and harmonious society.

Human Sociality—The Foundation of Humanity, Subsidiarity, and Solidarity

If we would like to demonstrate from philosophy whether humankind can realize solidarity and subsidiarity, we should look for their roots in humanity. Philosophers have different viewpoints and explanations for it. British philosopher Thomas Hobbes [1588 - 1679] posed that everybody only considers private interest and satisfies his own needs for his survival according to the prehistoric "natural condition of mankind": the state of man was the state of hostility, and war. Man often aggressed on others, killed one another for gain. "They are in that condition which is called war; and such a war, as is of every man, against everyman. "1 "Where every man is enemy to every man;"2 Hobbes imagined that man fought and distrusted each other in the state of nature. Austrian psychoanalyst Sigmund Freud [1856- 1939] regarded the instinctual sexual drive as the foundation of humanity. In his mind, this kind of unconscious desire conforms to the pleasure principle, only pursues its satisfaction regardless of any moralities and laws. Hence, humanity is antisocial, exclusive and aggressive: it unavoidingly leads to restless fight and war among people. Contrary to their viewpoint that man only has selfishness and exclusivity, the Chinese ancient Confucianist School considered "ren" (benevolence) as human nature. *Ren* implies an affectionate relation among people as the loftiest moral principle. One of Confucius's students Fan Chi asked about benevolence. Confucius [B.C. 551-479] answered, "It is to love all men."3 In his mind, benevolence is the characteristic element of humanity. One of his followers Mencius [B.C. 372-289] proposed that everybody has his innate humanity of goodness. He said, "The feeling of commiseration is the principle of benevolence", "The feeling of commiseration is essential to man".4 According to him, without it, man is not a man. It is because of benevolence that man is different from an animal.

Freud regarded the instinctual sexual drive as human nature and insisted on the theory of evil of humanity; the Confucian School treated one of ethical norms -- benevolence as human nature and insisted on the theory of goodness of humanity. Starting from it, they came to the conclusions about whether mankind could realize solidarity and subsidiarity or not. I do not think these prior theories of humanity are scientific. In my opinion, humanity is historically formed by *human practice in particular social relation*. It is not prior and inborn. General speaking, humanity has a colorful multidimensionality.

In fact, it is the unity of natural attributes and social ones, of mind and practice, including instinct, feeling, self-consciousness, reason, freedom, conscious action and sociality, and so on. Two among these attributes are the most important ones that mean the key differences from the animal: One is practicality. It implies action and ability that mankind reform and quest for a realist world, including labour with productive tools, practical action in social, scientific and cultural fields. Human practice can change nature, transform social relation, quest for the secrets of the objective world and make some men's ideas achieve objectification and realization according to predetermined goals. Another is sociality.

The ancient Greek philosopher Aristotle [B. C. 384-322] at the beginning of his work *Politics* pointed out that early man is a kind of "political animal", by which Aristotle means that it is human nature to form a group, that is, he accounted for man as a kind of social animal in groups. In other words, man lives not as an isolated individual, but he lives and labors in the social relation and the social communication. If we elaborate on human sociality, it embodies three aspects:

1. It means dependence on each other and need for each other among individuals. Individual life, thinking power and physical power are limited, so it is very difficult for isolated individuals to survive. Individuals must link together in groups, then they can get food, finish given productive tasks, resist wild beast attack and natural disaster. It is only under the condition of dependence and helping each other that humankind can survive, reproduce and develop.

2. It means mutual cooperation and exchange of individual labour. In social life, everybody plays a social role and undertakes a certain duty according to the division of labour. Meanwhile, he needs to cooperate and to exchange labour with others, namely, individuals have to engage in given tasks in common. In doing so, they can exchange their labour, communicate their experience and information, help and complement each other, whether in material production or in cultural creation. Any final results are the crystal which individual's labour integrates into, even though the language that transmits our ideas is formed and developed in mutual exchange and communication, too.

3. It means the commonality of commonalty consisted of individuals. Usually individuals in life, labour and communication have combined all kinds of different social relation and various commonalty. There are a lot of assorted groups: the family and the tribe linked with blood relation, the class and the stratum formed in the common status of productive relation, the party organized by a joint political program, the nation sharing common area, history, culture and language, the guild and the trade union consisting of common trade, profession, and vocation and so on. This collectivity in groups really is intrinsic human nature. Furthermore, all kinds of commonalty can form the commonality of a certain group in long life and practice, for example, nationality, class nature, partisanship and group spirit. They have common interests, objectives and standards in the same group.

In a word, the human needs of mutual dependence, cooperation and mergence in groups have historically formed collectivity, cooperative union, and commonality. It is this sociality that can demonstrate mankind may realize solidarity and subsidiarity. Hobbes and Freud only paid attention to the conflicting and contradictory side between the individual and others, neglected their united side, that is, man was able to live and develop just in cooperation and mutual help. The Hobbesian/Freudian unilaterality came to the pessimistic conclusion that man is not able to attain solidarity and subsidiarity. In fact, the latter constitute nature!

Humanism—The Moral Norm of Promoting Solidarity and Subsidiarity

We object to the theory of humanity's 'evil' and confirm that man has a 'human nature' of relation, cooperation and subsidiarity. However, in reality there no doubt exist alienated conditions of mutual fight and mutual isolation among individuals. In order to overcome this exclusive state and selfish behaviour and in order to establish a new type of interpersonal relation among people, we need a kind of moral norm or value-orientation which can perform this mission. Humanism is this kind of moral norm that handles relation between person and person.

Humanism rides a long tide of philosophy. Whether in the ancient era or in modern time, whether in the West or in the East, whether in the secular theory or in the religious dogma, it always has its existence and influence. For example, Christianity regards all people as brothers and sisters, and propagandizes charity. The Pope repeated the same statement in 1936, "of its very nature, the true aim of all social activity should be to help individual members of the social body, but never to destroy or absorb them".5 This is the frequently mentioned and famous principle of subsidiarity of social activities, also is the principle of Christian social doctrine. Buddhist dogma poses that monks should get along with each other according to their precepts, including keeping views, words and interest harmonious. Meanwhile, Buddhism demands everybody should help others in material, knowledge and mind in order to release them from difficulties without seeking for any repayment. People share their happiness and hardship, and become heart to heart friends. In Chinese ancient times, there was classic humanism centered on an ethical norm -- benevolence. Confucius said, "all within the four seas will be his brothers,"6 that is, we all are brothers in the world. He advocated, "A youth should overflow in love to all, and cultivate the friendship of the good."7 As the embodiment of his ideal of benevolence, he posed an important principle that treats interpersonal relation, It is "not to do to others as you would not wish done to yourself."8 In other words, I am not willing to accept what I am not willing to do for others. In practicing such a norm, one can keep interpersonal harmonious relation. Another ancient thinker Mo Zi [B. C. 470-391] considered that the root of all calamities across the world consisted in "not loving each other." Hence, he claimed that we should love each other universally, and benefit each other in all. If this principle can be realized *really*, we shall attain social stability without fights between person and person as well as world peace without attacks between nation and nation. In the modern West, the American social philosopher Erich Fromm [1900-1980] has diagnosed the decline of Western society. In his view, it consists in "the lack of loving." Therefore his prescription is "the growth of loving." According to him, loving demands found a positive relation with the other. "We mean by it the union with another person on the basis of the independence and integrity of the two persons involved."9 He emphasizes, "Love is primarily giving, not receiving."10 The loving person devotes his joy, interest, understanding and knowledge in life to the loved persons, and enriches them with these gifts. According to Fromm, loving is a kind of condensing force and the link promoting human solidarity.

Having absorbed the reasonable content of former Eastern and Western humanism, and linked it with contemporary Chinese reality, we propose *socialist humanism* from a new angle as an ethical principle for handling relations among people. By it we demand a change from out of date interpersonal relations, such as 'affiliated relation without freedom'; unequal, hierarchic relation; money relation without affectionate feeling; and fighting relation as between tiger and wolf, etc. Getting rid of bad relations such as these will help to establish an equal, solid, helpful and cooperative relation among the broad masses of the people. It belongs to an important content of socialist spiritual civilization. This kind of humanism implies some main principles, such as:

1. Man has the supreme value. It affirms that man is the most precious among all things. It advocates respecting and regarding the person. Doing everything, including economical and cultural construction as well as social reform, man should be purposeful. We must aim at promoting the individual's secular happiness and comprehensive development.

2. The collective interests of the masses of the people are taken as *the* value. This encourages collectivism and recommends social public consciousness, social responsibility, altruism, serving people whole-heartedly. That "I serve everybody, everybody serves me" is its slogan. It demands that individual value and individual interests should integrate with social value and collective interests, and keep their development *coordinately*. But when they conflict each other, the former should obey the latter.

3. It purposes to establish a kind of equal, solid, 'subsidiary' and harmonious relation among people. Socialist humanism sponsors the principle of mutual love and help for each other, advocating the saving and curing of the wounded, respecting the elderly and supporting children, helping the poor and the weak, protecting women's and children's legal rights, realizing the equality between cadres and the masses, between the officials and the soldiers, between the army and the people.

4. It refuses to bestow benevolence on serious criminals. We insist on punishing them. That means to arrest them and put them into prison, even sentencing some of them to death. Otherwise criminals may be not afraid of law and incessantly do harm to the broad masses of the people. To say 'humanism' means to protect the safety of the collective; the 'people' are the biggest humanism. However, we will give humane treatment to criminals who have lost their capacity to perform harmful acts. We will educate and reform them, make them new persons, let them return to society and benefit it.

Obviously, socialist humanism is different from other humanisms, for example, humanism (really, anti-humanism) that has changed man into a thing or made him a 'reification'; religious humanism that centers on God; and Western humanism founded on individualism and universal fraternity. In our view, the ethical principle and normal norm of socialist humanism can cultivate collective identity, reciprocity and public spirit among people; and respect and regard the people's interest, rights and personality. In order to set up the solid, 'subsidiary' and harmonious relation among people, it offers a theoretical guarantee.

The Humanistic Activity of Civil Society—The Practice of Promoting Solidarity and Subsidiarity

A proper ethical norm and value is necessary for us to establish solid and 'subsidiary' relation among people, but more important is the social practice of various forces of the whole society. In

modern society, civil society is different from individual and state, its institutions, organizations and movement, as a sort of voluntarily linked group and organized public force. Civil Society is superior to the separated individual, and can complement the insufficiency of the state force, too. These social institutions without the color of political power have multi-dimension (educational, cultural, economical, regional and religious). Performing human solidarity and subsidiarity, it can function actively in an extensive field. It is through the democratic practice of civil society that the masses of people and social institutions play an important role in social life.

China is a developing country, of wide geographic area and a large population. The part of the people who live in poverty and difficulty need others's help. Meanwhile China has had the humanistic tradition for millennia. It has sponsored benevolence and joy from helping people and getting along with others; it has regarded solidarity and harmoniousness as precious. The late warrior of the People's Liberation Army, Lei Feng, is a glorious example of serving people. Now we launch "Learning from Lei Feng" activity and popularize Lei Feng's spirit. In doing so, we can cultivate people to contribute their loving heart and to serve the people whole-heartedly. Besides, in order to establish solid and 'subsidiary' relations among the people, various activities of humanistic practice are now established by Chinese civil society:

1. The Chinese International Committee for Reducing Calamities (since 1991) is engaged in support for stricken areas. China is full of many disasters, such as earthquakes, forest fires, floods, drought, windstorms, etc. If a heavy natural disaster happens in a certain area, this institution will operate on the principle, "One area encounters difficulty, all support it!", mobilizing people nationwide to donate their money and things, to sell commodities and to give performances voluntarily, giving the masses in the stricken area food, clothes, medicine and other necessities, helping the stricken people arrange their lives and rebuilding their homes. The Committee plays a positive role in reducing the difficulties of people stricken by natural disaster.

2. The Chinese Handicapped People's Association, established in 1988, engages in supporting activities for the handicapped. There are over sixty million disabled people who are involved in about 20 percent of the families in China. General speaking, the deaf-mute, the blind, the crippled, and other handicapped people have much more difficulties than non-disabled people. It is quite difficult for them to get jobs. Furthermore, their income is very little and their life is hard, so they are eager to gain some help from others. The Association, which consists of the representatives of and workers for the handicapped, offers all kinds of services for them, mobilizes all walks of life to support and help them: these services include study-opportunities, skill and job training, medical treatment, and other ways to recover from poverty. At the same time, it also maintains their civil rights, encourages their self-respect and self-confidence, strong-mindedness, self-support and hard work. In order to promote that handicapped people join society with treatment equal to that of others, the third Sunday in May is dedicated as "The day of helping the handicapped nationwide." Activities of propaganda and service thematized as "Humanism is in my heart" are held. On this day every year, nearly ten million people participate, and a lot of disabled people set up their serving stalls on the street to give people some voluntary service, such as haircuts, and repair of bikes, radios and musical instruments.

3. The "Hope Project" fund raising money for children's learning. Although our country has a compulsory education law, and most children can go to school, in some poor areas of the borders and the mountains, there are about one million dropouts annually. They cannot finish their primary education because of poverty. A foundation for helping dropouts in these poor areas -- "Hope Project" was set up in 1989. It mobilizes people nationwide to donate their money, books and

learning tools to remote mountain areas and villages. Up to now, over one and a half million dropouts have already been aided: they can return to school. About three thousand six hundred schools have been set up or repaired. A lot of donors are partnered with the donation-recipients, keeping touch with them. The donors encourage children to study hard and wish them to become useful talents in the future.

4. Various foundations for developing public service. These foundations are for the most part founded by enterprises and units in China belonging to the public, and not to the government, nor to individuals. They aim at enhancing joint support, help and promoting all kinds of public services. Among them there are charitable foundations, welfare foundations for the disabled, foundations of educational development and social foundations for helping families that live in difficulties, etc. They support orphans and unmarried or widowed elderly; they aid poor students, assist seriously poor patients and the unemployed, help persons troubled by sudden calamity, establish recovery centers and professional training centers for the handicapped, and offer them free or preferential services.

5. Volunteer associations (since 1994). The structure of the volunteer association consists of two parts: group and individual. Its members include units, enterprises, professionals, common laborers, retired workers, self-employed, civil servants, students, etc. There are about one million three hundred thousand volunteers and over ten thousand volunteer teams in Shanghai. Their motto is "Devotion to society and wholehearted love from us, wholehearted help for you." A lot of charitable services, such as legal consultation, medical service, technical repair, scientific popularization and doing housework, are organized to help those in need. They feel it incumbent on them to do everything in their power to relieve the heavy burden, and are willing to devote their wisdom, energies and skill to society. They in particular take care of helpless elderly, the feeble, the medical patients, disabled people, the families of the military and of martyrs. They also perform much voluntary labour to clean the environment, to plant trees and to help the police maintain public safety. By this route, a good atmosphere of "I serve everybody, everybody serve me" is being gradually created.

6. Solidarity and subsidiarity-based ‘common formations’ based on the community. The community is a social living ‘common formation’ of inhabitants in a certain area, a miniature of the society. It is integrated with politics, economy, culture, education, and daily life. It has its own particularities: autonomy, nongovernmental contact, regionalism, publicity. Now a ‘common formation’ that is based upon the inhabitants of community and centered on harmoniousness is being formed in Shanghai. Public consciousness and the collective identity of the community are cultivated. Starting from common interests and needs of community, the community shares local material and talent resources, manages common affairs and builds ‘spiritual civilization’ jointly. It also provides a daily transportation service and safety service for the inhabitants. Local people can obtain some assistance in law, job, medicine, education and psychological support, and discuss their urgent problems so these can be resolved in common. So community is becoming a living ‘common formation’ of solidarity and subsidiarity, a harmonious home of interpersonal relation.

Man has both material needs and spiritual needs. In pursuing progress in material and spiritual life, the people need equal, fraternal relation among themselves and a social environment of mutual solidarity and subsidiarity. The humanization of interpersonal relation is a lofty ideal that mankind has striven for a long time. It also is one of the important signs that mankind is free from struggle for existence on a brute level and is really entering into a properly human domain. "Small government and big society" is the controlling theme of social development in contemporary

China. If nowadays the world depends on the practice of civil society to promote human solidarity and subsidiarity, and improve social harmony and stability, these are achievements of human civilization and progress. To better work towards this goal, we Chinese communicate to each other the relevant theories and practices of other countries too. There is no doubt that this practice can be very instructive.

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Notes

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3. "The Confucian Analects, Yan Yuan," in *The Chinese/English 'Four Books'* (Hunan Publishing House, 1992), p. 175.
4. "The Works of Mencius, Gongsun Chou," Part 1, *ibid*., p. 321.
5. The Oxford English Dictionary, 2nd edition, vol. xvii, p. 59.
6. "The Confucian Analects, Yan Yuan," *ibid*., p. 169.
7. "The Confucian Analects, Xue Er," *ibid*., p. 67.
8. "The Confucian Analects, Yan Yuan," *ibid*., p. 167.
9. Erich Fromm, *Escape from Freedom* (New York: Holt, Rinehart and Winston, 1976), p. 161.
10. Erich Fromm, *The Art of Loving* (New York, Harper & Row Publishers, 1974), p. 18.

Chapter XI

Transforming Social-Cultural Hierarchy: To Develop an Equitable "Civil Society"

Elinor L. Brown

American society, as John Ogbu (1988) characterizes it, is an inequitable three-tiered socio-cultural order that dictates how the offspring of various cultural groups (*e.g.*, dominant, voluntary, and involuntary) pass through the stages of development and ultimately participate in or are related to the margins of mainstream society. In their investigation of the social, economic, and political structures of European, African and Asian nation states, Dench (1986), Kymlicka (1995), and Lapidoth (1997) provide a solid case for the prevalence of this tripartite societal structure within most nations. However, as countries become more multicultural and international alliances more critical, these inequitable societal structures must give way to a just and unbiased global "civil society."

"Civil society" is defined by Hegel (Crites, 1969) as the phase of social life where mature, intelligent, responsible members of a group embrace cultural independence by releasing themselves from the tethers of their social allegiances to engage in economic pursuits that unite individuals across cultural boundaries. Additionally, McLean (1997) defines "civil society" as "the political means to govern and be governed as a member of a community." Habermas (1992) and Kymlicka (1991) indicate that subcultures without cultural autonomy lack political and economic redress to embrace cultural independence and therefore continue to be controlled by dominant social orders that exert inequitable advantage over them. Social-cultural hierarchy influences cultural autonomy and the interactions and relationships within and between family, community and society. This ethically dubious social order affects the socialization process of the youth within marginalized and mainstream cultures and therefore, determines the moral and ethical judgment of the individuals that will shape tomorrow's "civil society."

Social-Cultural Hierarchy

The following discussion of socio-cultural hierarchy applies to the majority of nations and, with some variations within each of the three tiers, provides insight into the need for cultural autonomy, political freedom, and educational reform when addressing the process of developing non-exploitive and non-coercive national and global social, political, and economic interaction among various social orders.

Dominant Cultures

Even when they represent a numeric minority, dominant cultures occupy, by definition, the top of the social-cultural hierarchy. They acquire and maintain their positions through (1) social, political and economic coercion and suppression, (2) military force, (3) birthright, (4) apartheid or (5) a combination of the four. In contemporary societies this is evident in the treatment of the Aborigines in Australia, African Americans and Native Americans in the United States, Palestinians in Israel, Serbians in Bosnia, Turks in Germany and indigenous peoples in South Africa.

Dominant groups within a society control the distribution of wealth, the national political agenda and the cultural frames-of-reference for all individuals within their boundaries. As McLaren (1994) indicated, the primary responsibilities of dominant cultural groups are to insure internal political stability, advance their own economic development, promulgate their traditions, and enhance the international prominence and power of their own cultural group. Meanwhile, by manipulating the internal flow and content of information and formal public education, a dominant culture can influence and control the cultural relevance of all other subcultures within its society, dictate the context in which other groups function in relation to the dominant culture, and make sure that power and wealth pass primarily within that dominant culture (Freire, 1998; Ogbu, 1988; Stevens, et al**,** 2002).

Voluntary Sub-cultures

Cultural groups such as Asian, Eastern European and the Irish who immigrated to the United States between the late eighteen hundreds and mid twentieth century, purposely immigrated to, and immersed themselves in, established Anglo-Saxon American culture, bringing with them their social and cultural constructs. Dench (1986), Kymlicka (1995), Ogbu (1988), and others have identified at least four predominant variables that fostered the successful integration of these subcultures into mainstream society:

1. Autonomy to maintain their cultural traditions and disseminate their cultural histories to their offspring,
2. Ability to neutralize incoming communications deemed detrimental to the well-being of their community,
3. Willingness of the core (dominant) culture to accept into mainstream society those values and mores of the voluntary culture it deems compatible,
4. Competence to compare their current (even if repressive) and historical status and conclude that future economic and political opportunities will be better for their offspring in the current society than the former.

Caplan, et al. (1992) estimates that by the third generation, most voluntary subcultures have blended into mainstream society. Once they acquire mainstream rank, most members of voluntary subcultures enjoy the political freedom, economic privilege, cultural recognition, and social responsibility attributable to dominant culture status. In exchange, they pledge allegiance to the social, economic and political precepts of the dominant culture.

Involuntary Subcultures

These subcultures occupy the least influential rank in the social-cultural hierarchy of a society. They include: (1) indigenous groups, (2) coerced political and economic refugees, and (3) forced laborers. Ogbu (1988) and Stanfield (1992) defined them as cultures that have been forcibly detached from their native domains, restrained by a dominant culture, and systematically coerced into relinquishing their cultural heritage and value systems. In the writings of Kymlicka (1995), Dench (1986) and other philosophical and social scholars, one finds the following four deterrents that keep involuntary subcultures on the bottom of the social, economic and political echelon of a society:

1. Coerced relinquishment of cultural autonomy, which leads to the subversion of cultural mores and historical frames-of-reference,

2. Systematic erosion of the involuntary subculture's ability to recognize and neutralize adverse incoming communications, which leads to permanent economic and political dependence and exploitation,

3. Refusal by the dominant culture to affirm and integrate the cultural values of involuntary subcultures deemed compatible with mainstream society, which leads to continuous social-cultural perversion,

4. Belief that the current and future opportunities for their offspring will languish within the existing societal structure.

The antagonistic relationship between involuntary and dominant cultures within a macro society gives rise to a permanent underclass, which ultimately fosters political unrest and continual internal strife (Dench, 1986). Over time, this interaction impedes the entire society's ability to establish and maintain a national "civil society," because an authentic "civil society" cannot exist when one or more of its cultural groups do not possess the political and economic freedom to determine its own destiny (Csikzentmihalyi, 1993; Hegel, 1969; Norman 1971). With this dilemma in mind, four questions present themselves to those exploring the merits of "civil society" (*e.g.*, ethical, moral, and legally just for all groups):

1. How does the socialization process within a social cultural hierarchy stratify and influence the society's collective role in the development and affirmation of a legal, moral and ethical civil society?

2. Is "civil society" possible when inequitable cultural hierarchy exists and cultural autonomy for some groups is absent?

3. Can dominant cultures be persuaded to relinquish power voluntarily so as to provide equitable economic and political opportunities for all subcultures?

4. Does an inherent conflict exist between the individual's moral consciousness and aspirations for power and dominance?

Four Phases of Socialization

An individual's development involves four sequenced, interrelated, complex and overlapping phases in a process that commences at birth and continues throughout the life cycle. Csikszentmichalyi (1993), Habermas (1992) and Kymlicka (1991) believe that this process begins with the inculcation of family culture (that is the nuclear and extended family as primary care-givers), and then employs that foundation to foster the first social interaction within the cultural community. Giroux (1988) and Csikszentmichalyi (1993) reasoned that formal education should reinforce the foundations implanted by the family and augmented by the community, while equipping the child with the appropriate tools to make the transition from formal education to mainstream society. The writings of Freire (1970) and Spindler and Spindler (1989) suggest that this process should culminate with the continuous reinforcement and blending of an individual's traditions and values with core societal standards for political, economic and social order and equality.

Each phase of development must foster respect, moral judgment, and ethical responsibility for one's self and for others (Habermas, 1992; Kymlicka, 1991). The following illustrate how voluntary and involuntary subcultures oversee the inculcation of their offspring, the influence of the dominant culture on that process and examines how diminishing any of the four phases undermines the entire process and leaves the macro community incapable of developing and maintaining a "civil society" that pursues the "good life" for all of its members.

Phase I: Family

Csikszentmihalyi (1993), Dench (1986) and Hegel (1969) hold that the family should provide a sense of human interdependence while nurturing cultural pride, self-respect and moral independence when preparing its offspring for the transition into phase two of its development. Family membership must convey, both overtly and subtly, a cooperative and supportive posture toward and responsibility for the well-being of the family unit. In addition, families should instill an appreciation for new knowledge while teaching the offspring how to filter and blend compatible new concepts with the family's historical precepts.

Voluntary subcultures (e.g. in America these are the Chinese, Irish, Italian, Korean, Russian) generally are successful in orchestrating the family inculcation process because the dominant culture allows them to retain, defend and affirm their authentic culture identity, and they use that cultural foundation to filter out incompatible information while building an economic and political bridge to mainstream society. During the family phase, this filtering process permits voluntary subcultures to maintain their cultural autonomy and economic independence. Though easier for European than Asian voluntary subcultures, the offspring ultimately acquire the opportunity to bask in the positive contributions of their ancestors and use their cultural heritage to make the positive transition from family to community.

By contrast, Carroll (1990) concluded that involuntary subcultures (*e.g.*, African-Americans, Aborigines, and Native-Americans) are denied access to most of their authentic culture, including the positive contributions of their ancestors. For the Aborigines and Native-Americans this denial was manifested through forced relocation to "reservations" and the removal and indoctrination of their children in distant repressive Anglo controlled "boarding schools" (Churchill, 1994). The prescripts of enslavement denied African Americans their authentic culture through the legal systematic detachment and sale of their children and by prohibiting the practice and dissemination of their cultural traditions and languages (Franklin, 1978). As marginalized cultural groups, most of these families can neither defend nor affirm their authentic culture nor provide their offspring with the cultural foundation, self-determination, and social responsibility necessary to make the appropriate transition from family interdependence to community responsibility. Dench (1986) and Kymlicka(1991) indicate that this denial often results in an artificial subculture devoid of the capacity to filter out the unwanted, negative and conflicting communications disseminated by the dominant culture.

Without an authentic cultural frame-of-reference, many families in involuntary subcultures loose their ability to recognize, counterbalance and nullify contradictory political, educational, and historical information and often find themselves unable to cope with the social and economic pressures of their societal rank. Hence these groups are forced into cultural, social, and economic dependence on the dominant culture, which reserves the power to dictate and manipulate almost every aspect of the involuntary subculture's family life. The research of Freire 1970, Shor (1992) and Spindler and Spindler (1989) indicate that this circumstance thwarts the well-being of the

entire family leaving only a diminished capacity to provide offspring with the social and intellectual tools to make a positive transition to the next phase.

Persecuted as first generation immigrants to America, the Chinese, Irish, and Russian voluntary sub-cultures, though discouraged by the dominant culture, were able to retain their cultural autonomy and preserve their native languages, practice their religions, and inculcate their offspring with their cultural heritages. However, the enslavement, genocide, forced relocation and alienation of the first through sixth generations of African-and Native-Americans and Aborigines divested these subcultures of the cultural autonomy to inculcate their offspring with their "authentic" languages, communication patterns (verbal/nonverbal), hidden culture, religious practices and traditions (Churchill, 1994; Spring, 2004; Takaki, 1993).

Phase II: Community

A community takes responsibility for relating, mandating and regulating both the formal and informal instruction it deems relevant and necessary to convey to those residing within its boundaries. Communities customarily accomplish this work with examples set by its dignitaries who impart the wisdom and history of the community, by electing those political candidates committed to fostering its beliefs, by supporting educational institutions that cultivate its mores and aspirations and by sponsoring those religious tenets that corroborate and edify the community's value system.

This is easily accomplished when the community is a voluntary subculture, because the family unit has been able to prepare its offspring properly for the transition from family dependence to community interdependence and responsibility. The community collectively reinforces the traditions imparted by the family unit through its support of those educational, religious, and political leaders that defend and promote its beliefs while rebutting information deemed detrimental to its well-being. It fosters economic stability by patronizing those businesses owned and operated by members of its subculture. The community thereby initiates the first cultural blending process experienced by the offspring. Here the youngster learns to integrate the values of the family unit with those of the community.

Though this process seems almost natural, it subtly develops a child's information blending and filtering skills and acts to reinforce family. This is evidenced by culturally distinct communities (*e.g.*, Slavic Village, Little Italy, Little Korea), annual ethnic celebrations (*e.g.*, Chinese New Year, St. Patrick's Day and Oktober Fest), and ancillary education (*e.g.*, Chinese, Korean, and Jewish weekend schools). These community-unifying activities highlight the differences between the subculture and the dominant culture, and their solidarity provides the social, economic and political thrust to propel voluntary subculture into society's mainstream and induce the dominant culture to eventually affirm the voluntary subculture.

With the weakening and disintegration of the involuntary subculture's family unit and the abrogation of its culture comes the debilitation of its community. Its social structure becomes so flimsy that few of its leaders can provide the critical direction needed or promote the agenda necessary to move the community toward economic and political stability. Additionally, when the information-filtering skill fails to reach the offspring, detrimental economic consequences often ensue. The offspring who become professionals and entrepreneurs and choose to return to, reside in, market to, and practice within their communities are often viewed by their "own" with suspicion and as "outsiders" (*e.g.*, educators, lawyers, pharmacists, politicians, financial managers, bankers). Because the dominant culture, via both print and visual media, often portray these offspring as

devious or inept, the community questions the competence of the professional and the ethics of the entrepreneur with acceptance only forthcoming if validated first by the dominant culture. This attitude impedes the community's ability to gain the political and economic freedom to determine and pursue the "common good" of the community.

By controlling the mass media, educational institutions, and political arena, the dominant culture has the power consistently to constrain, attack and/or convey a patronizing attitude toward the involuntary subculture's community leaders, professionals and entrepreneurs. Consequently, a superficial leadership is imposed—one which lacks community credibility and the authority needed to control, filter and neutralize information and activities detrimental to the aspirations of the community. Additionally, financial stability and economic power is undermined because community role models, professionals and entrepreneurs are often replaced with "outsiders" who do not feel obligated to financially support the community.

As McLean (1997) observed, these communities find themselves stripped of the freedom needed to initiate and direct their actions toward the "common good" of their micro society. Surrounded by this conflicting and often hostile environment the youth, as a survival tactic may choose to: (1) reject the precepts of the dominant culture, (2) reject their perceived culture, (3) become cultural chameleons choosing to form peer communities of pernicious street gangs that embrace and assume the demeanor of persons of notoriety in the dominant culture, (4) imitating their heroes and celebrities, and/or (5) become socially and emotionally detached from society (Kymlicka, 1991).

Formal educational institutions, the mass media, and often the family and the neighborhood proclaim the community of an involuntary subculture to be an environment from which the offspring should attempt to escape. More often than not, the most creative, intellectually gifted, and economically independent children and families abandon their communities because they perceive them as ghettos and the residents as impoverished and indolent or disabled. Hence, the most propitious role models replace their community responsibility with community contempt.

Phase III: Formal Education

Both the overt goals and veiled intent of the public education systems of most contemporary societies are familiar and similar. However, the method of academic delivery and social development guidance varies from society to society. Though the recognized need for schooling may be universal, the implementation, underlying intent and control of public education systems vary from abolishing access (*e.g.*, Israelis/Palestinians, Nigerian Muslims/Christians, Croats/ Serbs,) to the detrimental indoctrination of a community's youth through education (*e.g.*, Nazi Germany, Russia, Pakistan).

Banks (2001), Brown (2004b), Csikszentmihalyi (1993), and Glasser (1990) indicate that in a pluralistic society, the primary responsibility of formal public education is to motivate each student to make a positive transition from their community to mainstream society by providing an intellectually challenging, culturally relevant, and compassionate educational environment conducive to both the social and academic learning process. Banks (1995), Cremin (1988), Oakes (1985), Ogbu (1992), and Shor (1992), however, contend that most formal public education systems are historically used by societies as a tool for social class preservation and political indoctrination. Further, Dench (1986), Kozal (199l), McLaren (1986), Spring (2004) and Stevens et al (2002) postulate that public educational institutions often serve to perpetuate the hidden agendas of those who control the formal dissemination of knowledge.

Katz (1987) and Tyler (1944) used the treatment of Chinese, Eastern European, and Irish Catholic immigrants to illustrate the use of public education in the United States as a tool for indoctrinating cultural requisites, religious viewpoints, and social-class prerogatives. Public education provided a convenient platform from which to induce Irish, Italian and Eastern European immigrants and their offspring to embrace, condone, reinforce, and perpetuate the established social-economic structure while fostering their belief that through assimilation and diligence they too might achieve economic and political stature. By the third generation, many of these immigrants had indeed been integrated into mainstream society.

This same educational system served, however, to provide an effective way to stigmatize, ostracize, terrorize and coerce the Chinese and other Asian cultures for more than one hundred years. Though many emotional scars remain, these cultural groups have recently become successful in their pursuit of dominant culture acceptance and the mainstream integration for their offspring. Kymlicka (1995), Habermas (1992), and Dench (1986) attribute this success, and that of other voluntary subcultures, to their retained cultural autonomy and freedom to pursue the "common good" of their community group, a point discussed here earlier.

While public education shaped the social behaviors and attitudes of early immigrants, reinforced the established reward system and instilled the work ethos of punctuality and compliance, it operated differently for African-and Native-American involuntary cultures. As these subcultures migrated to the urban ghettos of America, another responsibility fell to the primary role of public education: The hidden curriculum of dependence on the dominant culture, intellectual inferiority, and learned helplessness.

The offspring of involuntary subcultures were also promised integration into the social-economic mainstream in exchange for cultural conformity, academic diligence and adherence to the same work ethos as voluntary subcultures. However, they were and are indoctrinated, through the hidden curriculum, with the perception of social, cultural and intellectual inferiority to both the dominant and voluntary cultures (Gay, 2000; Steel & Aronson, 1995; Tatum, 1992). These groups are rewarded with social and economic apartheid, core culture dependence, and a belief that they are helpless to improve their social, economic and political rank.

In sum, formal public education institutions nurture, reinforce, and protect the right of dominant and voluntary subculture children to embrace and participate in the economic and political structure of mainstream society. These institutions further grant them the prestige and financial rewards associated with hard work and intellectual prowess (Delpit, 1995; Stevens, et al; 2002). The community and schools work in consort to reinforce dominant cultural pride and community solidarity and responsibility while preparing the offspring for the constructive transition into mainstream society (see figure 1). Therefore, most children of voluntary subcultures are able to matriculate through the formal education process without the home/school cultural conflict that impedes the development of successful social and academic skills. Ultimately, these students retain positive community bonds and participate in the society's vision (bestowed by the dominant culture) of significant rewards for significant hard work.

Figure 1. Voluntary subculture: Relationship of formal public education to the interdependence of family, community and society.

But, these same institutions thwart the educational endeavors of involuntary subcultures by subtly and overtly negating the relevance of the subculture's authentic culture and its leadership by promoting the hidden agenda of dependence on the dominant culture, by indoctrinating the offspring with erroneous perceptions of social and intellectual inferiority, and by failing to

advocate and promote the right of all subcultures to embrace and participate in the economic and political opportunities afforded to some within the macro society (see figure 2). As a result, most children of involuntary subcultures proceed through the formal education process without acquiring the skills, rights and benefits of dominant culture validation and acceptance.

Figure 2: Involuntary subculture: Interdependence between Society and formal public education: Lack of interdependence between family, community, society, and formal public education.

Phase IV: Adulthood

Reaching adulthood implies the inherent maturing process of seeking and evaluating new information to: (1) Improve the quality of one's own existence, (2) give meaning to one's consciousness, (3) protect and advance one's own reference groups, and (4) develop wisdom in order to contribute to the enlightenment and prosperity of all members of society (Habermas, 1992; Hegel, 1969; Csikszentmihlyi, 1993).

As adults, voluntary subcultures retain the ability to pass on the history and values of their cultures. These inheritances become an integral component in an adult's process of encoding and evaluating information. Through observance, engagement, and training within the family and community, the offspring develop and strengthen their skill at filtering, blending, neutralizing and internalizing information. This ability enables voluntary sub-cultures, as adults, to critically analyze incoming information for relevance and authenticity before making value judgments. Finally, the educational system validates the culture, encourages independence, and provides educational opportunities that enable the offspring to make the successful transition into mainstream society. Beginning with the third generation, offspring of voluntary subcultures experience cultural acceptance, political power and economic security. They then acquire a vested interest in maintaining and advancing the cultural hierarchy established by the dominant society.

Many youth from involuntary subcultures reach adulthood lacking: (1) an authentic cultural foundation, (2) effective transitioning skills, and (3) the emotional and academic requisites necessary to become adult contributors to the advancement of mainstream society. Those adept in developing a chameleon *persona* are capable of functioning satisfactorily in both their micro culture and mainstream society. Still they often fail to garner dominant culture acceptance and support and are systematically denied, as a cultural group, broad participation in the political and economic rewards associated with success in mainstream society. This denial ensures the perpetuation of their involuntary subculture status and gives impetus to national political dissonance, internal instability, and ultimately negative international economic consequences for the dominant culture.

Transforming Social-Cultural Hierarchy into an Equitable "Civil Society"

The preceding discussion has presented an overview of the development, implementation and perpetuation of social-cultural hierarchy and it's implications for contemporary societies. Can this social-cultural stratification be abolished, and if so will humanity develop a true global "civil society" that is ethically, morally, and legally just for all peoples?

Reclaiming Cultural Autonomy

Is "civil society" possible when inequitable cultural hierarchy exists and cultural autonomy for some groups is absent? Divested of an authentic cultural heritage, members of an involuntary subculture may compensate by developing a "pseudo culture" composed of the current ideology of the dominant culture (which has been propagandized by the dominant culture as the subculture's own history) and the remnants of their true indigenous culture. Though the development of a "pseudo culture" increases the offspring's opportunities to transcend the economic and political barriers between the involuntary subculture and mainstream society, Ogbu and Gibson (1991), found that socially it often excludes them, as adults, from both cultural groups. To guard against the emotional ramifications of isolation from both cultures, Habermas (1990) suggests that all communities should exercise their inherent ability to reclaim their lost authentic culture through verbal interaction.

Freire (1970) and Spindler and Spindler (1989) recommend that "cultural therapy" in the form of guidance and training be conducted by members of the child's own culture and continue over an extended period. Freire (1985) contends that children not instilled with an authentic cultural prior to engaging in the formal education process can be motivated, with guidance, training, and inspiration to acquire the skills needed for social and academic success. They thus are able to develop the moral and ethical foundations to contribute to the economic and political stability of their communities and the larger society (Freire, 1998; Steel & Aronson, 1995; Stevens, et. al., 2002; Tatum, 1992). Educators who become cultural brokers and social transformation agents will respect, validate and expand on the diverse cultural capital that students bring to schools and will provide: (1) Students with cross-cultural sensitivity and communication skills, (2) families with the encouragement and assistance needed for participation in both the formal and informal education process, and (3) communities with training and support to assist in the development and implementation of strategies to revisit, connect and use their authentic cultural heritages to effectively transition their offspring into mainstream society without usurping the informal guidance and training responsibility of the family and community (Banks, 2001; Brown, 2004b; Gay, 2000; Nieto, 1999).

Resolving Conflict and Sharing the Power and Wealth

How does society resolve the inherent conflict between moral consciousness and the individual's aspiration for power and dominance? Self concepts, individuality and future goals all influence one's propensity to recognize, champion and actively engage in fostering the rights to equitable treatment and the pursuit of happiness for those outside one's reference groups. Hence, there exists a deeply rooted conflict between "self" and "others" in the acquisition and distribution of wealth and power. This conflict is often instilled during the family and community phases of socialization, but can be redirected and modified through education, legislation, economic development and politics. At this juncture, it should also be noted that one's concept of self influences one's ability to formulate, advocate and exercise equitable moral judgment across cultural boundaries (Brown, 2004b; Banks, 2004; Dench, 1992).

In exploring ways in which information is incorporated into one's cognitive structures, Bandura (1993), Brown (2004a), Chickering (1977), and Habermas (1984) observed that individuals evaluate incoming data in light of their past experiences and current knowledge, both of course, couched in their cultural frames-of-reference. Individuals interpret and base the decision to accept, reject and/or implement cross-cultural directives on their cultural perspectives, perceptions of, and interactions with, those outside their reference groups, traditions, and future

expectations. These decisions continuously construct and modify one's moral and ethical value judgments.

It is imperative that educators become more than repositories and purveyors of their own story, and facts of science or math; but they must also assume some responsible for transmitting the moral and ethical directives of society for the "common" and "greater" good of humanity. Students must be made aware of the interconnectedness of a global system, their role as stakeholders in the future of society, and the personal benefits of providing access to all individuals and groups. Marginalized groups can raise moral consciousness among themselves and the dominant culture through astute coalition building across cultural borders, power brokering through political activism, and redress through legislative action. All must be made aware of the benefits of sharing political and economic power as well as the rights and responsibilities of citizenship in an increasingly global society.

Conclusion

The socialization of a nation's youth has always been divided into four phases. Ideally, those phases are interdependent yet autonomous where:

1. Families supply the cultural underpinnings and frames-of-reference,
2. Communities validate, reinforce and expand the foundation implanted by the family,
3. Formal public education coordinates and blends the values and customs of the communities and families with those of the mainstream culture and equips students with the transitional skills to become productive members of the macro society,
4. Macro societies continuously reinforce, in the adult, the acceptable mores and established societal structures for the "common good."

This process works effectively for both dominant cultures and voluntary subcultures, but it does not function in the best interest of involuntary subcultures. Having been stripped of their cultural foundations and the ability to filter incoming communications, and continuing to be systematically excluded from the mainstream, the families and communities of involuntary subcultures find it difficult to inculcate their young with a cultural foundation that will foster the self-respect, self-esteem, and community allegiance necessary to succeed in the formal education process and ultimately in mainstream society. Therefore, most offspring of involuntary subcultures lack the authentic cultural frames-of-reference, information filtering skills, and macro-society security to value and support the ideology of a "civil society" that is legally and ethically just.

These children often infer a sort of inverse relationship between family, community and formal public education. Coupled with marginalization by the dominant culture, this relationship impedes their successful passage into mainstream society, cultivates an unstable community environment, and drains both local and national communities of human capital and economic resources. The reaction to this tension often surfaces as withdrawal or violent outbursts, both self-directed and dominant-culture focused (*e.g.*, rioting, delinquency, school dropout, drugs, academic disengagement). Meanwhile misguided and misinformed politicians and educators often recommend that the formal educational system assume the roles of family, community, and educator in order to reduce or reverse this pernicious behavior. Consequently, the offspring as adults remain on the fringes of mainstream society and seldom demonstrate an authentic obligation or allegiance to the community from which they come. These offspring receive indoctrination from

their educational institutions and the macro society without benefiting from a commensurate inculcation process that, in an ideal society, the family and community provide. This pattern subverts family/community cohesion and the children come to depend on the dominant culture to define and sustain them.

When the inculcation and indoctrination process is balanced, it promotes a positive interaction among the nuclear/extended family, community, public education and mainstream society. This balance leads, in turn, toward a more congruent interrelationship among all social groups and classes, and promotes the development of a politically and economically independent and anchored society that better prepares its children to be morally and socially aware and tolerant while it urges critical thinking and altruistic economic development.

Communities of involuntary subcultures must receive the economic support, cultural autonomy, and political freedom to develop and sustain their responsibility for the cultural, moral, and ethical inculcation of their offspring, and the development and implementation of activities that foster the "common good" of both the micro and macro societies. Educators, meanwhile, must become sensitive to their own biases and those of the dominant culture, provide their students with the tools to resist the hidden curriculum and agenda of the dominant culture, and equip their classrooms with the material and ambience that encourage learners to cultivate their intellectual, moral, and ethical skills so as to achieve an authentic "civil society" that also fosters global responsibility.

Dominant cultures must maximize the participation of all members of their societies by:

- fostering the political and economic development that permits all subcultures to determine their collective course toward the good of their communities;
- providing the environments whereby involuntary subcultures deprived of their authentic cultures can independently reconstruct, develop and blend positive cultural frames-of-reference for the "common good" of their offspring, families, and communities;
- respecting and validating all cultures; and
- empowering all subcultures to participate in the mainstream society.

To maximize participation in mainstream society, involuntary subcultures must:

- demand and assume responsibility for inculcating their offspring with the necessary cultural requisites to succeed in any academic environment;
- nurture in their offspring a sense of positive self-esteem, self-respect and self-worth; promote community awareness, appreciation, respect and benevolence;
- cultivate the subculture’s transition into mainstream society; and
- use political, judicial and economic pressure to insure the participation in mainstream society of their offspring.

When involuntary subcultures, educational and political institutions, and the macro society foster endeavors that allow each subculture to maintain its freedom to govern for the good of its group and society, respectively, the world will be enriched. Only then will national and global resources be productively maximized to the benefit of every social and cultural group. Only then can society approach the philosopher’s vision of a morally, ethically, and legally just national "civil society" with solidarity that supports global responsibility.

We close with four questions. Burdened with a history of social and cultural exclusion and societal insecurity:

(1) Will the offspring of involuntary subcultures, who do access the political and economic spheres of mainstream society as adults, be willing to participate in the development of an authentic national "civil society" with global responsibility?

(2) Will societal insecurity prompt these offspring, in their adulthood, to emulate and validate the very social-cultural hierarchical structures and educational institutions that oppressed them in their youth?

(3) Will they perpetuate the coercive and exploitive demeanor of the current mainstream society? or

(4) Will they be instilled with the propensity and moral fortitude to demand significant societal reforms and strive for a just "civil society" with solidarity that fosters global accountability?

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Chapter XII

Husserl's Phenomenology and Bohr's Quantum Theory in Relation to Both: The Art of Fiction and Democratic Society

Mamuka G. Dolidze

The problems under discussion refer to the following topic—the phenomenological way of thinking in various fields of human activity. The phenomenological conception of quantum theory, resulting from the analogy between Husserl's phenomenology and Bohr's interpretation of quantum theory is used as a basic conception here. We certainly realize that the hypotheses and results of our investigation go beyond Bohr's interpretation, but at the same time, they are a logical extension of Bohr's position to the field of existential phenomenology. By extending Bohr's interpretation through the complementarity principle, we link the "orthodox" quantum theory with the stream of consciousness and polyphony in contemporary fiction. The basis of such an analogy is the fact that both areas (atomic world and artistic reality) use the same phenomenological method of object construction.

By treating the following assertions on the basis of existential phenomenology we try to reveal how consciousness, as a stream of existence, acts in both physical and artistic areas. All this reflects modern scientific thinking and the art of fiction; it highlights an important feature of contemporary thinking—the appearance of polyphonic forms in the existential unity of human consciousness.

Expansion of Bohr's Interpretation of Quantum Theory

We expand Bohr's principle of complementarity and assert that it expresses not only a new situation in quantum physics, but the essence of contemporary thinking in science. Our feature of this way of thinking is the rejection of the common basis of cognition, which is responsible for the grounding of consciousness in terms of the truth.

Thus, complementarity acquires a meaning with regard to independent and self-existent layers of consciousness, that are mutually exclusive and imply non-existence beyond themselves. According to the principle of complementarity in spite of the denial of the common world, we have a meaning of existence which comprehends mutually exclusive parts of the mind. Therefore, it is advisable to regard them as mutually complementary. We do not mean the existence of things surrounding us. Complementarity is a regular principle of subjective being, which is a process of the acquisition of meaning. This process creates existential meaning in perspective of infinity.

By asserting that complementarity introduces the meaning of subjective being in quantum area, we also confirm the integrity of atomic experiment, i.e., the interaction between microparticles and measurement instruments which is indivisible and can not be subject to control, does not reflect the interaction between the classical and quantum object, but between the subject and object, or strictly speaking, between subjective and objective being. Otherwise, the uncontrolled character of the interaction would be impossible to explain. Only the assumption of subject-object interaction explains this. Subject can control this interaction, as it can objectify itself, but this act of objectification can not exhaust it. There is always certain extant of subjectivity which ensures objectification. At the classical level this subjective component is beyond the picture of physical reality, but in quantum area this is an inner component of atomic action and the

picture of reality. Therefore, the interaction between particles and the instruments has uncontrolled nature.

Thus, we receive an important result: Contrary to classical physics, subjective existence is an inner part of quantum reality (we mean the picture of reality, but the denial of the basic world beyond quantum descriptions opens a possibility of identifying the picture of reality with the reality itself, by stating that the act of description, as an ontological act reveals and hence creates the different aspects of quantum reality). But according to our suggestion, subjective being is an ontological act of the acquisition of meaning and no more than that. Therefore, the measurement and classical language of atomic events by means of which the theory gains physical meaning are not the components of knowledge (as was the case in classical physics), but the components of physical reality itself.

Another feature of subjective being is an aspiration for the independent existence of the individual subject in the quantum area: atomic measurement is more than a mere action between classical and quantum objects,—which can not explain its integrity. In contrast to physical being Bohr assumed a new form of existence in the atomic world, which introduced the necessity of classical terms, inequity of indeterminacy and the principle of complementarity. In our opinion, this is expressed through the indeterminate and individual conduct of atomic particles (they are undetermined as much as they are founded by subjective existence). Therefore, quantum probability, in contrast to classical quantity, is a peculiarity of reality due to its irreducible nature.

Quantum probability is bounded by the inequity of indeterminacy. Therefore, statistically it excludes any probable error, exactly maintaining its internal (determined by Shrodinger's equality) of probable meanings. This peculiarity of quantum probability contradicts the general classical concept of probability. Therefore, for that reason, basing themselves on quantum probability and using the theory, physicists could successfully solve physical problems and consider the quantum dualism and indeterminacy as non-physical, metaphysical problems. But their approach was not justified. The wave-particle dualism is, first of all, a physical problem; but the examination of wave and particles as mutually exclusive aspects is a classical abstraction, which is far from the atomic reality. Mutually exclusive relationship means that a particle is measured absolutely precisely, is located in a certain point and consequently, a wave spreads infinitely and the information on its location can not be available. But such a state of affairs can not exist in the quantum reality, because the precision of measurement is limited to its integrity. In the quantum reality the wave and the particle do not in fact exclude each other, but they can coexist, unless their exact values are lost. In short, instead of wave-particle precise parameters we have probability quantities.

The quantum probability (i.e., statistical exclusion of probable error) makes a statistical theory in contrary to the classical case, complete and fully predictable theory; the non-exclusive actual correspondence and simultaneous preservation of wave-particle dualism, require fuller and deeper explanation. Our explanatory model is the following: the wave-corpuscular atomic dualism echoes the total dualism of existence; the dualism between spirit and matter, physical being and spiritual reality, subjective and objective beings. A great miracle of life and existence is the fact that in spite of mutually exclusive dualism between matter and spirit, nonexistence of a logical bridge between them, our consciousness as a living entity is permanently transformed from spirit into matter and vice-versa. Simultaneously it keeps together the exclusive aspects of existence, even though this is logically impossible. How can it happen? This question has no answer. Since life is miraculous, we should not search for solution but accept the dualism containing integrated reality instead. Existence is an indivisible result of the interaction between mutually exclusive sides—subjective and objective being, which is obviously revealed in the atomic field. The quanto-physical reality

is an integral result of the interaction between subjective and objective being, and the wave-particle dualism is an unsolved phenomenon just like a miraculous exclusive integrity between matter and spirit. By eliminating the dualism we destroy life in the atomic world. The principle of complementarity, on the contrary, helps us to maintain the dualism and correspond it to the real wave-particle wholeness, just like living consciousness keeps the physical and mental aspects of existence together despite the dualism.

The fact that the wave-particle dualism and irreducible quantum probability cannot prevent physicists from the successful solution of various physical problems, shows that there are some interconnecting wave-corpuscular sides of the atomic world keeping the dualism simultaneously. Therefore, we can use the principle of complementaritv with regard to the above dualism, and state that the wave-particle dualism is an individual case of dualism between matter and spirit.

A Phenomenological Conception of Quantum Theory

The interpretation of quantum reality as a result of subject-object action creates an opportunity to connect quantum theory with Edmund Husserl's phenomenological conception. Husserl aspired to discover the basis of existence. He thought that the way of traditional philosophy was wrong, for it used the concept of causality. Causality implies an infinite chain of reasons and results and thus, is useless as a substance.

Another way of determining existence is to search its meaning. Phenomenology investigates the factors creating the meaning of existence. These factors exist in an ontological depth of intelligence. Thus, Husserl emphasized, that consciousness forms reality. Husserl criticized the natural position of science, which unreservedly assumed the existence of reality. He remarked that abstention from the assertion of existence is a way to reveal its meaning.

Such an abstention is not the same as a doubt or denial of the existence of reality. The two last statements imply the understanding of the meaning of existence. The goal of phenomenological abstention is to throw light just on this meaning. Therefore, phenomenological method takes this assertion in brackets, retaining it conditionally. All this means that Husserl's requirement is to break the chain linking consciousness and external world, for being as an absolute, self-existing essence, exists not outside consciousness, but in the depth of its ontological level.

Thus, searching for the absolute source, Husserl turned his mind from the relationships of the external world to the absolute clarity of consciousness. Such a difficult task requires a definite method, the method of so called "phenomenological reduction," According to this method, the first step in the purification of consciousness from alien elements is to remove the orientedness of/towards the external things. Thus, consciousness gets rid of the actual world and the content of consciousness acquires a conditional nature, unrelated to reality, beyond the issue of objective substantiation.

This is called "taking consciousness in brackets." It is remarkable that the nonexistence of relationship between consciousness and existence is a way to reveal the meaning of existence and to present consciousness as the constructor of reality. The situation is the same with quantum theory. Because of the integrity of actions, there is a prohibition against representing atomic objects beyond the classical conditions of their measurement and cognition. These conditions do not apply to subjects as individuals. Nevertheless they are not a mere system of objects surrounding the atomic world. They acquire the meaning of cognitive conditions. The latter play a part of consciousness which attaches physical meaning to quantum objects and thus forms the atomic reality.

Husserl turns his attention to clear consciousness by substantiating being through the existence of consciousness. Perceiving classical instruments as conditions for quantum cognition, Bohr substantiated atomic being using these conditions, i.e., through subjective existence. Bohr brings classical terms into the quantum area and at the same time limits their use to the inequity of uncertainty. In short, his non-classical description is composed of classical elements. It means that he breaks the link between classical terms and classical reality, taking the classical picture 'in brackets'.

Let us compare this way of substantiation with the first step of phenomenological reduction. According to Husserl, while taking in brackets actual givenness of being, we consider it as content of consciousness and raise the issue of the conditions of their emergence. This means that we consider it not as the only reliable picture of the world, but as one out of many probable pictures which appear in other conditions.

Thus, each reflection of being is surrounded by various pictures, as a possible reflection of the same object in other cognitive conditions. Husserl denotes this as "revealing the horizon of possibilities." Here he implies, that possibilities are not an outcome of the actual picture but precede it instead. Therefore, "The science about pure possibilities precedes the science about the reality and makes the latter possible as a science (*Edmund Husserl, *Erfahrung und Urteil*, Prague,1939, Vol. 1, p. 106).

Here we observe the resemblance to the quantum situation: The classical experimental picture of the atom is the empirical givenness of quantum reality. Quantum theory, as a microstate theory, is a theory of possibilities, but not of the reality. The theory is not a result of generalization from atomic experiments uncovered through the classical language. Therefore, the latter, in particular, the continuity of classical terms, contradicts the quantum theory.

Quantum theory, the theory about quantum possibilities, precedes the classical description of quantum reality and substantiates it, but there is no agreement between them. The formalism of quantum theory and the classical picture of atomic reality are mutually exclusive and are complementary descriptive forms of the atomic world.

Hence, as in the case of phenomenology too, Bohr considers the actual quantum picture as a probable picture, which is surrounded by pure quantum possibilities, arising in different experimental conditions. The above is reflected in an inequity of uncertainty. Opening the horizon of possibilities, Husserl intends to reveal some stable and constant value which is maintained through all these changes. He considers every actual state of mind as probable, taking it in brackets. Passing from one kind of possibility to another, he gradually gets free from the actual givenness and tackles the pure form of it, which is nothing more than the experience of pure self, as a form of absolute being, for this subjective component is present in all of the cases.

Thus, according to Husserl, the fundamental being which constructs the world is a subjective being, which is given through the experience of pure self—the invariant value of various possible pictures of reality. To continue our analogy with quantum physics, it should be noted that while passing from one picture to another (in particular we have in mind the wave-particle pictures of the atomic world), everything changes, for—according to quantum theory—there is no common ground underneath; but nevertheless, there is an unchangeable point maintaining itself through the mutually exclusive states—namely, the integrity of quantum experiment based on the indivisible measurement process, i.e., on the interaction between a measurement tool and the quantum object.

This interaction keeps its uncontrollable integrity throughout quantum states. It is remarkable that tool-object integrity is a result of quantum theory, the theory about pure quantum possibilities, and, that on the other hand, it is a result of Bohr's principle (Bohr insists on the classical description

of measurement tools). Consequently, we have a classical picture of atomic measurement and, on the other hand, pure quantum possibilities, expressed through the quantum theory. The actual atomic state somewhat agrees with probabilistic quantum theory, even though, using the mutually exclusive languages, there is no functional dependence between them.

This situation bears a strong resemblance to phenomenology, which implies that the classical picture of atomic experiment is open to the horizon of quantum possibilities. Therefore, it is not surprising that we obtain an indivisible (tool-object) system thanks to the phenomenological approach to the quantum area. The integrity of quantum experiment, as an unchangeable point maintained throughout quantum states, is comparable to a phenomenological invariant.

As shown above, the invariant is pure self—the subjective point revealing itself through various states of mind. Such self exists only as an orientedness towards the object. The orientedness means that pure self has the idea of object and simultaneously some relationship with this idea. The self is readiness to fulfill the idea, hence it is more than an idea only; it can be considered as a possibility and motion towards the fulfillment of an idea. Such a definition agrees with the thesis that the source of being, the "subjective point," is the act of attaching meaning.

Let us trace the link between the phenomenological self and the integrity of tool-object interaction in the quantum area. Our analogy leads to a subjective understanding of this interaction. Otherwise, it would not correspond to the phenomenological self or would not play a part of invariants in quantum states. The integrity of the tool-object system reveals itself in the process of quantum measurement. Hence, it is a system which attaches to quantum object a physical meaning. Thanks to resemblance to the phenomenological self, we can consider this system as a subjective being creating the meaning of quantum reality.

But, despite the resemblance, there is a difference: Husserl distinguishes the pure self as an internal component of experience, whereas the quantum invariant is an external integrity of the tool-object interaction. Phenomenology makes it possible to bring into correspondence these inner and external aspects of cognition. When considering the pure self, a phenomenologist implies the existential basis of consciousness beyond its psychological level. Therefore, he first emphasizes the self as an experience of being and than as an experience of self. The self has a phenomenological value as an inner expression of absolute existence, for this component of cognition has a quality of being present always and everywhere.

Phenomenological analysis shows that the sense of self-being is given through the perception of the actual world. I perceive the world, and thanks to phenomenological analysis I realize that my self participates in the construction of the given world. Here we do not try to find out whether the self really creates the picture of the world or not; we only assert that the creation of the meaning of existence is a way to reveal the self as a motion of being. When creating the meaning of something, I experience my own existence. Hence, the existence expresses itself through the pure self, which constructs the meaning of the existence. The identity of self-consciousness and existence is possible if consciousness presents itself as an act of attaching meaning.

Thus, there is a constant entity, pure self, which is the act of attaching meaning. Totally comprising the subject’s self, it presents itself as a dynamic form of self-existence as an indivisible and uncognizible act, for there is no subject beyond this, which differentiates and cognates such an integral act. The similarity with quantum physics is obvious here: although tool-object integrity presents an external fact, it corresponds with the internal self—both are subjective beings. When creating a physical meaning of quantum particles, the tool-object action plays a part of self-existence in relation to the atomic world.

Just as in the case of phenomenology, we also encounter an indivisible and non-cognizible act of the attachment of meaning expressed through an uncontrollable integrity of quantum measurement. Nils Bohr wrote that it was senseless to speak about the atomic object without referring to the act of measurement (the latter is an indispensable and existential component of the former).

The above shows that in the quantum area the concept of physical value is replaced by a symbol of integral action; this action, jointly with quantum theory, acts as consciousness, transforming the formal structure of quantum state into the elements of physical reality.

As we intend to extend our analogy from quantum phenomenology to the art of fiction, it becomes clear that the quantum situation is comparable with Joyce's stream of consciousness, for the writer shows miraculous unity of formal and objective-realistic layers of consciousness. Therefore, Robert Humphrey remarks: "I should like at least to suggest one important achievement of Joyce in *Ulysses* which is central to his whole purpose and which is greatly dependent on the stream of consciousness technique. This is the marvelous degree of objectivity which he achieves. Joyce, more than any other novelist, gains what Joseph Warren Beach terms 0'dramatic immediacy'." (* See R. Humphreys, *Stream of Consciousness in the Modern Novel*, p.15.)

We see that Joyce achieves objectivity through the stream of consciousness which has a formal nature. In a similar way Nils Bohr achieves the objectivity of quantum particles (giving them a physical meaning) through the integrity of quantum measurement, which acts as consciousness and stems from formal quantum theory.

Later we will go back to similarity between quantum theory and fiction, but before that we would like to define the principles of quantum phenomenology once again.

1a. In criticizing the natural position of science (i.e., the unreserved assumption of the world's existence), Husserl brings up an issue of the limits and conditions of correspondence between scientific description and the world.

lb. By considering the quantum theory through the inequity of uncertainty, Bohr brings up an issue of the limits and conditions of correspondence between a picture of physical reality and the atomic world.

2a. Husserl considers the picture of the world as a phenomenon of consciousness without its relation to objective reality, i.e., using phenomenological language, he takes the picture in brackets.

2b. Bohr considers the wave-particle pictures of the atomic world, as phenomena in themselves for he implies the existence of non-objective reality beyond them. Thus, he takes the wave-particle picture in brackets.

3a. According to Husserl, every actual picture of the world, as a phenomenon of consciousness, is surrounded by various pictures, which are possible in other cognitive conditions. This means that a phenomenon is opened to a horizon of possibilities.

3b. According to Bohr, the actual picture of the atomic world is surrounded by possible pictures, which arise in other conditions of measurement. Quantum theory anticipates these possible states. The latter creates a horizon of possibilities, preceding the actual quantum picture.

4a. Passing from one phenomenon to another, through the various possibilities, Husserl gradually frees himself from the phenomenon's content and reaches some stable and invariant component—the pure self, as a ground for the construction of the world's picture.

4b. Passing from wave to particle pictures through the mutually-exclusive atomic states, we distinguish a stable and invariant component—the integrity of the tool-object's action as a ground for the construction of the atomic world's picture.

5a. We assert that pure self, in its existential dimension, is an act of the attachment of meaning. The latter is an indivisible and undifferentiated act, since it exists as subject-object wholeness and there is no subject beyond as a basis determining the act. Thus, the pure self, as mind-orientedness towards the object, exists as an undifferentiated act of the attachment of meaning.

5b. We assert that quantum measurement is an act of attaching physical meaning to quantum particles. This is an uncontrollable and undifferentiated act for it presents the subject-object wholeness and there is no subject beyond, as a basis determining the act. Consequently, non-determinism and uncertainty in the quantum area have a principle nature.

As we see, the methodological structure of "orthodox" quantum theory resembles the phenomenological method used by Husserl. Moreover, we think that Bohr unconsciously used the phenomenological method when interpreting quantum theory.

Being used in various fields of human activity, phenomenology presents a strong basis of contemporary thinking and shows that consciousness, as a motion of existence <as an act of attachment of meaning> is the factor giving the form to objective reality.

Quantum Phenomenology and Polyphony of Fiction

Edmund Husserl's phenomenological conception has greatly influenced different spheres of contemporary thinking. The new viewpoint establishes the polyphonic style of thinking in philosophy, science and art. Our objective is to investigate such a way of thinking, particularly in literary works. However, besides the phenomenological method, it is advisible to use several components of Bohr's conception of quantum theory, for—despite the crucial difference—the same effects of the phenomenological approach have occurred in both the above mentioned spheres.

Thus, the aim of our investigation is to use the phenomenological approach and Bohr's quantum conception to explain the polyphonic style of literary works. Besides Joyce and Proust, we consider Dostoevsky's novels and intend to research William Faulkner's works. These great writers, in our opinion, developed the polyphonic prose in modem literature.

We assert that the occurrence of analogy between Bohr's conception and the "polyphonic style" in literature was not coincidental, for this analogy had a philosophical ground; i.e., both areas use the same phenomenological approach: one deals with the construction of the object of science, and the other with the creation of an artistic form.

The phenomenological approach shows that the reflection of premise of mind anticipates the reflection of objects and events of the cognizable world. Premise of mind includes the possibility of knowledge, i.e., the possibility of correspondence between external things and the nature of thinking. According to it, a physical object should be considered 'in integrity with' (part of the same unitary formation with) conditions of cognition, which determine the possibility of such a correspondence. Therefore, a physical object, taken in this 'integrity is unique, since it is determined by irreversibly changing consciousness.

Bohr's understanding of quantum theory meets this phenomenological requirement. The famous scholar emphasized an indivisible coexistence of subject and object when speaking about the impossibility of considering atomic object apart from its measurement conditions.

Consequently, differently from classical physics, we observe the subject's penetration into the quantum area. Therefore, the description of the atomic world disintegrates into two independent (wave-particle) parts and instead of a single, integral form we obtain polyphonic pictures of

physical events. When moving from one to the other picture, subjective conditions irreversibly change without having a common integrating ground underneath. Subject takes part in the construction of quantum object not as a transparent, immaterial mirror, reflecting the atomic world, but as a special form of existence, which gives quantum particles physical meaning. The subject's consciousness is regarded as a vital essence but not as an absolute, all-powerful mind, the determining basis of classical physics.

Now, let us trace the link between the construction of the physical picture and forms of fiction. When substituting, in place of the scientific subject, the author of fiction, two different forms of subject-object relation arise. If a literary work implies the author as an omnipotent subject, it means that the author controls and fully determines his work, solving every conflict within it. Here the author acts as a narrator, who knows everything about the story and tells the facts as if they have happened in reality. Therefore, such an impartial author is beyond the story and his work acquires an objective form of reflection of the actual events. We label such literary works "single-base forms."

This subject-object relation reminds us of the picture of classical physics, where physical objects and interactions are given in the objective form of being, as if they were independent from the subjective conditions, determining the physical objects. These conditions are considered beyond the physical picture. Unlike classical physics, the quantum picture is constructed according to the phenomenological method. That is why the mind participates as a subjective existence here and instead of physical object we have the concept of quantum phenomenon, which is an indivisible result of subject-object interaction.

If a writer is in a position to apply the phenomenological method to fiction, the situation similar to that in the quantum sphere occurs. The phenomenological approach considers a literary work as a phenomenon, which implies in itself the process of its creation. This work involves the author's stream of consciousness. The author, neither personally, nor objectively, but as a subjective process of creation penetrates into the story and the work loses its strictly objective form. The author does not intend to present facts in such a way, as if they have really taken place. All this results in an impression that a real stream of the author's consciousness runs through his creation, causing the deletion of borders between the characters and the author.

Thus, once entering his creation, the author destroys its objective form and the work acquires the conditional nature of invention. Strictly speaking, the story shows itself in an undetermined area, lying between the forms of reality and invention, for no objectification act takes place in regard to the external world, or in the inner world of the author. On the whole, the subject's penetration implies a loss of certainty and clarity of the objective content of a fiction. Absurdity and uncertainty become features of artistic reality as is the case with quantum reality. Absurdity reflects not a chaotic state of the external world, but uncertainty of our consciousness. Thus, the subject's penetration disintegrates the single-base form of fiction, mutually independent parts of which organize a polyphonic structure of creation, where the author's single consistent position is never revealed. The creator neglects verisimilitude of the story or, using the phenomenological language, puts its objectivity in brackets and a literary work, instead of reflecting the "real facts," shows itself as a phenomenon of consciousness in its existential dimension.

Before considering individual writers, we would like to explain once more how we understand the author's penetration into his novel. As for prose, a phenomenologist should raise an issue of correspondence between reality and invention. When bringing up the correspondence issue, he, at the same time, puts the question about the limits of such a relationship and assumes the possibility of non-correspondence between art and reality beyond these limits.

Finally, the phenomenologist evaluates creative work as being independent from the external world. But such an evaluation is somewhat dangerous. The thing is, that while freeing itself from the external reality, the work of fiction may find itself in the field of the author's psycho-emotional gravity. The existence of creative work, as an independent phenomenon, means its "non-inclination" neither to the external objects nor to the author's subjective world. Therefore, the writer has created the area of uncertainty and unclarity within his story to maintain the middle independent position of his work between the external world and the psychological subject. This concept means subject-object phenomenological integrity, for due to the uncertainty, there is no distinct border between the subject and the object, between the author and the object of his imagination. This is what an author's subtle penetration into the fiction implies.

Now, to illustrate our conception, we consider Dostoevsky's novels ("Demons," first of all). The writer creates an impression that he knows about his story no more than the characters do. The author's voice is one of the voices among the others. Denying the omnipotent author, absorbing him as one of the voices, the work seems to be "hanging in the air." Therefore, the dispute among the voices is endless; it may be interrupted, but not completed, for there is no common position to resolve the conflicts. This fact shapes the polyphonic structure of novels and a literary work acquires the nature of an independent artistic phenomenon.

The same effect of an author's penetration can be found in Joyce's prose. Therefore, there is no distinct border between the characters of *Ulysses*. One character sometimes speaks as another, the voice of whom intermixes with the voices of the others, and so on... We think that it is a phenomenological approach that was used by James Joyce. The stream of the author's consciousness seems to penetrate his work. Because of this penetration the writer manages to move in a subtle way from one to another character and by doing so, gives to his work a conditional nature of invention.

The subject's penetration into the story was a main principle used by Marcel Proust. The author for him is a sequence of mutually independent selves. Therefore, the past is unreachable for the memory, for it (i.e. the past) existed with the unique, irreversible self, which is lost forever. Because of the loss of self we cannot reproduce past events. We are only able to give the meaning of the past to our present condition. Thus, the writer does not imply a common ground of consciousness beyond the novel, which determines a mutually independent and irreducible nature of selves.

Further development of this hypothesis needs an intensive research into William Faulkner's works, as the polyphonic style seems to be the main principle of his creative activity. We focus on the following question: how is the polyphonic style connected with the stream-of consciousness in Faulkner's novels (*As I Lay Dying* and *The Sound and the Fury*). Our analysis shows that both the polyphonic style and the stream-of-consciousness are based on the same ground, i.e., the non-existence of the absolute, omnipotent author and the author's penetration into the novel. As a result, the writer creates a work which seems to move and develop spontaneously and independently from the author. Despite the difference between Joyce and Faulkner (the first used stream-of consciousness as a formal structure, whereas the latter achieved the effect of verisimilitude of consciousness), Faulkner, like Joyce, considered stream-of-consciousness as a primary and independent phenomenon of being in itself. Our thinking is that instead of stating the determining role of external reality, Faulkner assumed the existence of correlation between the world and consciousness. Such an understanding implies a dualism eventually resulting in polyphony, since consciousness and external world are represented as mutually independent parts of being.

Had stream of consciousness been based on the external world, no polyphony would have existed. Only the assumption of independence of stream-of-consciousness from the external world makes it possible to explain the polyphonic style of Faulkner's prose. Stream-of-consciousness acquires the features of external being, since the writer aspires to comprehend consciousness not on the reflection level, but through its ontological ground, as a stream of being. Faulkner's stream-of-consciousness is a stream of being in itself, which implies a correlation between consciousness and the external world.

As we see, in modern science, as well as in modern literature there do exist similar forms of polyphonic thinking, which deny the omnipotent subject as a common ground of determination and are based on the phenomenological principle of subject-object integrity.

Phenomenology as a Method of Democratic Practice

To continue our analogy we must make clear from the start that phenomenologieal conception in sociology is not a conception of social reality as a result of the generalization, premise, and motive of human interactions. The object of phenomenological sociology refers to the world in the process of creation and to the formation of social values. Instead of generalization, the main principle to be focused on is "the act of individualization." Considering a society as a living wholeness of individual persons, we have to take into account personal freedom and the individual's evaluative attitude with regard to the world. In other words the picture of social reality includes the subject's evaluative attitude towards the reality and thus implies the subject action. Hence, we obtain the phenomenological picture, which not only describes the social reality, but also includes the subject's action creating this picture. In short, as in the case of quantum pictures, the picture of social world comprises the subjective-transcendental ground of its existence.

But it is a point, where we encounter a certain difficulty. The thing is, that phenomenology requires a subjective freedom to make a choice and establish some evaluative attitude to the world. This implies the subject's position outside the material reality and hence, the assumption of the existence of another, spiritual world. But, on the other hand, without the subject's intervention into the material world it is impossible for the action to create any evaluative social reality. So, the subject as a source of creation is outside the world and at the same time he presents the world's inner component (such an outlook stems from Christianity).

The difficulty arises after choosing some evaluative attitude, which determines the subject's action aimed at the creation of a social world; Since a value determines the action, the subject looses his freedom, necessary for his evaluative attitude. [See M. Weber, *Selected Works,*. Moscow, Progress, 1990, pp. 736-759.]

We can resolve this difficulty by drawing an analogy with quantum phenomenology. When creating and, at the same time cognizing the picture of social reality, the subject should detach himself from the object and regain the position of freedom before choosing a way of action . This means, that the subject has to consider his creation not as the only reliable picture of the social world, but as one out of many probable pictures, which appear in other evaluative attitudes. Using the phenomenological language, he puts his picture in brackets and opens the horizon of possibilities. So we see that instead of a single picture, there is a polyphony of social pictures. Otherwise the subject will not be able to preserve his freedom and will loose his evaluative attitude; consequently, phenomenological sociology will transform into naturalistic sociology. [To determine the difference between phenomenological and naturalistic sociology see Y.N. Davidov, "Pictures of the World and Forms of Rationality, " in M.Weber, *Selected Works*.]

The analogy with quantum physics is not quite precise for the atomic world, which is the world of physical particles, while sociology appeals to human actions and interactions. Nevertheless, we dare to emphasize the resemblance between them. Quantum physics (Bohr's "orthodox" interpretation) as well as phenomenological sociology, introduces subjective attitude towards the object. Just because of this, quantum reality presents itself as a created reality and implies the subject's creative action. Consequently, Bohr underlines that the atomic object has no physical meaning beyond measurement (i.e., the subject's action; the meaning of classical object does not need substantiation through the measurement process while the classical picture is constructed beyond the subjective attitude).

It is remarkable that the quantum subject, as an indivisible component of subject-object interaction, has a heterogeneous nature; the subject's penetration into quantum states is different, which makes the picture polyphonic. It means that the subject preserves his freedom and evaluative attitude to the quantum object, that the subject's attitude does not objectify completely but retains its free, subjective character.

Phenomenological sociology is comparable just from the same point of view. To avoid difficulties connected with objectification of the subject's attitude, we introduce a polyphony of social pictures instead of a single description. The subject, as a creative action, penetrates into the social reality, maintaining at the same time his external attitude. Strictly speaking, the subject maintains his position before choosing some evaluative relationship with the world and hence ensures his freedom.

In short, the subject of social action is internally split. He acts according to some idea, i.e. according to the necessity, and at the same time bears in mind the conditional nature of his action. Such a split could be called an alternative way of thinking. Thanks to it the social picture does not exhaust the object, leaving a place for other (maybe mutually exclusive) pictures of the same object, arising in other subjective attitudes. Precisely for this reason a phenomenologist regards social pictures as polyphonic.

It is a difficult way of thinking, for the split in consciousness creates a chance for the appearance of mutually exclusive contents. The goal of phenomenological thinking is to maintain such exclusive components all together: the acknowledgment of the truth of one of the components does not imply the false character of the opposite component and vice versa. It is remarkable, that we cannot accomplish polyphony in the social world without such an alternative thinking.

So, insofar as we accept the statement that consciousness exists as a unity of body-mind passage, we arrive at the conclusion that the above is the unity of mutually-exclusive meanings. Only the consciousness as an existence has a faculty to create and keep such miraculous unity (maintaining this unity the consciousness exists as a living essence). Just therefore we see that as a matter of fact there is no dualism in quantum reality, but there is an uncertain area of co-existence of wave and particle values. Hence, the latter presents body-mind dualism and practical wholeness simultaneously.

Because of such miraculous unity, Husserl (as he had in mind the consciousness as a living essence) did not eliminate the concept of object even on the highest level of abstraction of pure consciousness and said that the phenomenological subject, or pure self, was nothing else but orientation towards the object.

Just therefore, in phenomenological sociology it is incredible to connect without consciousness mutually exclusive components of social reality— the free evaluative attitude of the subject and subjective action, for only the consciousness has an ability to keep jointly mutually

exclusive meanings. Moreover, the consciousness exists thanks to such miraculous effort to support this unity.

Following the above assumptions it is not surprising that we emphasized the polyphony and alternative forms first of all in the field of consciousness and then attempted to extend it to the objective reality. Therefore we apply the phenomenological approach to the field of thinking, to science (quantum physics), art (art of fiction), and sociology: the latter sphere shows more obviously that the source of possibility to connect freedom and necessity, actual and spiritual worlds, is rooted in the existential unity of consciousness. So it is impossible to create an open society, accomplish the democratic practice and be tolerant to different opinions without the alternative way of thinking rooted in Edmund Husserl's phenomenological philosophy.

The Analogy between "Orthodox" Quantum Theory and the Polyphony of Fiction

la. The picture of classical physics appeals to the external position of the omniscient subject; classical concepts are determined through the level of absolute knowledge. Therefore, as there is a common ground of determination, classical physics exposes the monologue type, completely determined picture. This picture excludes the subject and has an objective form of description, as if classical events are independent from the subject.

lb. The single-based form of fiction appeals to the external position of the omniscient author. The author creates a common ground of determination and thus resolves every conflict within the story. Artistic reality has an objective form of expression, as if the artistic events are independent from the author and take place objectively. Here the author acts as a narrator who retells the story as if it happened in reality.

2a. The picture of quantum physics destroys the external position of the omniscient subject. The subject, as a special form of existence penetrates into the picture of quantum reality, destroys the objective-single base of expression of physical events. Introducing the polyphonic forms (wave-particle dualism), the subject creates an area of uncertainty, the area of subject- object indivisible wholeness, where no distinct border between subject and object appears.

2b. The polyphony of modern fiction destroys the external position of the omniscient author. The author, as a special form of existence, as a stream of consciousness penetrates into the story and the latter loses its objective form of the expression of artistic events. To maintain the middle position between the external world and the author's psychological sphere, the author creates an area of uncertainty within the story, where no distinct border between hero and author exists. The analogy between quantum theory and the polyphony of fiction is not coincidental, for it has a philosophical ground—both areas use the same phenomenological method—one deals with the construction of the object of science and the other with the creation of artistic form.

As we see, in modern science as well as in modern literature there do exist similar forms of polyphonic thinking, which deny the omniscient subject as a common ground of determination and are based on the phenomenological principle of subject-object integrity.

Quantum Theory and the Phenomenology of Edmund Husserl

la. Criticizing the natural position of science (i.e., the unreserved assumption of the world's existence), Husserl brings up an issue of the limits and conditions of correspondence between scientific description and the world.

lb. Considering the quantum theory, through the inequity of uncertainty Bohr brings up an issue of the limits and conditions of correspondence between a picture of physical reality and the atomic world.

2a. Husserl considers the picture of the world as a phenomenon of consciousness without its relation to objective reality, i.e., using phenomenological language, he puts the picture in brackets.

2b. Bohr considers the wave-particle pictures of the atomic world as phenomena in themselves, for he implies the existence of non-objective reality beyond them. Thus, he puts the wave-particle picture in brackets.

3a. According to Husserl, every actual picture of the world, as a phenomenon of consciousness, is surrounded by various pictures, which are possible in other cognitive conditions. This means that the phenomenon is opened to a horizon of possibilities.

3b. According to Bohr, the actual picture of the atomic world is surrounded by possible pictures, which arise in other conditions of measurement. Quantum theory anticipates these possible states. The latter create a horizon of possibilities preceding the actual quantum picture.

4a. Passing from one phenomenon to another, through the various possibilities, Husserl gradually frees himself from the phenomenon's content and reaches some stable and invariant component—the pure self as a ground for the construction of the world's picture.

4b. Passing from wave to particle pictures, through the mutually-exclusive atomic states, we distinguish some stable and invariant component—the integrity of tool-object's action as a ground for the construction of the atomic world's picture.

5a. We assert that pure self, in its existential dimension, is an act of the attachment of meaning. The latter is an indivisible and undifferentiated act, since it exists as subject-object wholeness and there is no subject beyond as a basis determining the act. Thus the pure self, as mind-orientedness towards the object, exists as an undifferentiated act of the attachment of meaning.

5b. We assert that quantum measurement is an act of attaching physical meaning to quantum particles. This is an uncontrollable and undifferentiated act for it presents the subject-object wholeness and there is no subject beyond, as a basis determining the act. Consequently, non-determinism and uncertainty in the quantum area have a principle nature.

As we see, the methodological structure of "orthodox" quantum theory resembles the phenomenological method used by Husserl. Moreover, we think, that Bohr unconsciously used the phenomenological method when interpreting quantum theory. Being used in various fields of human activity, phenomenology presents a strong basis of contemporary thinking and shows that consciousness, as a motion of existence "as an act of attachment of meaning," is the factor giving form to objective reality.

Phenomenology as a Method of Democratic Practice

1. The object of phenomenological sociology refers to the world in the process of creation and formation of social values.

2. Since my home-country Georgia is developing into a democratic state now and is in the process of formation of democratic values, we can use the phenomenological approach to describe the social reality.

3. Instead of monological form, phenomenology introduces the polyphony of social pictures. Polyphonic style of thinking leads us to resolve the problem of a person's freedom and his interaction with society.

4. Phenomenology and polyphony establish an alternative way of thinking, which means that the truth of one of the conceptions does not imply the false character of the opposite conception and vice versa.

5. So it is impossible to create an open society, accomplish the democratic practice and be tolerant to different opinions, without the alternative way of thinking, rooted in Edmund Husserl's phenomenological philosophy.

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Chapter XIII

Civil Society and the Role of Christianity in China: A Preliminary Reflection

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This paper begins with a review of theoretical perspectives of civil society in China. I argue that the confrontational models seem to block our vision for a constructive future. I suggest an alternative model that distinguishes three sectors of society: the state, the for-profit sector, and the not-for-profit sector. The third sector is composed of moral and intellectual associations that have irreplaceable functions in the process of social and economic reforms. Religious communities are important components of the third sector. After this theoretical discussion, I will describe three religious policies of the central government, three relationships between local governments and churches, and three concurrent forces of Christianity in today's China. This analysis is to argue that there are spaces of religious freedom and, more importantly, there is the need for Christianity to contribute to the spiritual and moral construction of the Chinese society in its grand transition to market economy and democratic politics. This is a preliminary reflection along with anecdotal accounts for illustration.

Existing Models of Civil Society in China

Existing theories of civil society in China generally assume an antagonistic relationship between the state and civil society. This has particular historical reasons. "Civil Society" is a new concept applied to the study of China, albeit one that has received increasing attention among China observers (e.g., Mufson 1996), international scholars (see Wakeman 1993) and Chinese intellectuals (see Ma 1994; Wang, Yu and Dy 1997). A primary stimulus to the sudden increase in the discussion of civil society was the Tiananmen Square incident following the pro-democracy movement in 1989. The collapse of the former Soviet Union and Eastern Europe further augmented it. These historical stimuli, however, have also imposed constraints on the discourse and scope of the discussion. Dominating the discussion is a narrow focus on the balancing or challenging power of civil society to the authoritarian government. This perspective presumes a conflicting relationship between the state and civil society. As Heath Chamberlain (1993) pointed out, most writings of Chinese civil society have shared a "flawed conception of civil society, insofar as they define it exclusively in terms of 'counter-structure' — as 'existing outside the orbit of the state,' 'beyond the control of government,' 'autonomous vis-a-vis state officials,' [and] so forth" (1993:204).

Instead, Chamberlain proposed a model that distinguished "civil society" from "society" and placed civil society intermediate between the state and society. Philip C.C. Huang (1993) suggested a similar three part model, only replacing the term of "civil society" with the that of "third realm." Both Chamberlain and Huang emphasized that "civil society" or the "third realm" was "as much a creature of the state as it is of society" (Chamberlain 1993:204). However, their models still presume an essentially confrontational relationship between the state and civil society. Both binary and three part models are stack models (Huang 1993:228), with the state over civil society, or adding another bloc of "society" at the bottom (see figure 1 below). Another problem is that neither Chamberlain nor Huang clearly defined "society." Vaguely, "society" in their models

seems to mean the mass of ordinary individuals who do not hold public office or act in the public sphere.

These existing models of civil society share a crucial deficiency. They pay almost exclusive attention to economic organizations, such as chambers of commerce of the late Qing and early Republic periods and the collective economy of contemporary China. Following this perspective, Chinese political dissidents put their bet for China's democratic system on the emerging middle class entrepreneurs of private or semi-private businesses. As Richard Madsen (1993) points out, these models make no distinction between moral communities and interest groups within "civil society." In light of the moral crisis in today's Chinese society, we must pay more attention to the development of moral associations. Moral and intellectual associations, as Tocqueville observed, are the keys to (understanding) American democracy.

A Dynamic Model of Three Social Sectors

The problems with stack models of civil society make it necessary to seek a new perspective. Here I suggest a dynamic model of three social sectors: the state (government authorities), the for-profit social sector (the capital), and the not-for-profit sector (voluntary associations). The best way to visualize relationships of the three sectors is a circle (see Figure 1).

In contrast to the binary and three part stack models, the trichotomous equilibrium model has several advantages. First, this model recognizes the interactive relationship between the state and civil society (indicated by the broken lines between the state and the other two sectors). The state can be constructively involved in the creation and growth of civil society. Meanwhile, the state also restrains civil society. Second, this model distinguishes the not-for-profit sector from the for-profit sector of civil society. Although both sectors are outside the state, they have very different functions in society. I will elaborate this below. Third, this model also expresses an ideal status of dynamic equilibrium of the three sectors. These sectors are mutually interactive, cooperative as well as contentious.

The Third Sector

The key difference between this alternative model and the stack models is the distinction of the "third sector" from the state and the capital. Although this alternative model is new to the study of Chinese society, the discussion of the "third sector" has made significant progress in the study of American society.

According to Michael O'Neill (1989), American scholars started to fully realize the importance of the third sector in American society only after the 1960s. However, the importance of moral associations was appreciated by Alexis de Tocqueville more than a hundred years ago. Tocqueville argued that although American political and industrial associations easily catch people's eyes, "nothing, in my view, more deserves attention than the intellectual and moral associations in America" because they are crucial for the American democracy (1969:517). Since the 1960s, a variety of terms have been used to describe this sector in American society, including "voluntary sector," "private sector," "nonprofit sector," or "independent sector." What scholars generally agree on is that *the third sector is nongovernmental, nonprofit, and voluntary*. Lester M. Salamon defines it as "a massive array of self-governing private organizations, not dedicated to distributing profits to shareholders or directors, [but dedicated to] pursuing pubic purposes outside the formal apparatus of the state." (1994:109) These associations and organizations are voluntarily

organized and voluntarily participated in by individuals through voluntary donations and volunteers.

The third sector includes churches, private schools and colleges, arts' organizations, social service agencies, mutual aid associations, and various philanthropic and voluntary nonprofit organizations. The largest and most important component of the third sector in the United States is the religious organization. O'Neill emphasizes that religion is "the Godmother of the nonprofit sector." It gave birth to nongovernmental and nonprofit institutions of education (church sponsored schools and universities), health care, civil rights, and political campaigns such as abolition and civil rights movement. "Directly and indirectly, religion has been the major formative influence on America's independent sector" (O'Neill, 1989:20).

Salamon believes that the perception of the relationship of the third sector with government will be a decisive determinant of third sector growth in any society. Although the third sector sometimes is cited by politicians to oppose or reduce the role of the state,

In fact, however, the relationship between government and the nonprofit sector [in the United States] has been characterized more by cooperation than conflict, as government has turned extensively to the nonprofit sector to assist it in meeting human needs . . . . Government has thus emerged as a major source of financial support for America's nonprofit sector, outdistancing private philanthropy by almost two to one. In other advanced countries, government support is even more pronounced. (Salamon, 1994:120)

Because of its flexibility and grassroots energies, the third sector can accomplish what the state fails to do, or it can cooperate with the state to provide human services and meet human needs, including moral education, "assisted self-reliance" or "participatory development." The relationship between the state and the third sector can vary widely, from strict restrictions imposed on the third sector by the government to great support and cooperation.

The task for third-sector organizations is to find a *modus vivendi* with government that provides sufficient legal and financial support while preserving a meaningful degree of independence and autonomy. (*Ibid*.: 122)

The relationship between the nonprofit sector and the for-profit sector is also mutually interactive. While money donations from various businesses are needed and should be encouraged, the third sector associations and organizations must try to maintain a meaningful degree of independence and autonomy. As moral agencies, the nonprofit organizations and associations often have to fight against immoral practices of certain businesses. It is also a constant task of moral associations to provide moral education to all individuals, including those in the professions of making profits.

Moral Crises and Moral Agents in China

Many scholars and China-watchers have observed the rampant and perilous moral problems in today's China. Facing epidemic corruptions among government officials, the Chinese Communist Party has taken measures of "anti-corruption campaigns." To fight against increasing crimes in the society, government has tried "serious crackdowns on crimes." However, these measures cannot make long-lasting effects, can be misused for persecuting personal opponents and dissidents, and their sporadic nature goes against the general progress toward the rule of law. Evidently, the state has only limited power and resources to deal with these rampant problems. It

can pass new laws, but laws can only punish *some* illegal actions of *some* people. Moreover, punishment alone cannot make responsible citizens or moral persons. The social control and moral functions of the state, the Party, and the work unit (*danwei*) have been reduced along with the deepening reforms toward a market economy.

The for-profit sector cannot be the basic source for moral order either. The capital in a market economy can be an important force of civil society, but the nature of capital is to make profits. Making optimum profit is the overriding rule for entrepreneurs in the marketplace. They have to abide by laws when the laws can be enforced. The drive for profits are often more powerful than noble desires. For instance, after some publishing houses changed to "self-responsible for making profits and losses" (*zifu yingkui*), some tried to publish whatever books could make profits. Some editors expressed their helplessness by calling this "forcing fair ladies to prostitution" (*bi liang wei chang*). Of course, entrepreneurs are human persons and, off the market, they may have moral concerns not different from others in the society. Some of them may have the willingness and resources to contribute to moral construction.

Tocqueville said, "If men are to remain civilized or become so, the art of associating together must grow and improve in the same ratio in which the equality of condition is increased." However, Chinese intellectuals seem to have not yet mastered the art of associating together, nor have they understood the importance of moral associations to combat the moral disorder. Facing the social chaos and moral confusions, some intellectuals charged themselves with saving the "humanist spirit" by willingly "going to the margins" (Zhao 1994). [There was a series of articles in 1994 in the widely-circulated journal Du Shu discussing the so-called "*ren wen jing sheng de she luo*" (the loss of human and civil spirit.]

This means that these intellectuals choose to stay out of the market streams and try to criticize immoral and uncivil developments. Meanwhile, many Chinese scholars have joined the discussion on "civil society." However, the dominant approach is philosophical and individualistic, emphasizing "civilized" individuals or "civic" citizens (see Ma, 1994:183-186). The lack of strong intellectual associations is partly due to political limitations. But there are also profound cultural reasons. In the Chinese tradition, the dominant pattern of learned societies is the small circle of master-disciples. Scholarly exchanges on an equal ground are exceptions. This master-disciples structure is an obstacle to the formation of effective scholarly associations. Another problem is the tendency of "political scholarship" among Chinese intellectuals. Scholars tend to pay more attention to opportunities to please or anger politicians in order to gain access to political power, and have less interest and energy to exchange and associate with other scholars for the purpose of scholarship and educating the public. The existing scholarly associations are often used by a few "political scholars" as a spring board leading to government offices.

In contrast, non-academic people seem to have better mastered "the art of associating together." According to a pioneering empirical study by Ye Zhang, despite stringent government restrictions to nongovernmental organizations (NGOs), "NGOs are thriving rather than declining" (Zhang 1995:100). Within the limited space allowed by the government, people are creative and flexible to associate with others. A journalist report (Mufson 1996) illustrates this well. In 1992, some people wanted to start an environmental group. Required by government policies, they had to find an organizational sponsor. But the national environmental protection agency turned them down by declaring that there was already an environmental nongovernmental organization. Then the applicants changed the group's name to the China Environmental Cultural Society, and successfully became "attached" to the Academy of Chinese Culture under the Culture Ministry.

Within the third sector of Chinese society, religious institutions deserve special attention. They are closest to the so-called "moral associations" in Tocqueville's terms. Religions are social institutions with long traditions in China. Under the rule of the Chinese Communists, for several decades, all religions were treated as pre-modern superstitions and suffered cruel suppression. However, we have seen the great revivals of all religions in China since the beginning of economic reforms. In the past two decades, Christianity, both Protestantism and Catholicism, has grown the fastest among the formal religions.

Government Policies toward Christianity and Other Religions

The official Chinese Communist ideology is hostile to religion, regarding religion as pre-modern or feudalistic, conservative, or even reactionary. However, this ideology has been relaxed since the beginning of reforms and open-door policies in the late 1970s. There are now some legal spaces for formal religions. China's Constitution has a carefully versed clause for the freedom of religion. Article 36 of the Constitution states that: "Citizens of the People's Republic of China enjoy freedom of religious belief. No state organ, public organization or individual may compel citizens to believe in, or not to believe in, any religion; nor may they discriminate against citizens who believe in, or do not believe in, any religion. The state protects normal religious activities. No one may make use of religion to engage in activities that disrupt public order, impair the health of citizens or interfere with the educational system of the state. Religious bodies and religious affairs are not subject to any foreign domination." Besides the Constitution, some laws have articles on protecting religious freedom. For example, Article 251 of the Criminal Law states that "serious cases in which any government employee illegally deprives citizens of their rights to religious belief and infringes upon ethnic customs and practices, may result in custody or a sentence of two years in prison."

Chinese government recognizes five religions in China: Buddhism, Daoism, Islam, Catholicism and Protestantism. These formal religions are allowed operation within restricted sites under the supervision of the Religious Affairs Bureau of the State Council and religious departments at various government levels. "The responsibilities of these departments," according to the Director of the Religious Affairs Bureau of the State Council, "includes implementing the policy of freedom of religious belief in accordance with the Constitution and law and coordinating the relationship between religious groups and other parts of society. It is also their duty to protect the religious belief of citizens, and the rights and interests of religious groups, churches, and monasteries, and handling religious affairs in accordance with the law" (a speech by Ye Xiaowen on June 9, 1997 at a press conference in Beijing: see the official internet webpage of Chinese embassy at http://www.china-embassy.org).

However, in reality, the central government of China does not have one uniform policy of religion. Pragmatism in economic and political spheres since the late 1970s has spilt over to the religious sphere. Different religions are treated differently, depending upon how government officials perceive a religion's relevance to certain social and political agendas. There are three distinguishable policies of religion on the level of the central government of China: favoring or partial to Buddhism, cooling or frigid to Islam, and suppressing or restrictive to Christianity (Protestantism and Catholicism).

Buddhism among Han Chinese has a history of about 2000 years. [Tibetan Buddhism as a distinctive branch of Buddhism is complicated with ethnic elements. It requires special discussion beyond the scope of this paper.] In many ways it has become an integral part of Chinese culture.

Many Buddhist monasteries and temples are declared national treasures of cultural heritage. Since the late 1970s, Chinese government has spent big amounts of money to restore and renovate Buddhist temples, in part for the tourist economy. Some government officials showed enthusiasm to restoring old temples or building new Buddhist sites. Many people regard Buddhism as a benign religion that would not pose threats to social stability. The influence of Buddhism in Taiwan and among overseas Chinese makes it necessary for the Chinese government to respect it for the purpose of the "united front." Therefore, in Chinese bookstores are many Buddhist sutras, biographies and writings of famous monks and nuns, and even direct proselytizing materials.

Islam in China has a history of at least 1000 years. Islam is largely ethnicized in China. Muslims are confined to ten ethnic minority groups without proselytization to other people. Except Hui people, who are very much Hanized (becoming like Han people) and spread in many areas of China, most Muslim minorities are concentrated in Northwestern China. Politically, Uigur and some other ethnic groups have centrifugal tendencies. The Chinese government tries to appease Muslims while suppressing divisive elements among them. Consequently, Islam becomes an untouchable religion. Publication of books on Islam is restricted, but a Chinese version of the Koran and some books of Chinese Islam history can be found in bookstores. Muslim pilgrims are allowed to go to Mecca each year.

Christianity, in comparison, has a much shorter history in China. In the late sixteenth century, Matteo Ricci and his fellow Jesuit missionaries made the first successful foothold of Christianity in China. However, it was not until the mid-nineteenth century, with the assistance of Western imperialist powers, that Catholic and Protestant missions made significant penetration into the Chinese populace. This historical connection between Christianity and Western imperialism contributed to the stigma of Christianity as a "foreign religion" to the Chinese, or even worse, as a means of Western imperialism, or spiritual opium. Besides this historical problem, Christianity as a congregational religion is seen as a real threat to the grassroots branches of the Chinese Communist Party in the countryside. Internationally, "Christian nations" and some Christian organizations in the West have constantly pressed China on human rights issues. The domestic threat and international pressures from Christianity made many Communist officials believe that Christianity is a hostile force. In addition, Chinese Communist officials have little knowledge of Christian religion. Ignorance leads to prejudice and fear. Out of fear they try hard to suppress the rapid growth of Christianity. However, heavy suppression has not stopped or slowed the growth of Christianity, but instigated heretical and cultic practices that are more threatening to social stability. This has become a vicious circle.

Three Kinds of Relationships Between Local Governments and Christian Churches

Along with deepening reforms in social and economic spheres, policies of the central government are not always uniformly carried out in the whole country. To a certain extent, it has become legitimate for local governments to implement central government policies with modified measures. Therefore, in reality, there are three kinds of relationships between local governments and churches: the government may suppress churches, may restrict yet protect churches based on laws, or may even encourage churches to grow.

Restriction and Suppression. In the United States we have heard many news reports and personal accounts of government suppression of Christian leaders and believers in China. The most recent round began in the spring of 1996 in the name of "seriously cracking down on crimes" and

continues today. Some Christian leaders of the underground church have been arrested, taken into custody, or sent to reeducation camps. Many people in open churches have also received warnings and intimidations. Recently I visited an open Protestant church in a Northeastern city. Church attendance has grown fast and there is not enough space to accommodate the large attendance. Although the church holds five worship services each week, many people have to stand outside the sanctuary and chapels during the service. The church wants to build a larger sanctuary, but the local government has refused to grant permission. Officials of the Religious Affairs Department of the city often ask for baptismal lists, interrogate young pastors, and insist on sitting in on routine pastoral meetings. This kind of relationship between local government and the church is common in areas where Christianity has a long history with a substantial number of believers. Both sides have confrontational experiences and negative attitudes of each other. Therefore, this relationship will continue for a long time to come. Of course, even in those areas, the relationship is not always that simple. For example, in that Northeastern city, some government officials have become Christians and have been baptized, openly or secretly. There was also a telling anecdote. The city customs once captured some Christian books and bibles shipped from overseas. The customs passed them to the Public Security Bureau (PSB). Instead of destroying them, the PSB quietly informed the church and asked the church to buy them. With the dearth of Christian literature in China, the church happily bought all these books, while the local PSB happily gained some extra income.

Supervision and Protection. Because of the reform efforts to move China to a society ruled by law, the consciousness of laws has increased among many people, including government officials. Some officials become serious about the rule of law. They may not know much about Christianity and may not like to see the growth of Christian religion. However, facing legal and reasonable requests from Christian believers, they sometimes do things according to laws. I visited a small city in Northern China. In the early 1990s some Christians applied to the local Religious Affairs Bureau (RAB) to form a Christian church. In 1993 the church was established. Then the church requested to have an estate returned to the church. There was a missionary church in that city. The missionary left after the Communist liberation, and the sanctuary was torn down during the Cultural Revolution. On that estate three rows of resident townhouses were built. The RAD helped the church to persuade the residents to move out. A couple of households adamantly refused to do so. The RAB people could not help. With their approval, the church went to court and won the case. The court ordered those people to move out. Overall, this small city church has maintained a healthy relationship with the local authorities. One of the reasons that made this relationship possible was probably the lack of confrontational history between the local government and the church. Christianity has not been a trouble to the local government. This church grows steadily.

Encouragement. Although it is still rare, there have been some cases where the local government encourages church growth. According to some reports, Fugong County of Southwestern Yunnan Province has become a "Christian county" with 90% of the county population as Christians in 1995. In that county, the crime rate is extremely low. Government officials there encourage people to become Christian as the following story indicates: a government clerk was dismissed for constant drunkenness. His supervisor asked him to become a Christian and change his life before coming back. This clerk got baptized, stopped drinking, and was re-employed. Although some officials do not openly support church growth, they do publicly

praise the moral character of Christians and their social services. Constant contacts with Christian believers, increasing knowledge of Christianity, open-mindedness, and pragmatism have changed the biased views of some government officials. If the church can contribute to social stability, to social service, and to moral construction, this kind of positive relationship between government and the church will be strengthened.

Among these three relationships between the local government and the church, the first kind has political and historical roots, whereas the latter two relationships are in accordance with the development of market economy and democratic politics. I expect that churches and church-sponsored services will be increasingly encouraged.

Three Forces of Christianity

Have Chinese Christians mastered "the art of associating together?" After the 1950s, many missionaries and Western Christians worried about the complete wipe-out of Christianity in China under the atheist Communists. In the 1960s and 1970s, Christian churches, along with other religious institutions, were all closed. However, not all Chinese Christians stopped congregating together. Instead, they went underground. Secret family gatherings or house churches tenaciously continued. When government policy toward religion began to relax in 1979, many Christians came above ground, while many others remained underground. Both the open church and the underground church have been growing fast.

The open church is the government-approved church. For Protestantism, there is the "Three Selfs Patriotic Movement Committee"; for Catholicism, there is the "Catholic Patriotic Society." These are religious organizations set up under the control and supervision of the Communist government, although their leaders publicly deny it. Since 1979, these organizations, while accepting supervision and control of the government, have also tried hard to enlarge spaces for religious freedom. Theologically, the leaders may be liberal, but most believers of the open church are evangelical. Since 1994, some Protestant churches have registered with the government, but refused to join the TSPM. In general, the open church is a legitimate place that attracts nonbelievers.

The house church or the underground church, although having roots in the long history of Christianity, was mostly a product of particular circumstances in Communist China. During the Cultural Revolution, it was the only way Christians could associate with each other. After the open-door and reform policies, many chose to remain underground because of complicated reasons, including theological disagreement with leaders of the open church, deep mistrust on the part of ruling Communists, and for the purpose of free evangelism (government regulation restricts evangelism within the church site, but evangelical Christians are compelled by their faith to evangelize in all possible situations). However, due to the nature of underground activity, these underground churches are vulnerable to heretical and cultic developments.

The third force of Christian evangelism in today’s China is the so called "cultural Christians." These are scholars who study and write about Christianity. Most of them learn Christianity through reading Christian philosophy, theology, and literature. They become sympathetic, accepting, and enthusiastic in regard to certain Christian beliefs. Some may have accepted the faith, although most of them do not regularly attend church activities. As scholars, it is legitimate for them to translate Christian books, write about Christianity, and have public lectures and conferences on university campuses. For many students and educated young people, "cultural Christians" provide the first

introduction to Christianity. The number of institutes and the number of researchers studying Christians are growing.

In China today, these three forces of Christianity coexist without much mutual communication, interaction, or cooperation. Due to theological, political, and historical reasons, integration of these three forces will be very difficult, if possible. However, all three forces will make their distinctive contributions to the moral and spiritual reconstruction of Chinese society along with continuous rapid growth of Christianity in China.

Conclusion

China is undergoing rapid transitions today. While the political space is still very much restricted by the Communist Party and the government, economic energies have been unleashed. However, along with deepening economic and political reforms, social stability and the moral order have become a concern by many people. China's healthy transition to a modern society cannot depend solely on the state or the for-profit sector of Chinese society. Confrontational models of civil society is deficient because of their narrow focus on the balancing power of civil society to the state. We must see the need for moral and intellectual associations to play greater roles in this grand process of social transition, which is made possible with the new model of three social sectors presented here. In fact, Chinese people are creative to form grassroots organizations and associations within the limited spaces allowed by the government. We can see that the pragmatic central government has multiple policies of religion; pragmatic local governments have various relationships with the Christian church; and there are multiple forces of Christianity in today's China. These are indications that the third sector of Chinese society is enlarging. This is the hope for a moral order in the rapidly changing China, and the hope for the healthy transition of China to a modern society.

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Chapter XIV
Christian Values and Modern Bulgarian Culture

Georgi Kapriev

According to a public opinion poll published in the second week of April 1996, 19% of the Bulgarian population declare themselves to be Orthodox Christians. Regardless of the shortcomings of such polls, it must be admitted that this figure is more or less correct. It is a fact that a considerable portion of the Bulgarian population accept positions in respect to the principles of their personal value systems that may justifiably be viewed as reflecting the Orthodox form of Christianity. Orthodox values thus enjoy a comparatively high relevance within the framework of modern Bulgarian culture. This is a phenomenon that cannot and must not be neglected.

However, the character of Orthodox values is a somewhat open and persistent question and the topic of much discussion today. Moreover, the image of Orthodoxy must be made specific to the present cultural situation. There are two fundamental positions in this regard. One adheres to Orthodoxy as it has been put forth in official doctrine, according to its essence, so to speak, while the other stresses the historically formed ideological presentation of Orthodoxy in Bulgaria. Both of these value structures insist on their Orthodox character, but there appears to be an insurmountable gap between them, something that could surprise only an outside observer.

In order to understand this situation, at least three thematic issues must be examined. First, it is necessary to abstract the specifics of Orthodoxy in accordance with its own canons, by virtue of which it exists in culture precisely as Orthodoxy. Second, the lot of Orthodoxy within the context of Bulgarian history must be considered. Third, and only in the light of the first two questions, the question of the character of Orthodox values within the structure of modern Bulgarian culture must be raised.

I

Viewed on its own terms, the Orthodox Church is above all a mystical fraternity in union with God, with Christ. In this sense, the Church is a spiritual reality in which the faithful are in immediate communion with the Divine Trinity. The community that is the Church understands itself as a union of sinners who, by virtue of their religious experience, are joined with the Divinity through the love, mercy, and sanctity of Christ their head. The Orthodox Christian is thus fully entitled in respect to his religious affiliation to assert "I am the Church," or rather, because of his "belonging to the Church," to assert "We are the Church." This statement has no more than a superficial resemblance to the notion of "Christians non-aligned with the Church." In other words, Orthodoxy insists not on some type of institutional structure but rather defines itself primarily through following and worshipping God in the correct way.

Pivotal for Christian presence in the world is the mystical spirit of Orthodox existence, at the basis of which lies the firm conviction that human intelligence is unable to grasp Divine substance positively. For the believer, God can be approached only through the acts of Divine Being that flow from His substance (ad extra). Although these are the acts of this substance, they are not the Divine substance itself. Such an attitude is obviously unable to generate any fully articulated theological doctrine. Orthodox theology is first of all a traditionally apprehended practice, a spiritual realization, and not doctrinal instruction; however, this does not at all mean that it is

irrational, illogical, chaotic, or comprised of random cases. Quite on the contrary, it is sufficiently strict and orderly and possesses a very clear inner connection, but it does not claim to express itself in a normative doctrinal system. Among the Christian denominations, Orthodoxy rejects all notions of pre-destination and determinism regarding human beings most affirmatively, and it vigorously emphasizes freedom and personal responsibility. Orthodoxy does not aim at the formation of individuals as an after thought but rather demands persons who realize themselves through their unlimited freedom, who are personally responsible for their behavior and for the intensity of their Orthodox spirituality.

This is why a uniform Orthodox institution does not exist. Not only is every local Church a manifestation of the one and only Church, it is that very Church itself. Since each of the autonomous local Orthodox Churches is in contact with all the others (there are approximately fifteen today), it is a member of the ecclesiastical body as a whole, whose head is Christ. But this is a mystical as well as a real body. For this very reason, none of the Patriarchs, including the Patriarch of Constantinople, is able to be the sole, or even primary, administrator of the ecclesiastical body. Each of the Orthodox Patriarchs runs the affairs of his own autonomous Church and is not subject to outside pressure. According to Orthodox doctrine, the head of the Church is Christ alone, Who needs no earthly proxies and places no one to act in His stead. Therefore, there can be no question of some single organizational structure for Orthodoxy but only of its unity in identity, which is guaranteed by the Universal Cross.

In addition, Orthodoxy emphasizes the official and organizational primacy of the ecclesiastical hierarchy in an exclusively liturgical aspect and does not consider that hierarchy to be the Church itself. The "quality" of this hierarchy, which is determined by the personal characters of its various members, is not the quality of the Church as a whole and, from the viewpoint of the Church’s essence, has only an indirect and non-essential influence on the latter.

For the same reason, it also follows that an Orthodox political doctrine does not exist. Orthodoxy has no need of any secular or ethnic power nor of any coordination with similar authorities. In this sense, so-called "Caesaro-Papism" is primarily an explanatory mechanism that has been utilized in West European ecclesiastical and historical thought. It is not an Orthodox norm but merely reflects particular historical phenomena that are aberrations from the proper canonical ordinances of the Church. As such, every use of Church or ecclesiastical authority for the purpose of any political or lay aspirations whatsoever is contrary to Orthodoxy. The well-known Byzantine "symphony" of ecclesiastical and lay hierarchies in no case implies the subordination of the Church (which would be hierarchical nonsense) but rather represents a concerted service to God on behalf of the competencies of each. Therefore, at least from the point of view of the Church, the task is not to introduce any lay norm into the Church but, quite on the contrary, to introduce spiritual norms into the world. It is precisely for this reason that Orthodoxy recognizes any power granted its Christian piety. At the same time, Orthodoxy stands in opposition to the partiality of every lay power because the Kingdom of God is not of this world. For the sake of the above-mentioned symphony, Orthodox canons allotted the Christian Emperor (but not every secular ruler) the ecclesiastical order of reader, which is a lower non-priestly clerical order. But Orthodoxy emphatically insists upon both its detachment from the realm of partial, and consequently tribal or national, powers, as well as its unchanging "relatedness" to Divine eternity.

At the same time, however, the local organization of the various Orthodox Churches implies an explicit connection between the Church proper and its territorial and historical lot. The tensions induced by this state of affairs are perhaps most clearly evident in respect to the Bulgarian Orthodox Church.

II

The official establishment of Christianity in Bulgaria began with the decision of the Eighth Ecumenical Council (870 A.D.) that the Bulgarian Church should be under the jurisdiction of the Patriarch of Constantinople. The controversy concerning this affiliation had brought about the first considerable disruption in relations between Constantinople and Rome. Only a few decades later, the Bulgarian Church declared its institutional independence.

Unfortunately, this administrative establishment of Christianity resulted in a superficial Christianization and a closer commitment of the Church to the state. After the final conquest of the Balkan peninsula by the Ottomans in the Fifteenth Century, the local Orthodox Churches lost their autonomy and became subjugated to the supremacy of the Constantinople Patriarchate. Since ethnic divisions within the Ottoman Empire were almost wholly based on religious affiliation, the determining ethnic characteristic of Bulgarians for a number of centuries was their Orthodox Christianity. This enduring entanglement between nation and religion has left its mark on the specific features of Bulgarian everyday religious awareness, particularly as it developed as a structural operator during the Nineteenth Century in respect to efforts to consolidate the Bulgarian nation.

This entanglement became a tool of the first order in the hands of the national ideologists because the operator "territory" was non-functional. This situation was conditioned not only by the fact that Bulgarians lived within the Ottoman Empire but also by the historical vagueness of the geographical term "Bulgaria." As a consequence, language and religion were the only available factors for defining the Bulgarian nation.

The Bulgarian movement for national independence began precisely with efforts to re-establish the Bulgarian Church. These efforts were collectively a reaction to the widespread policy of assimilation of the local Greek Orthodox Church, which had been re-established in 1829 as a result of the 1821 revolution and was sanctioned by a decree of the Patriarch of Constantinople in 1850. In addition, they were also a response to efforts on the part of the Serbian Church for autonomy after 1822. After years of struggle, the Bulgarian Exarchate was finally re-established by Sultan Abdul Azis through his decree of 28 February 1870.

However, this decree of the Sultan was in obvious conflict with Orthodox tradition, according to which a Church can be autonomous on a territorial and, respectively, state principle but never on an ethnic principle. In addition, the re-establishment of the Bulgarian Church was not only proclaimed by a secular authority; this authority was also of a foreign creed. For these reasons, the Council of Constantinople in 1872 denounced the newly autonomous Bulgarian Church, a situation that comprised the first schism within the bounds of Orthodoxy itself insofar as the newly established Bulgarian Church was thereby isolated within Orthodoxy for more than 70 years. The Bulgarian Church eventually adopted the view that its chance for survival lay in closer relations with the Bulgarian state that had emerged after the Russo-Turkish War of 1877-78, and the politicians and ideologists of the Third Bulgarian Kingdom, almost without exception, fostered its consolidation. The new state did not conceal its ambitions for territorial union with all those Bulgarians who were left outside the territory of the Bulgarian Principality by the Congress of Berlin. The existence of an autonomous Church was very useful in this respect since the Church, along with language, continued to be the most powerful identifying feature of the Bulgarian nation.

Church crises closely tallied with state crises in modern Bulgarian history, a situation that was aggravated after the imposition of the Communist regime in 1944. The Bulgarian Communists did

not repeat the repression of the Church that had been carried out by their Russian comrades but rather adopted a more flexible and, in the final analysis, more effective position. For example, the Communist government successfully interceded for the re-establishment of the Bulgarian Patriarchate in 1953. This took place, of course, not so much out of concern for the lot of Orthodoxy in Bulgaria as for the possible exclusive commitment of the Bulgarian Exarchate to the Moscow Patriarchate, which was dependent on the Kremlin. But this "preservation" of the Bulgarian Church was achieved at too high a price. This was expressed not only by the obvious collaboration of Church officials with the government but also by the sharp decline in ideological culture among the clergy. The price paid could also be seen in the prostrate attitude of the clergy towards the persecution of virtually every civic position that was based on Christian values. The final aim of such oppression during this period was the reduction of Christianity to a mere phenomenon of Bulgarian cultural history.

To summarize the discussion to this point, it could be said that the history of the Bulgarian Orthodox Church, especially during the last two centuries, has been the history of an on-going "deviation" from its real vocation, which, needless to say, has led to its respective deformation. In the cultural sphere, Orthodoxy has been presented not in its essence but rather as an element of the national and ethnic character. This applies especially to the period from the 1950s to the end of the 1980s. During this period, Orthodoxy was forcibly marginalized and came to represent only the historical merit it had acquired in consolidating national identity; it thereby also served to safeguard valuable traditions of everyday life that had begun to fall into decay. In this fashion, the explicit cultural presence of the Church was reduced to a minimum, being virtually eliminated from the official ideologized culture.

III

After 1989, an obvious change occurred concerning the status of Orthodox values within the structure of Bulgarian culture. This change, however, cannot and must not be given a univocal evaluation insofar as the institution of the Church has squandered an historical opportunity to atone for its accumulated errors and reclaim its natural status of spiritual guide by means of a gesture of penance. Instead of doing so, the Church gave itself over to a pandemonious lack of unity in respect to political developments. (I insist on the term "lack of unity" instead of "schism" since the latter involves liturgical and dogmatic differences, which do not apply in this case.) Furthermore, an obvious decline of the priesthood, an acute lack of spirituality, and an adherence to the letter at the expense of the spirit can be seen in every single aspect of this situation. Regardless of what the course of development or eventual outcome of this state of confusion might be, it is reasonable to expect that neither now nor in the years to come will the institution of the Orthodox Church be capable of becoming a constructive factor in Bulgarian culture. The fact that the public debate concerning the role and meaning of Orthodoxy is now conducted exclusively by laymen provides the basis for a virtually irrefutable argument in support of this view.

The tensions within this debate are brought into focus by the fact that, in the period immediately preceding the collapse of Communism, a considerable number of Bulgarians, particularly among the intelligentsia, considered their affiliation to Christianity as a rebuff to Communist ideology. Stated otherwise, Christian values were viewed from a politically colored vantage point. While this may have had a certain positive effect, it unambiguously reinforced the instrumental embodiment of Orthodox values in the common dimensions of culture, if not elsewhere as well. The current attempt at the cultural assimilation of Orthodox values upon the

platform of nationalism is widespread and aggressive, and not only by virtue of the tradition in this regard that has been discussed above. Within the Bulgarian cultural context, nationalism did not occupy a certain vacuum that arose after Communist ideology had been discredited insofar as the latter had already lost all cultural worth, even in the eyes of its own agents. Bulgarian nationalism is rather rooted in a mass complex of cultural inferiority that is intensified precisely in the circumstances of the open society, or rather semi-open society, that Bulgaria has now become. The average Bulgarian simply does not see any compelling reason to compare himself positively with his foreign contemporaries, nor would he in fact enjoy favorable odds in such an effort. Nationalism today has undertaken the task of compensating for this complex, but it of course cannot base itself on a cultural interpretation of the word "nation." Its only possible basis is the Blut und Boden ideology, where nation is equated with state, and both nation and state with ethnos.

The brief historical survey provided above should make it sufficiently evident why Orthodox values have not only become the "stock in trade" of nationalism but have also been promoted to front-line positions. On the one hand, and as it was during the Eighteenth and Nineteenth Centuries, today there are no factors more powerful for confirming Bulgarian ethnicity than religion and language. This is why Christianity is taken as the definitive Bulgarian religion and Orthodoxy as the root of national and political independence. Of great importance is the fact that Orthodox Christianity has proven to be the factor which distinguishes Bulgarians from both the European West as well as Byzantine culture by virtue of its local institution. Unfortunately, Orthodox Universalism has been completely sacrificed for the sake of this separative function.

On the other hand, it is precisely the combination of Orthodoxy and language that apparently has made it possible to overcome the illogical transition from ethnic encapsulation to Slavophile and Pan-Slav ideology. This has resulted primarily in a decline in Russian political and cultural influence.

While clerical circles have put up no resistance whatsoever to the ideological cliché whereby Orthodoxy has been bound to the "national" and the "political," intellectual circles that took up positions in accordance with the canonical structure Orthodoxy, not its historical context, began to take shape as early as the 1980s. These are circles which try to uphold Orthodox values not from the viewpoint of some ethnic or state affiliation but upon the basis of the spiritual substance of Orthodoxy. It must be emphasized that this is the first time such intellectual programs have become valid as formative factors within the Bulgarian cultural context.

But it is nonetheless important to keep in mind that these circles, regardless of their high intellectual potential, by no means form the face of Bulgarian culture in a decisive way. Quite on the contrary, Bulgarian intellectuals with grandiose ideas prefer to speak about the irrationalism of Orthodoxy, about what might be referred to as its basic cultural deficiency. But such figures thereby place Orthodoxy utterly at the disposal of the national, Blut und Boden ideologists. In so doing, they rely on their own ignorance of theology, which incidentally is in no way inferior to the ignorance demonstrated by these ideologists. And such ignorance is generally representative of the average and mass level of Bulgarian culture, which in its modern version tolerates only the everyday, not the elevated, forms of Orthodoxy.

In summary, certain conclusions and prognoses can be outlined upon the basis of the above discussion. First of all, it must be noted that Orthodox values are neither a decisive nor the decisive factor in modern Bulgarian culture. They have been preserved mainly at the level of political and everyday life, where they are realized not in their dogmatic constitution but rather in an historically distorted, and distorting, context. That is why their power to shape Bulgarian culture, insofar as it

can be said to exist at all, has merely an episodic and unsystematic character. However, it must be emphasized that intellectual programs which clearly state their Orthodox foundations, that is, that they have been formed explicitly upon Orthodox theological ideas, have for the first time become a fact of modern Bulgarian culture. Perhaps it is of some importance that those who comprise these circles come mostly from the young and middle-aged generations.

With regard to prognosis, it must be indicated that Christian values will not become the substantial content of Bulgarian culture for many years to come and that they perhaps will never adopt such a role. This should be obvious not only from the structure of the modern cultural situation but also from the specifics of those values themselves. As has been noted, the latter demand a particular disposition of the personality and a particular spiritual power, which is why the intellectuals who now stand proxy for this value-system do not pursue its expansion and popularization. Nevertheless, these intellectual circles may eventually contribute to a change in the general formation of the Bulgarian cultural context, thereby exerting a certain influence upon its discernible specifics, if cultural processes in Bulgaria are not forcibly interrupted but rather left to pursue their own course of development.

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Chapter XV

Civil Society, Solidarity and Social Reformation: In Sufi Perspective

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A society is a basic unit of human civilization and culture, where these two play a pivotal role. From time immemorial human beings are tied in social relationship to one another. Nowadays social status\position has taken on a new dimension according to the needs and requirements of our society. We know the primitive cultures and civilizations were very simple; therefore, their society was also simple. Now society becomes more and more complex, apparently we can say, its complexity is at its zenith. Although we are living in the civilised world, the electronic wave systems, satellite communications, etc., are supplying amazing comfort in the 'terrestrial' life but still we are not in peace. Each and every moment we are anxious regarding the preservation of our culture and civilisation. Ever imminent war, scarcity of morality, degradation of values, slackening of human rights and duties and so on are peeping in at our doors every moment. Therefore, we feel the need of *civil society* so that our civilization and culture may be preserved. We believe only the civil society and 'solidarity' can play the appropriate role in this regard.

At present more or less each and every country is facing the slackening of human rights, dignity, morality and values. Even a developed country like America is also facing the same problem, where the market economy is very high and Government laws are regarded as a coercive force. Besides that in the election of the year 1994, only the 39% of the eligible voters actually practiced their voting rights. American women are feeling insecure in their family ties; sex-violence is increasing day by day; childrens are not getting their parents affections sufficiently.1 Not only in America, but various other countries are also facing the same troubles, and they are looking forward to a civil society where people may enjoy their fundamental rights and dignity. It is *that* type of society where all people can make their homes, sustains their marriages, form their family and associations, meet their neighbours, educate their children, worship their God freely.2 In this society people may enjoy their freedom, citizenship, franchise and dignity of labour; where thoughts, ideas and opinions are easily exchanged, shared and a sense of common benefit is easily engaged. Basically, civil society is a society of humanity and morality (normative concept), where values, dignity of men, fraternity, responsibility and love are integrated and utilised in a democratic way. In this society 'men and women should be measured by the quality of their humanistic character and not the colour of their skin, the shape of their eyes, not the size of bank account, the religion of their family or the happenstance of their gender.3

To form a civil society in the world, now a circle of people are demanding the decentralization of powers, freedom of voice, citizenship, franchise, and equal distribution of economic property in the society,—all for the common good. Indeed, they want to live in a society which will not only be civil in politics but also be civil in all spheres of human life, so that each and every people may participate for the contribution and support of their strengths and talents.

This paper is a humble attempt to highlight the Sufi Concept of Civil Society, where a history of Democracy and Solidarity can be delineated. We learn from our history that in the early ages of Islam and in the Medieval period the concept of civil society was prevalent in its good form. The anchorites of Islam worked for and loved all and sundry without any discrimination of caste, creed, and religion, in order to establish a civil society in the world.

The Concept of Civil Society

The concept of 'civil society' has largely flourished from the 18th century C.E. and onward. But the concept of civil society is not a new concept. Long before the 18th century the 'civil society' concept had been expounded in ancient Greece. Plato's *Republic* offer a vivid instance of civil society and justice. In the writings of other personalities of Greece we have found civil society's notion in rudimentary form. Even Socrates advised each citizen to maintain civil laws and principles of the society, because, as a good citizen of a particular state it is his moral obligation to obey the laws of his state. However, their civil society was basically confined to the political society;4 and actually, political society is a 'regime' or 'form of Government' where good life was an indispensable part of law and justice. 5 In the Republic, Plato maintained that government, whether it is ruled by the king or the military, the people or a tyrant, should treat society in a reasonable way, as an image of the individual and people will be the sole composer of that 'regime'. Undoubtedly, Plato's image of the perfect regime was that in which the Philosopher king should be the ruler of the society on the basis of his\her desires of common good and moral sentiments.6 Hobbes in his book *Leviathan* said "human beings in the state of nature are determined by the necessity of the mechanics of their bodies to pursue their own good, even at the expense of others and cannot be blamed for pursuing that to which nature impels them.' He concludes his treatment of human nature with the premise of his moral and civil philosophy: every one has a right to do whatever seems necessary for survival of happiness. (*Leviathan*, 14. 4).7 His social contract theory basically signifies the association of the people which is the necessary part of the civil society. According to him, `human beings come together because they need each other to be complete, but also for the social conditions necessary to bring out happiness and fulfilment.8Afterward Hegel, Toqueville, Marx, Gramsci all spoke about civil society in the political or economical sense. Recently, after the fall of communism in Soviet Russia civil society represents a venerable bulwark of freedom and democracy to mitigate the power of the state.

Not only in Greece but also in India, the civil society concept had played an important role in the country from the very beginning. We know from the historical records of India, that in the earliest period, the people of India lived in communities. The communal organization of the Veda existed for various political and quasi-political purposes. The members of every community were bound by the tie of kinship, as they were believed to have common ancestry. They had their common chieftain and elders, their officers, herdsmen, guards, and policemen. In some village communities there were no chieftains in their head, but they were entirely self-governing corporations even in the earliest ages. They had their personal citadels, defence forces and republican officers. In each and every community, the kings had deep and hearty relation with their peoples. Though they had powers in their hands the heads of the community had to treat their people with full respect and they were conscious of concord among the various groups or communities. In the Licchavi constitution, each and every aristocrat was entitled as a raja. To clarify the civil society concept the following lines are very helpful to us. From the period of king Asvapati Kekaya: "that there was no thief, no villain, no drunkard, none who neglected religious rites, none uncultured, no man incontinent and gay as a libertine, no woman who was unchaste."9 In their society the head of the community ensured much prosperity and there was active production of wealth but with it there was equitable distribution also.10

In Sufism as well as in Islam we find a high level of the 'civil society' concept. The Prophet Muhammad (s…) and the four pious *khaliphas* (caliphs) were highly conscientious concerning the

civil society. To support civil society they all started reformatory works for the society. Sometimes they laid much emphasis on economic equality, because, they knew, to form civil society the economic equilibrium is an important factor. In order to maintain economic balance in the society they revitalised the *Zakat* (alms-giving) system in their society as an obligatory duty of the people. We will discuss something of this subject later on.

The Concept of Civil Society in Sufism

Before the discussion of civil society in Sufism, it is ssential to outline something about sufism. The Arabic term *Sufi* is used in a wide variety of meanings over the centuries. However it is generally accepted that Sufism is derived from Arabic term *Suf* (wool); it is an Islamic Mysticism or Islamic esotericism.11 But this Islamic mysticism is something distinct from other religious mysticisms. We have found that other religious mysticisms have propagated worldlessness and are based upon a spiritual ecstasy devoid of social life. Islamic or Sufi mysticism never signifies worldlessness. Prophet Muhammad (s…) clearly proclaimed, "La ruh baniata fil Islam"(there is no monkery in islam).12 He also said, God has created the world (*khalq*) and the human beings (*Insan*), and human beings are the best creation (*asraf-ul -makhluqat*) of Him. He created these not for idle sports, there are serious purposes behind these creations. Though sufis are regarded as the ascetics of Islam, at the same time they are also social human beings too. They are highly conscious about morality, disciplines, ethical values and dignity of all human beings. It is also true, sometimes they have laid emphasis on inwardness over outwardness, -contemplation over action.13

We found extensively that sufism is not the religion of a sect, rather it is a natural revolt of the human heart against the rigid formalism of the ritualistic Islam as well as the absolute tyranny of the Muslim Caliphs. Their relation with Islam is something similar to the Quakers or the Roman Catholics.14 On the one hand Sufis are God- intoxicated men, on the other, they are the lovers of humanity. On the Transcendental level, Sufis speak about God's mercy (*rahmat*), gentleness (*rahim*), beauty (*zamal*), whereas on the mundane level their motto is service of humanity (*khidmat-i-khalq*). The love for God or the apprehension of *Truth* is purely psychological and the service of humanity or the love for human being is related to the society too. They are not only conscientious concerning the purification of mind, body and soul but also highly conscientious about the reconstruction as well as the reformation of the society without any bigotry, discrimination and reluctance.

From this aforesaid indication it is evident that the Sufis interpret their philosophical system from the moral, psychological and social aspects. They apprehend that the moral value of the devotee is the foremost condition to attaining spiritual perfection. During the spiritual journey a devotee firmly believes that he can reach his goal when he lives a virtuous and pious life. We have already mentioned that Sufis are God-intoxicated men but that is not their highest goal. The highest goal of the Sufis is called "*assayer-o-ilal- khaiq* " (travel towards the world), i. e. the service of humanity. The venerable Sufi Abu So'ud had a firm faith in the service of 'humanity'. Once he expressed the behaviour of a true devotee of God towards His creation always remains friendly and affectionate. A spiritual man who ignores mankind and remains involved merely in the ascetic practices is not a true friend of God. He clearly insisted, "if men wish to drown in God they must seek Him in the hearts of men.... ; a true devotee of God is he who sits in the midst of his fellowmen and rises up, eats, sleeps, buys and sells, gives and takes all in the market amongst their people

and who marries and established social intercourse with other folk, and yet is never for one moment forgetful of God."15

Sufis are the egalitarian section of Islam, so they embraced all without any rigidity and bias. Both men and women, Muslim and Non-Muslims became Sufi and even children may participate in their rituals and activities.16 Though Sufism highly flourished in the Medieval period, it was not a new concept of Islam. Sufis believe that the first man Adam was the first Sufi, because he was 40 days in seclusion before God endowed him with spirit. Then merciful God put the lamp of reason in his heart and light of wisdom on his tongue, and then he emerged like an illuminated Sufi mystic.17 This idea becomes clear in the sayings of the venerable Sufi mystic Shaykh Shihabuddin Suhrawardi:

> "The seed of Sufism —
> was sown in the time of Adam,
> germed in the time of Nuh,
> budded in the time of Ibrahim,
> began to develop in the time of Christ,
> produced pure wine in the time of Muhammed."18

History

The Prophet Muhammed (s….) and His Ascetic Behaviour

From the early childhood Muhammed (s…)'s behaviours were something distinct from other children. In the childhood when he went to Syria with his uncle Abu Talib, a Nestorian anchorite Buhaira explored some Prophetic indications and ascetic notions in the face of Muhammed (s…) and advised abu Talib to take some special care for this boy.19 After his wedlock with Khadija Muhammad (s…) occasionally went to the cave Hira for his lonely vigil and contemplation and in that place he ultimately got his revelation. Sufism also traces its link back to the life of the Prophet and his *Miraj* (spiritual ascension). Historically it is proved that the prophet led the ascetic life and wore coarse woolen raiment. In a *hadith* he said 'kanal Nabi (s…) yalbasul-Suf wa yarkabul himar" (the Prophet (s…) used to wear woolen raiment and ride on an ass).20 Prof. A. J. Arberry also declares, "the fact is that Muhammed (s..) himself died wearing woolen garments..."21 All these aforesaid behaviours and activities of the Prophet. Muhammed (s…) express the ascetic notion of his life. Sufis consider him as a model of all the Sufis. His perfect behaviour, transparency of character, chaste life and accomplishments of duties always attracted all sections of peoples of all ages. Therefore in his time he won the hearts of the people and became the spiritual leader and social head of his peoples.

Arabian Society During the Time of the Prophet Muhammed (s…)

When the Prophet (s…) was born at Mecca, the whole Arab society was called the "Ayam-i-jahiliyat" (the age of ignorance) and the society was primitive in character. From historical records we have apprehended that prior to the advent of the Prophet Muhammed (s…) there was no state at all; people roamed from one place to another and they were divided into numerous clans/groups. Although some states were set up during the course of history in the south of Arabia, or in the periphery of the peninsula, no state was ever set up in the interior of the country. There were few

towns in the country and the people had a sedentary way of life. Though there were no Government as such, the people paid absolute respect to the leader of the clan and that was their main virtue which united various groups or tribes. Individuality was the core of their political existence. One group understood another as enemy, in their eyes every people was considered as a foreigner and blood vengeance was sought as a normal case. There was no sense of civil life, of a unification of cultures. Arabs and Arabia itself were only a mere geographical existence. Morality was absolutely degraded, people were moved by emotion and passion, not by reason. They were steeped in vice, superstitions and barbarism. People were addicted to drugs, wines, and gambling. Usury and other unfair trade practices characterised the economic life. Women were recognised only as chattel. They had no rights and no social standing. Polygamy, fornication and adultery were prevalent in the society, without any hindrance. The birth of a daughter was regarded as a matter of misfortune and most of the female infants were killed or buried alive. Slavery was common and the master enjoyed full right of life and death over his slaves. The young girls served as the concubines of the master. Gibbons in his *Decline and Fall of the Roman Empire* draws the picture of the political and social life of the Arabs as follows: "The temper of a people, thus armed against mankind, was doubly inflamed by the domestic licence of rapine, murder and revenge....."22 Their continuous struggles between the various groups destroyed the sense of national unity and civil society. In this above situations Prophet Muhammed (s…) grew up, all these inhumane conditions of the society were telling to his mind. To restore the peace among the various clans he formed an association which is known as the "*Hil-ful-Fudal*" and all the members unanimously agreed to an oath at Mecca whether the oppressed be traveller or he be one of the residents: they would force the oppressor to pay compensation. The Prophet (s…) had played a vital role in the formation of that association. He had a dream to reform the community of the corrupted Arabia to establish civil society.

Formation of the City State in Relation to Civil Life

The non-humanistic attitudes and the physical torture drove the Prophet (s…) to flee from Mecca to Yathrib (now Medina). In the year 622 A. D. he reached Yathrib and a non-civil society: there was no such organised Government as there was in Mecca. Therefore, first he felt the need of an orderly Government. in the society to lead civic life. Then he gathered numerous clans/ groups to the Yathrib and formed a 'city state', where Pagans, Muslims, Jews, Sabians and others could take part. They all agreed to restore peace, good-will, mutual assistance, freedom, justice and preservation of life and properties. So far as we are concerned, that was the first initiative to form a composite civil society in the world. To that state the Prophet (s…) had given a charter to all groups and taken an oath—"the guilty must be punished whatever their faith. They all will be united to defend their state as well as society whenever the need arises."23 Haroon Khan Sherwani regards that pledge as a great charter of freedom and conscience for common citizens.24 Similarly the Prophet (s…) gave a charter of freedom to the Christians of Najaren "assuring them their lives, property and religion that they would have full liberty to practise their faith, that no bishop, monk or priest would be removed from his office, that no image or cross would be destroyed, that no tithes would be levied from them and they would not be required to furnish any troops."25 That civil state was not merely the contract among the various groups but also an instance of miniature 'civil society', where the toleration of faith, conscience, freedom, morality, solidarity and subsidiarity were maintained in the civil way. They all have been united for the uplifting of their society and the protection of their property. Prophet Muhammed (s…) was the first elected

fountain head of that state. Therefore, it was democratic in character. Not only that, the Prophet himself had sent various ambassadors to the neighbouring countries to form one universal civil state and at the same time he established numerous pledges among the different groups to maintain civil life in the society. Therefore, it is very interesting to indicate that the first civil community was formed by the holy Prophet which was called '*Al-mujtama-al-Madani'*(civil city state of Medina). To direct that society the Prophet (s…) had formed a civil constitution which was familiarly called '*shifat-al-Madina'* where pluralism in terms of religion and ways of life was accepted.26 Thus, each and every group or religious segment had enjoyed their civil life and right of conduct in their state. Furthermore, each and every group was represented by their leaders, who acted as mediators as well as facilitators between the authorities of state and individuals whenever they felt necessity. In fact, civil society is precisely Islam's original ideal form of society.27

Continuation of Civil Society Activity After the Prophet Muhammed (s….)

In the year 632 A. D. the Prophet Muhammed (s…) had died and to maintain the democratic form he did not appoint any political or religious successor for his community. Immediately after his death various groups struggled for his political succession. However, Abu Bakr Siddique was elected unanimously as a spiritual and social head and he got the appellation *Khalipha* (Caliph). In the same vein, we noticed, the Arab general, Khalid bin Walid who subjugated the Christian kingdom of Hira in Arabia during the reign of the first Khalipha Abu Bakr, had guaranteed the lives, liberty and property of the Christians and declared, "they shall not be prevented from playing Nakus (a sort of musical instrument) and taking out their crosses on occasions of festivals."28 Successively, the four Caliphs were highly conscious about the civil life of the citizens and the economic equality of the society. To maintain the economic equality the second Khalipha Hadrat Umar restablished the *Zakat* (alms-giving) system in the society as an obligatory custom of all Islamic people. Historically it is remarked that during the reigns of the pious caliphs people had enjoyed their freedom, rights and franchise and they had led their lives as civil citizens of the society. As a result of such freedom and rights the non-Muslims could practise their religions freely and build temples, churches and synagogues within the boundary of the *Khilafate*(reigns). Not only these, they were also allowed to occupy high official posts, and they could join the army or civil administration in the state. Even the consumption of wine which is *haram* (strictly prohibeted) in Islam was also permissible to the non-Muslims to drink and for commercial intercourse.29 One of the significant points of the Khaliphas is that they not only permitted the non-Muslims to freely practise their religions but also allowed them to be governed by their own laws in religious matters. As a matter of fact, there were two categories of law, i. e. (a) the religious laws, and (b) non religious or secular laws. The first category of law is related to the religion, whereas the second category is related to the human, moral and mundane affairs. Due to the humanitarian attitudes these four pious caliphs were known as '*khulapha-e-Rashedin*' (the enlightened Caliphs).

After the death of the 4th khalipha Hadrat Ali a devastating political turmoil emerged in the firmament of Islam, which ultimately divided Islam into two sections, i. e. Sunni and Shia. In this period several violences occurred in the Islamic society which gravely weakened the 'civil structure' of the Muslims. The *Ulamas* (scholars) have tried to maintain the civil activities in the society. They had developed *Fiqah* (jurisprudence), which was the consequence of social interaction between the scholars and the other segments of the society. This initiative of

the *Ulamas*was civil in nature and it had extensively dealt with political affairs from the theory of good Government to the defence of the community.30

Another group which shows the deep-rootedness of civil society in the history of Islam is the role of *Al- Ashraf* (the notables), an informal civil section of the society that cushioned the relationship between the individuals and state authority. Its members were historically related to the descendants of the holy Prophet and they were held in a respected position by all segments of the society.

In the same period another group which made their landmark in the history of Islam to form a civil society was the Sufi. Though basically they were God-intoxicated men, they devoted their lives for the uplifting of the society. They were the men of absolute discipline, free of lust, indifferent to political power. Indeed, they exercised humanitarian attitudes for all without any distinction. Due to their philanthropic out-look they were held in high regard by all sections of the society. Even the ruler paid respect to them. In the Medieval period Sufis unified the overall local socio-political structure of the society. And the local authorities were dependent upon them to exercise their rules and powers in the society. It is very amazing to apprehend that these men indeed played a central role in protecting individuals and social segments from the state‘s arbitrary exercise of power. They never occupied any post granted by ruling authority. Furthermore, Sufis were the avenue through which the local ruler or Government contacted the people of a society. Their works were more fraternal than political. This fraternal attitude compelled them to be scattered all over the world, and in this regard some of them even came to India to spread their outlook.

Sufism in India

The penetration of Sufism into India has a long history. It is not possible to indicate the full history in this paper. Here we only indicate some salient features of it. Before the arrival of Sufism in India the Arab peoples had close commercial contact with Indian territory. To achieve the commercial benefit some Arab Islamic people came to the Malabar coast of south India by sea route and they had gotten a warm reception from the people of India. In the year 712 C.E. Muhammed bin Qasim invaded India and captured some political powers in that region, and the Muslims confined themselves to that place for many years. Historical records show that in the 11th century C.E. a few Islamic missionaries came to India to propagate their religion but they did not gain much popularity. In the year 1193 C.E. Muhammed Ghori ascended to the throne of Delhi, which opened the door for the Muslim people in India. Historically it is also evident that the venerable Sufi saint ‘Khwajah Mu‘in- al- din- Chishti came to India with the army of Muhammed Ghori and he settled in Ajmir. This may be counted as a starting point of Sufism in India.

Khwajah Mu‘in- al-din-Chishti was a man of outstanding personality and the founder of the Chishti Sufi order in India. Due to his egalitarian attitude he attracted a large number of disciples to his order irrespective of caste, creed, and religion. This Sufi wave was highly potential, because humanism was one of the ideals. In fact, it presented and implemented its ideals of freedom, justice, brotherhood and equality so successfully that they become ideals for all humanity. He died in 1235 C.E. at Ajmir and is buried near to his *Khanqah* (hospice). Not only in the past, but also in the present his *Dargah* (shrine) is an important place of pilgrimage in India to all classes people. Successively this Sufi order produced numerous luminaries, those who devoted their lives for the uplifting of the society and the common people as well. The name of Khwajah Qutubuddin Bakhtiyar Kaki of Uchh, Shyakh Farid al din Gang -e-Shakr of Pakpattan, Hadrat Nizam al din

Aulia of Delhi are noteworthy. In India some other Sufi orders also made their mark in Indian society for their philanthropic outlook, e.g., Qadiriya, Naqshbandiya, Suhrawardiya, Qalandariya, etc.

In the medieval period when Sufis arrived in India, its society was passing through a crucial stage. Brahman priests were the dominant figures of the society: caste classifications and untouchablity systems were very powerful. All the amenities of civil and moral lives were denied to the lower castes. They had no right to go to the temple for worship, they were even not allowed to recite their scriptures or religious texts. Same restrictions were also forcefully imposed on women. They had no religious freedom of worship and were not allowed to read the holy books. Early marriage, illiteracy, polygamy and the miserable situation of widows were the inhuman custom of the Medieval Indian society. Indeed, at that time Indian society was full of numerous bigotries and indignities.

Sufis came in India with a new challenge to remove all these inhuman bigotries, customs and started fighting againist those customs to establish civil society.

Social Reformation

Sufi activities were based on the Islamic teaching and brotherhood to all. Though the main goal of the Sufis is to unite their finite soul with the Infinite, nevertheless, they have not cut themselves off from the society. Therefore, the service of mankind became one of their ideals as well as duties.

Formation of the Khanqah *(Hospice) and the Democratic Outlook*

After the peaceful penetration of Sufism in India, Sufis devoted their full life for the service of humanity. Due to their egalitarian attitude large numbers of Indian people irrespective of caste, creed and religion came to their fold. So, as a temporary rest house, Sufis have established some rooms as a temporary rest house, which afterwards converted to hospices and opened the door for all classes of people. High and low, rich and poor, men and women,— all distinction vanished away there. All the people who came to the *khanqah* lived, slept and ate together. The holy book was opened and accessible to all. Men and women without any distinctions enjoyed the same rights and conveniences.31 Especially the role of the Chishti Sufis were very significant. How far they were extended their egalitarian attitude may be apprehended from the following lines:

"awal sekha`wati chun sekha`wat-e-duniya
Dowam Shefqati chun Sefqat-e- Aftab
Siwam Tawajee chun Tawas-e-Zamin"(Persian)
i. e. "A generosity like that of the ocean,
A mildness like that of the Sun
And a modesty like that of the earth."32

Freedom, Justice and Equality

Freedom is an inherent quality of human beings. Sufis believe in two types of freedom. The first is related to spirituality, whereas the second is to society. Spiritual freedom is a psychological affair and social freedom touches daily life. When Sufis penetrated in India, it was governed by

the British ruler. Their relentless social injustices, continuous tortures and corruptions violently assaulted the minds of the Sufis. Therefore, some Sufis directly fought against the British Government in India. In this context, the role of Majnu Shah is particularly significant in the Indian history. He was a Sufi saint of the Madaria order. He was an organiser of great ability, a great commander in chief, who assembled his people to fight against the superior forces of the British ruler. The people of Majnu Shah boldly attacked the British forces to achieve their freedom, civil rights and dignity.33 Majnu Shah was himself slain on the battlefield and after him, the struggle for freedom and rights was carried forward by his brother as well as disciple Musa Shah. Besides that, some other Sufis also rebelled and fought against the Britishers, including Ramjani Shah, Zahuri Shah, Sobhan ali Shah, Amudi Shah, Motiullah and others. Though they did not succeed in their revolt, they left an indelible imprint upon the future struggle for freedom and justice in India.34

The justice theory of Sufism is mainly based on 'goodness'. The active agent should do something which is 'just'. In the *Hadith,* the Prophet says, your deed should be counted according to your `intention' (*Bukhari*). Even he says, if you wish to establish friendship with another, you should do that without any expectation and interest. You should act in the society as a 'duty' performer. In this regard the holy Quran says, ".... God loves the just dealer."35 In another verse the Quran proclaims, "..... you enjoin right conduct and forbid indecency and believe in God."36 Again it says, the foremost duty of the beliver is "to command the good and to prohibit the bad".37 Equality /Fraternity is the basic principle of Islam as well as Sufism. Sufis believe in the equality before the law: this means that there should be complete equality of opportunity. Sufis say the only superiority enjoyed by a human being over other human beings is determined by his "righteous conduct." The same principle has been maintained by the Prophet of Islam in his address to the peoples on the occasion of his farewell pilgrimage when he said:"O people, your God is one, your father is one (*adam*). No Arab has superiority over a non-Arab, as no non-Arab has superiority over on Arab, neither does a man of brown colour enjoy superiority over a man of black colour, nor does a black man enjoy superiority over a man of brown colour, except piety". 38Sufis are highly conscientious concerning the dignity of all human beings.

Social Services And Solidarity

Sufis of India achieve extra ordinary success due to their humane and fraternal attitudes. Their universal brotherhood is based on '*khidmat-i-khalq'* (service of the fellow beings). In this regard the great poet of Iran Sa'adi says,

Tariqat-e- bajuj khidmat-e-khalq nist
Ba tasbih wa sajadeh wa dilq nist.
"The road of the Sufi path is nothing but services of humanity. It is neither in rosary, nor in prayer carpet, nor in the garment of a dervish (Sufi)."39

Hadrat Nizam al din Aulia a Chishtiya–Nizamiya, the Sufi saint, whose humanistic outlook was extremely lofty, said, devotion to God does not mean detachment from the mundane world: the highest form of devotion to God is removal of misery, extension of a helping hand to the needs of the helpless and the feeding of the hungry.40 According to him, human submission (*ta'at*) to God is of two kinds: (a) necessary (*lazmi*) and (b) communicable (*muta*'adi). Those who perform the former, submit to God through the Shariah (religious Laws) and those who follow the latter,

devote to themselves to the service of the common people.41 For social uplift Sufis distributed all their properties to the common people without any distinction. The *longor* (kitchen) was open to all for food and drink. In fact, they believe in living with everyone in full solidarity. In their terminology 'solidarity' is called *asabiyah*. They looked upon all human beings as the son of the same descendent, and all religions as different paths leading to the one destination.

Morality, Dignity and Non-violence

Sufis are men of strict morality and discipline. Their moral principles and disciplined life impressed all sections of people in India and abroad too. Sufis advised all to maintain moral ideals and disciplined life. Their morality and discipline cultivated the virtues of humanity, good disposition, tolerance and forgiveness. It is said that the notable Sufi Shaykh Sharfuddin Yahya Maneri of Bihar Sharif (Nalanda district, Bihar, India) considered the service of mankind as an essential duty of the Sufi saints, because it destroys pride and vanity and at the same time removes impurity and conceit.

Another social relevance of the Sufi saints is that they stressed earning their livelihood by professional pursuit and they recognised the dignity of labour. They preferred simple lives and discarded all types of pomp and vanity. For example-Shaykh Qutubuddin Bakhtiyar Kaki did not use any bedding and Baba Farid had only one blanket which he used to sit on and to sleep with, which did not cover even the whole body. 42

Above all, Sufis of India believed in a pacific and non-violent approach towards all in the society. They advised their followers, "Man should strenuously strive to develop the faculties of patience and endurance, anger should not be suppressed, it should be eliminated by forgiving the sinners."43 They advocated love and affection for all. This specific Sufi attitude towards all is very beautifully epitomised by Hadrat Nizam al din Aulia as follows:

Har keh ma ra yar na bu'wad
aizad u ra yar bad
Wa ankeh ma ra ranjeh darad
ra hatash bsyar bad
Har keh u dar rah ma khari
nahad aj dushmani
Har guli kaj bag imrash
bash gufad be khar bad. (Persian)

"He who is not my friend, may God be his friend! And he who bears ill-will againist me, may his joys increase. He who puts stones in my way on account of enmity, may every flower that blooms in the garden of his life be without stones."44

Educational and Literary Activities

Education and literature is a very important factor of civil society. Sufis of India have not only laid stress on moral and spiritual disciplines but their intellectual as well as educational and literary pursuit are not ignorable. To quench the thirst of knowledge they founded numerous *Maktab* (primary schools) and *Madrasha* (high schools) and wrote large numbers of books. They have even translated many books of other religions/sects. We know in the earlier phases of Islam and

Sufism, numerous Sufi luminaries composed poetry, *ghazal*, *mathnavi*, etc. The names of Sa'adi, Hafiz, Rumi, and Attar are most significant.

In India, the literary activities of Amir Khusrau, Gesu Daraz, Dara Shikih and so on are highly attractive to all classes of people. Amir Khusrau, a poet and a very powerful exponent of Indian Sufism, tried to establish essential unity between different religions. His poems are highly lyrical and he emphasised the love of God and mankind. Due to his high literary acumen he got the appellation the "songbird of India,"45 Some of his books, such as-Khamasu, Panj Ganj, Tarikh-i-Delhi, Qiren us Sadin, etc., gained much popularity in India. Another Sufi poet as well as writer was the Emperor Shah Jahan`s eldest son Dara Shikoh. He was a scholar of outstanding merit and well versed in Arabic, Persian, and Sanskrit languages. He made a notable contribution in the literary field and compiled several books on Philosophy, and biographies of the Sufi saints. His great work is the translation of the Upanishads, the Bhagavad Gita and yoga visitha. This great work of his translation is called *sir-i-Akbar* (the greatt mystery.)46 His greatest achievement is the composition of `Majma-ul-Bahrain', the "mingling of the two oceans") where he tried to unite the Hindus and Muslims of India in a tie of fraternity. It is very remarkable that some Sufis had close contact with Indian Bhakti saints and Yogis. This spirit of tolerance evolved a synthesis of various thoughts and ideas, cultures and civilisations, which are not so common in the rest of the world. Actually this is the special heritage of Indian society.

Sufis of India devoted their full lives to clean/reform the society to establish civil society in the global world. In removing bigotries and external paraphernalia of religions they taught us how to respect one another's feelings and interests; how to grow and play together with their specific identities to live in a better civil society.

The Present Situation of India

Before leaving India, the Britishers utilised their 'divided rule/two nation' theory and ultimately they succeeded in dividing Indian geography into two. Now it becomes three, namely, India, Pakistan and Bangladesh. We don't know in the future what number it will reach. After Inependence, in 1947 the ruling Congress party presented a constitution to the Indian people and declared India as a 'Sovereign Socialist Secular Democratic' state—and even now it remains the largest democratic country in the world. Various religious, ethnic and cultural groups are integrated here in a single knot and live together as from time immemorial. Agglomeration as well as absorption is the basic heritage of Indian society. Since India is a secular country, its Government does not interfere in the religious liberty of their people. The people of India practise their respective religion freely since 1947 without any obstacle. But it is a matter of great regret that very recently some sectarian groups are lead by passions and emotions and they are demanding their autonomy (basically one the political side though religious things are is also included in it), such as the Sikh, Bodo, Ulpha, Gorkha, Jharkhand, Kashmiri, etc. These revivalisms are rudimentarily encouraged by poverty, unemployment and sometimes religious matters. At present it is a very crucial problem in India that there is no stable Government., and the ruling authority is the synthesis of small political parties. In a single word, a coalition Government, so that the ruling authority is always busy to protect its throne. In taking some vital decision they are dependent on the other political parties. Actually this very weak Government is not able to work freely.

Besides that, the Hindu sectarian movement /nationalism is organised by some political parties, namely, The Bharatiya Janata party (B.J.P.), the Rastriya Sevak Sangha (R.S.S.), The Visva Hindu Parishad (V.H.P.), The Shiv Sena, etc. They all proclaim their Hindu identity in the

Nation. On the 6th of December, 1992, their sectarian nationalism reached its highest peak and collectively these groups demolished the Babri Mosque in Ayodhya, which is a very shameful event in Indian history and society. They have not only destroyed a mosque but also a National property as well as the tradition and heritage of India. This religious sentiment always instigates the Hindu people to achieve full political control in India. Hinduism in India now is a political game, a political trick for capturing power. They know that Hindus are large in number in this the largest democracy; therefore, their support will help to form the Government in India. But Indian people, basically the intellectuals and the secular-minded people, are not yet acquiescent to this narrow sectarian outlook. They still want all Indians to live in full solidarity.

The minority groups, mainly the Muslims of India, are feeling insecure in the face of this sectarian movement. They claim the secular attitude of the Indian constitution is completely a failure, because the Government of India is not able to perform its duty and protect the interests of the minority people. However, our Government. is trying to eliminate this political disaster. But this is not so easy a task in India, and it is not possible for the ruling authority alone to do it without the help of the common people. Science, technology, etc., have made impressive material progress but have not been able to achieve fraternity, equality, and piety to build a truly civil society in India. The toleration, mutual assistance, and good wishes of all sectors of the people are very very essential, and at the same time the Indian people should practice truly their respective religions as well as the teachings of their anchorites. If we can do so, 'civil society' will re-emerge in India as a matter of course. We are all awaiting this.

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Chapter XVI

Epistemology, Transcendental Understanding and Social Change: Suggestions for Social and Political Culture

Mallika Rajaratnam

The purpose of this paper is to bring out the relation between epistemology, transcendental understanding and social change with special reference to the philosophical views of the Eastern and the Western epistemological traditions and to explore their universal values and alternative methodology for better guidance of our social and political life. Great classics of philosophical literature spring from profound depth of human understanding.

The dialogues of Buddha or of Plato or of Bhagavad Gita are both national and universal. The aim of philosophical wisdom is not merely an intellectual curiosity but an enlightened life. The contemporary skepticism about philosophical wisdom has given the impression to many of us that philosophy on the metaphysical level does not serve a social purpose. But the history of Eastern and Western philosophy is a record of the philosophers whose ideas have been most influential in shaping the course of human history in the part of the world in which they lived. It is an account of what these men have thought concerning the most important problems of human existence.

The question "What is philosophy?" is perhaps one of the most frequently asked in the philosophical traditions and the question expresses the perpetual crisis of philosophy. The main task of philosophical wisdom is to find out the general or universal understanding of values. In the East and the West philosophy began with the notion of self-realization which is the basis of all values. The difficult task of philosophical epistemology is to explain the notion of self-realization and its functional purpose of philosophy. This integral epistemology of self-understanding has very close connection with social ethics and ethical communication.

Philosophy as Critical Wisdom

Socratic method began the philosophical search with the contemplative understanding of one's own reality. Socratic "Know Thyself" and Indian "That thou art" or self- realization should be understood in its great philosophical intention. This is the basis of virtuous understanding. It gives the universal understanding of values and justice.

As philosophy aims at vision of truth it is termed in Indian literature as "DHARSHAN" or contemplative vision. As Bertrand Russell mentions in his history of western philosophy, for Plato, philosophy does not mean the knowledge of truth, but vision of truth. It proves that Greek philosophy reached one of its highest points of achievement and Plato was one of the greatest minds of all ages.

The distinction between the philosopher and non-philosopher is an important and difficult section of *The Republic*. In this Plato deals with the question of "What is justice?" and the nature of the ideal state. For Plato the first characteristic of philosophical wisdom is that it can face the test of critical discussion. This criterion at once rules out almost every type of what is called ordinarily wisdom. The Greek term "sophia" is ordinarily translated into English as wisdom and the compound "philosophia" from which "philosophy" derives is translated as "love of wisdom." But *sophia* had a much wider range of application than the modern English "wisdom". Whenever intelligence can be exercised in practical affairs there is room for *sophia*.

The practical general understanding of justice or values is one of the main tasks of philosophical wisdom. "The Philosopher will have truthfulness and will never willingly tolerate untruth; but will hate it, just as he loves truth, which is so hardly possible to combine in the same character [love of wisdom and love of falsehood]."1 This kind of emphasis on justice and human affairs and general ethics received its first classic formulation in the dialogues of Plato. The purpose of Platonic dialogues is not to answer questions in dogmatic fashion but rather to stimulate original thinking on the part of the reader. In the Platonic sense a total vision of truth gives critical understanding of practical affairs.

The relation between ethics and philosophy needs an entirely different methodology in epistemology. Every system of philosophy tries to bridge the gap between the so-called epistemology and ethics. An integral epistemology which includes self-understanding and critical vision will be able to bridge the gap and serves a meaningful purpose in social philosophy. Self-consciousness as the normative basis and critical understanding should play an important role in the education system and social and political development and development of personality and self-culture of a citizen in social life. In a civil society each and every community should preserve their culture for the sake of self-understanding. In civil society individual, family, community and every ethnic group while preserving their culture in a deep meaningful way achieve self-understanding and self expression. It helps them to transcend the narrow individualism, ethnicity and national barriers and preserve solidarity and subsidiarity in civil society.

The Notion of Self-Realization and Ethics in Indian Philosophy

Indian philosophy is essentially a philosophy of values. The metaphysical basis of value system begins with the notion of "Rta" in the Rig Veda. *Rta* means order and Vedic philosophers used the term for physical and moral order. The culmination of Vedic philosophy expresses the notion of monism or non-dualism which is the basis of self-realization. "Truth is one, but the wise call it by various names,"2 says the Rig Veda but Upanishadic philosophers seek this oneness within themselves or in self-realization. A well-known episode in the Chandogya Upanishad is illustrative of the typically Indian outlook. Narada the versatile genius, master of all arts and sciences secular and sacerdotal, finds himself sorrow-stricken in spite of all learning. He approaches a seer Sanatkumara by name, confess that he knows only the texts and not the self, and implores the teacher to impart to him the knowledge of the Self, which alone would ensure the attainment of sorrowlessness.3 Thus one of the fundamental features of Indian philosophy is that it goes beyond logic, and becomes an affair of one's life.

The ultimate aim of Indian philosophy is the self-realization which is the basis of unity of all life or oneness of all creation. Each country contributes something essential to the world's civilization in the course of its own self-expression and self-realization. The essential contribution of India is her Indianness. The heart and essence of Indian experience is to be found in a constant intuition of unity of all life, and the instinctive and ineradicable conviction that the recognition of this unity is the highest Good and uttermost Freedom. All that India can offer to the world proceeds from her philosophy. This philosophy is not indeed, unknown to others—it is equally the gospel of Jesus and Blake, Loa Tze and Rumi—but nowhere else has it been made the essential basis of sociology and education.4

Inter-Subjectivity and Ethical Communication

Indian philosophy as a way of life and vision of reality is essentially spiritual and human. The universal humanism is the basic theme for all great philosophical traditions. The universal humanism as the eternal theme of the Indian message gives the basis for inter-subjectivity and inter-personal communication. The Isa Vvasya Upanishad says "The wise man who perceives all beings as not distinct from his own self at all, and his own self as the self of every being—he does not, by virtue of that perception, hate any one."5 This final aim of Indian philosophy, realization of the common Self or self-understanding, is the basis for the inter-personal communication of ethics and values. It transcends all the narrow limits and self-interest and egoistic tendencies. As the universal and general understanding of human being it finds the common man in every man and forms the basis for ethical understanding and common good.

The first task of philosophy if it is truly scientific is to build on the possibility of certainty as self-evident. Immediate self-certainty is the basic characteristic of self-consciousness. Thus philosophy should have a basis in immediacy of understanding. The introspective and contemplative beginning of philosophical wisdom as the science of sciences gives the stable understanding of Ethics.

Self-Consciousness and Identification of Values

The search for higher wisdom begun with the Vedic seers became in the Upanishads to be directed towards the inner spirituality of man and the goal was experience of immortality as freedom. The Kathoupanishad describes the ultimate reality as the invisible, all-pervading fountain hidden deep in the cave of the human heart. It is the inner essence of man eternal and imperishable, unaffected by all bodily and mental changes. According to the Upanishads practical understanding springs from consciousness, not from mental reasoning. And Upanishadic thinkers had a clear distinction between spiritual understanding and mental reasoning. The Kenoupanishad describes spiritual or consciousness understanding as beyond the reach of words or thought and logic but at same time it is the ultimate source for all our understanding.

The point of interest of the Prasna Upanishad lies in its concentration on the bio- psychological individual, which is ultimately merged with all its individuality and specific characters in the highest self. The most important contribution of Brahdharnyaka Upanishad and Taiteriya Upanishad lies in their emphasis on the nature reality is Pure Existence or Pure Being, Pure consciousness and Pure Bliss (*Sat Chit Ananta*). In the ontological understanding value is One. What is truth is good and beauty. This identification of values as one reminds us of Platonic and neo-Platonic notion of values. For Socrates Virtue is One and Plotinus speaks about one virtue and intellectual Beauty.

Buddhist Philosophy as the Culmination of Indian Thinking

Though the Upanishads speak about the ‘consciousness level’ of understanding sometimes it leaps to metaphysical conceptualizations. Buddha wanted to transcend all the metaphysical conceptualization and interpreted the Indian thinking in a more consistent and systematic way. Almost all historiana of Indian philosophy agree that Buddhist philosophy is the logical conclusion of Upanishadic philosophy and the best form of Indian thinking or the culmination of Indian wisdom.

Buddhist Epistemology, Kant and Transcendental Understanding

In the most general sense epistemology is said to be concerned with the nature and scope of knowledge, its presupposition and basis and with the distinction between truth and untruth, or specifically between true and false statements and propositions. Such distinctions represent the more theoretical side of this particular branch of philosophical endeavor. The practical side however is concerned with the elaboration of methods by means of which such distinctions can be made in the daily application of epistemic analysis to concrete issues. During the last hundred years or so western philosophy has become increasingly preoccupied with problems of logic, language and meaning, thereby relaxing the traditional focus on ontological categories, such as mind-matter, time-space, determinism-freedom, relative and absolute principles, and so forth. In this modern context the so-called Oxford, Cambridge and Vienna schools of philosophy have been instrumental in advancing a new methodological outlook, based on logical analysis whether mathematically or linguistically oriented, which from its beginnings has never ceased to affect one way or another all fields of human inquiry. Certainly their emphasis on the empirical side damaged the value system in every field of human culture. In the famous introduction to a collection of articles on Philosophy, politics and society published in 1956, the editor Peter Laslett lamented the "death" of political philosophy in the English-speaking world because of the logical positivists. "With all due respect for the remarkable clarification concerning modernity and the limits of knowledge brought about by this presumably modern shift of perspective from the ontological to the epistemological domain [Kant is believed to have been the first to proceed upon this path], such a radical turn is neither so new nor so revolutionary as it may seem."6 Though Kant deeply engaged with epistemological problems and the epistemological methodology of philosophical knowledge his intention was to transcend the pure rational level and to have the transcendental understanding of practical and critical wisdom. He was a cardinal critic of dogmatic traditional metaphysics as so-called science, but it does not mean that he was a critic of the real metaphysical understanding or ontological understanding. Kant was trying to bridge the gap between the so-called epistemology and metaphysical understanding by another faculty of understanding of self-knowledge. Kant’s integral epistemology should be understood by careful reading of all three of his critiques.

Buddhist philosophy and culture, with an effervescent development spanning twenty-five centuries of continuous history, has known even more radical solutions to similar problems confronting all mankind, substance and appearance, between being and becoming, between logical truth and objective reality, between cause and effect, between self and the world on the one hand; and the reconciliation of contradictory claims set forth by various schools of thought on the other.

Some of the Buddhist answers to these questions were at least as radical, as new and original. The philosophy of Nagarjuna or the Madyamika school of Mahayana Buddhist philosophy is considered as a central philosophy of Buddhism. This well-known school of Mahayana philosophy emphasizes the notion of "sunyata". The *Madyamikakarika* is the first systematic treatment of Madyamika philosophy. The doctrine which permeate this work is that of the middle path, which can be comprehended from four aspects:

1) In contradistinction to one-sidedness,
2) As the abnegation of one-sidedness,
3) As unity in plurality,
4) In the sense of Absolute truth.7

As we cannot conceive of being [existence] independently from non-being [non existence], it will be taking as a one-sided view if we are to say that world exists or it does not exist. The middle-path furnishes a contrast to this one-sidedness by avoiding the two extremes of being and non-being. This is the first aspect of middle path. We can compare this aspect with the Kantian notion of antinomies. The so-called pure reason always functions in terms of antinomies. But metaphysical understanding transcends these polemic interpretations. Truth can be realized in the middle path or in the synthesis.

Denying the two extremes, the middle path reveals that through complete harmony between them, extreme being and non-being are unified. This is the second aspect of the middle path. The middle path which unifies all the particulars does *not* lie beyond them. The particulars attain their characters of particularity only through our conception of the unity *among* them. Had there been no unifying principle the particulars would have ceased to be such. This is the third aspect of the middle path. By middle path, it is not to be understood that there is something between the two extremes of being and non-being. In fact, we must avoid not only the two extremes but also the middle. The middle resolves all the limitations and expresses the non-conceptual understanding as real. This is the forth aspect of the middle path. Nagarjuna's epistemology reminds us of Kant's integral epistemology and Heiddeger's Being and Nothingness.

The *sunyata* or void is demonstrated through the assumption of two truths, the conditional and transcendental. Where there is conditionality there is no real understanding possible. Therefore to attain true understanding the conditionality is completely cast aside. This transcendental enlightenment is described as "suchness" in Buddhist philosophy because it does not accept any metaphysical existence as an object of knowledge.

The Ethical Philosophy of the Bhagavad Gita and the Critique of Practical Reason

This highest understanding gets a metaphysical synthetic outlook as expressed in the Bhagavad Gita, a well-known scripture of Indian ethical philosophy. Bhagavad Gita deals with tranquil understanding as unity of vision. Yoga which explains the tranquil state of mind or balanced state of mind as the basis of self-realization. According to Bhagavad Gita, self-understanding is the basic criterion for ethical judgements. The second chapter of the Gita speaks about samkya yoga or balance wisdom. The contemplative understanding of self transcends the narrow individualistic apprehensions and forms the basis for universal understanding of human being. This is the basis for all the normative ethical action and ethical communication. Gita combines wisdom and action in a unique way. The self-realization as the general understanding of values and righteousness transcends narrow self-interest and seeks for the common good. The theme of the Gita is not that of renunciation of action but that of renunciation in action. An ethical action is disinterested action and persons with the stable wisdom [*stitha prajna*] acts with the universal maxims of ethical judgements. Self-consciousness is the basic criterion for ethical action and common good.

Kant's critique of practical Reason deals with subjective maxims of moral action and categorical imperatives. Kant's notion of self-consciousness as the source of normativity gives the basis for ethical action. According to Kant, "As long as the basic concepts of the philosophy of consciousness lead us to understand knowledge exclusively as knowledge of something in the objective world, rationality is assessed by how the isolated subject orients himself to representational and propositional contents. Subject-centered reason finds its criterion in standards of truth that govern the relationships of knowing, and it relates purposively acting subjects to the

possible objects or states of affairs By contrast, as soon as we conceive knowledge as communicatively mediated, rationality is assessed in terms of the capacity of responsible participants in interaction to orient themselves in relation to validity claims geared to inter-subjective recognition. Communicative reason finds its criterion in argumentative procedures for directly or indirectly redeeming claims to propositional truth, normative rightness to subjective truthfulness and aesthetic harmony.8 Kant goes on to say reason employs ideas merely hypothetically. Ideas are merely regulative, not constitutive principles. Reasons aims at synthetic unity of knowledge possessed by understanding. But this is regarded not as given but as projected unity. [B-675]

The main purpose of Kant's Critique of practical reason is to show that there is a pure practical reason, and in order to do this, it critically examines reasons for the practical faculty. For if pure reason is actually practical it will show its reality and that of its concepts in action. With the pure practical faculty of reason the reality of transcendental freedom is also confirmed. The critique of practical reason, therefore, begins as it were where fundamental principles ends, and it traces its steps. Even the titles of Kant's works, properly understood, give the message of Kantian ethics. There is a whole understanding implicit in the very words "metaphysics of morality," "critique," and "practical Reason". One task of a critique is the self-examination of reason for the purpose of discovering and eradicating the dialectical illusions of the older metaphysics. The second task of critique is to rescue those principles which constitute metaphysics "as science" from the ruin threatened by empiricism which not only raised doubts about the possibility of speculative metaphysics but also tended to undermine knowledge of nature and morals.9

Beyond the pure reason Kant assumes that aesthetic judgements claim universal validity for the very reason that they are independent of all the interest in their object, and judgement of taste must be bound with the claim to "subjective universality."10 This subjective universality is a special interest for transcendental philosophy.

The same kind of can be found in the Bhagavad Gita which is the main source of ethical philosophy in India. "Do thy work in the peace of yoga and free from selfish desires, be not moved in success or in failure. Yoga is the evenness of mind—a peace that is ever the same."11 This is the categorical imperative of the Bhagavad Gita. Yoga is the wisdom in duty and ethical judgements. Through the intuitive universal understanding a person can transcend his narrow self interest and activate the universal criteria for ethical action. The general criteria for righteousness come trough self-understanding, and form the basis for critical analysis and for ethical judgements leading action towards the common good.

This practical wisdom can be achieved in various ways, according to the Bhagavad Gita. The path of devotion, the path of self-less action [or disinterested action], the path of wisdom and the path of meditation are well-known different methodologies leading to the same progressive practical wisdom. Thus the Gita reconciles the aims of Philosophy, Religion and ethics in a unique way. The inseparability of all these cultural aspects at a deep understanding level is the "Indianness" or uniqueness of Indian civilization.

Epistemological Methodology of Indian Philosophical Systems

There are two so-called divisions of Indian Philosophy—the orthodox and heterodox systems. The Sankya, Yoga, Nyaya, Visesika, Purvamimamsa, and Uttara mimamsa are orthodox systems as they accept the authority of the Vedas. And Carvaga, materialism, Buddhism and Jainism are the heterodox systems since they reject Vedic authority. Except Carvaga all the other Indian

philosophical systems are essentially spiritual and deal with practical problems of human existence and human Freedom.

Each and every system of Indian philosophy deals with systematic epistemological methodology as critical reason refines our faculty of reason. But these systems clearly understand that the pure reason alone cannot help to grasp the practical understanding. The real enlightenment requires a practical meditative or contemplative methodology and each and every system shows that the pure rational level should be transcended by contemplative methodologies. And every system speaks about epistemology, metaphysics, ontology and ethics as integral parts of their practical realization of life.

By the methodology of pure practical reason we are not [151] to understand the manner of study or exposition which proceeds with pure practical principle for the purpose of scientific knowledge of them, even though this procedure is the only one which is properly called "method" in theoretical reason. . . . Here on the contrary, we understand by methodology that in which we can secure the laws of pure practical reason and gain access to the human mind and an influence on its maxims. That is to say, it is the way we can make objectively practical reason also subjectively practical.12

As in the Indian philosophical systems the Kantian philosophical system and integral epistemology deal with reason and its transcendental level and Kant's task is to provide a re-interpretation of the notion of reason. In the second edition of Kant's Critique of Pure Reason in the Transcendental Analytic, Kant says, "In the transcendental philosophy of the ancients there is included yet another chapter containing pure concepts of understanding which, . . . transcendental predicates of things in fact, nothing but logical requirements and criteria of all knowledge of things in general and prescribe for such knowledge the categories of quantity, unity, plurality, and totality".13 So the classical epistemology of the east and the west involve the transcendental understanding as non-conceptual understanding.

Transcendental Understanding and Socio-Political Culture

Transcendental understanding as a methodology of critical evaluation of social and political life and social and political culture should play an important role in society and political institutions. This existential or phenomenological understanding gives the authentic criteria for value judgements and ethical action. It can solve the problems of personal judgements, particular interpretations of cultures, and social political values. While preserving each and every culture, and ethnic identity, it solves the problem of diversity in every society and forms the basis for human rights and solidarity in a civil society. "Human society is not formed of ideologies or based upon common credos; nor is it constituted on the basis of a common language and communicative action. Fundamentally human groups are constituted n the basis of common lived experiences and of their understanding thereof".14 History is understood by Kant as process taking place within the broad frame work of reality, having its own rhythm because it relates to mankind. Mankind, though grounded in nature, is an entity in itself.

In the Critique of Pure Reason Kant says that "metaphysics is the completion of all culture of human reason." It is the self-awareness of reason; as such, it displays the intrinsic relation between the essence and the status of reason—its possible achievement and ultimate boundaries.15 In the first critique, Kant does not limit the concept of culture to the practical sphere; he refers it to metaphysics. His point of departure seems to be that the inherent aspects of reason are bound to become manifest if metaphysics should be the basic discipline of the philosophical approach.

Therefore, he transfers, as it were, the notion of culture from the level of practical human existence to the theoretical, i. e., metaphysical level. Kant introduces an additional: Man is "civilized." He says, "Fine art and sciences, if they do not make morally better—by conveying a pleasure that admits of universal communication and by introducing polish and refinement into society—make him civilized."16

Hegel does not accept Kant's internalization of morality; he points out the fact the internalization does not remain within its own boundaries. In Hegel's system, morality, culture and history are inter-related. But Kantian and Indian Self-understanding as a metaphysical and existential understanding should be the basis of all the historical and external interpretations. It gives the critical basis of the historical and sociological judgements. As in Indian culture, transcendental understanding gives the basis for a universal culture which reconciles all the dualistic reasoning and polemic interpretations of culture. Transcendental understanding as higher reason and practical faculty of our understanding gives the basis for social and political culture.

Culture in a deeper sense is Metaphysical, Universal and consistent interaction in social action. Each and every specific culture has its own unique features and specific expressions but on the deeper existential level it should deal with the universal understanding of common universal culture. Culture in a real sense is not specific but universal. "Indian art is not merely Indian, but human and universal." This is a claim of universal culture which should be the message of all the great artistic traditions of the world. Artistic or aesthetic experience is a "before" [or apriori] of transcendental understanding, transforming the inner nature of a person so it coincides with his original common universal level. This non-conceptual methodology is *the* instrumental experience for social and political culture.

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Notes

1. *Republic,* 485b.
2. *Rig Veda,* 1. 146.
3. *Chandogya Upanishad,* 8.1.
4. Ananda, Kentish, *Coomaraswamy, The Dance of Shiva*, Moody Press, New York, 1957, pp. 3-4.
5. Isavasya Upanishad *6.*
6. Florin Giripescu Sutton, *Existence and Enlightenment in the Lankavatara sutra*, State University of New York Press, 1991, p 287.
7. I.S.C Vidyabhusana, *A History of Indian Logic*, Motilal Banarsidass, Delhi, 1971, pp. 253, 254.
8. Kant, Quoted by Eric Watkins in his lecture on "Kant's Theory of Self-Consciousness," Catholic U. of America.
9. Lewis White Beck, *Immanuel Kant's Critique of Practical Reason,* The Liberal Press, New York, 1956, pp. 9-10.
10. Immanuel Kant, *Critique of Judgment*, p. 212.
11. *Bhagavad Gita* 2. 48.
12. Kant, *Of Practical Reason, op.cit*, p. 155.

13. Kant, quoted by Eric Watins, *op.cit*.

14. Carlos Eduardo Maldonado, *Human Rights, Solidarity and Subsidiarity: Essays towards social ontology* (C.R.V.P., Washington, 1997), p. 59.

15. Nathan Rotenstreich, *Reason and its Manifestations A study of Kant and Hegel*, Fromm and Holbog, 1996, p. 180.

16. *Ibid*., p. 190.

Chapter XVII

Civil Society: A Transpositional Understanding

Asha Mukherjee

Introduction

After the end of the Cold War in 1989 the world scenario has changed suddenly. We are no more concerned with the tense relations of the super powers but such as family, women, rights of the persons, environment, peace, standards of living, etc. We seem to be more concerned with the quality of human life. Which life is a good life? What are the ways to achieve good life? Can we ever achieve good life? Is it not just an ideal? These questions and answer of such questions lead us to the concept of Civil Society. It is generally accepted that civil society is a social phenomena. As an individual cannot be regarded as a separate entity—civil society has to be understood in its connectedness. Human rights cannot be taken in terms of a simple individual, unrelated to family or community. If so taken, the result leads to chaos and conflicts. "In contrast, solidarity is a basic and indispensable social dimension of human life: people need people and thrive when they are together in communities—from family to neighborhood, to nation, religion and globe."1 In this paper I try to draw attention to a way of looking at civil society very different from the one usually suggested by most Euro-Americans. The Upanishads, the Hindu scriptures as interpreted by Gandhi and Tagore, play an important role in Civil Society in India. Their transpositional view enables us to transcend all differences and enables us to drive towards a universal goal, the goal of Humanity, the goal of civil society. This paper consists of five sections. The first section discusses the concern of civil society, which is mainly—What is the good life? The second section presents the concept of positional objectivity leading towards transpositional objectivity. Marx's and Rousseau's concept of 'good life' presents us positional objectivity but not the transpositional. I try to look back to our traditions so as to look for models of Civil Society and I find, in recent times, Gandhi and Tagore, each of whom tried in their life-times to give a new shape to society.

Their model may not be the only model, but the point I try to make is that they serve as the sincere guidelines towards which we should proceed—the unifying force for cosmic civil society. In the last section it is suggested that the idea of civil society is different from its practice. It may be the case that in reality there is no society which is 'civil' in the sense one would like to have—the transpositional, but we can still sincerely hope and try towards approaching 'civility' by becoming "'civil society'-conscious."

Civil Society: Its Concern

The answer to the question, 'What is good life?' would lead to the concept of 'civil society'. But answering this question satisfactorily needs that we first agree as to what should be counted as good life. We find that 'good life' has an inbuilt two dimensions—the individualistic as well as social. 'Good life' issues settled in a monolithic way—in favor of individual human values, or in terms of transcendental, would lead us to solidarity but that does not deny their 'differencehood'. The different approaches still remain different. This is subsidiarity. For example, knowledge, love and shared life were the main concern of Catholic thought which led to solidarity but the pattern

of subsidiarity, ‘the ultimate concern for the weak and the oppressed’, is built into it. The ‘weak and oppressed’ have a special place and this has to be recognized.

Civil society may also be understood as an organization. The words "Civil Society" name the space of uncoerced human associations and also the set of relational networks—formed for the sake of family, faith, interest and ideology—that fills this place. Central and East European dissidence flourished within a highly restricted version of civil society and the first task of the new democracies by dissidents, so we are told, is to rebuild the networks: unions, churches, political parties and movements, cooperatives, neighborhoods, school of thoughts, societies for promoting or preventing this or that.2 At the same time, the civil society, ideally speaking, would not like to see the ‘people’ as tools of industry but as persons informed and responsible, uniting freely in human solidarities to act responsibly and creatively each in their own field.3

Civil society cannot be understood in only anthropocentric terms but as an organization is also related with the responsible citizens—responsibility towards oneself, towards other human beings and towards a community of all life-forms. It means that my personal freedom of willing and deciding is restricted by other human beings and other human beings’s by mine. The technical power of man is effectively extended in the recent times and it becomes dangerous for the world as such which extends man’s responsibility for the future life on earth. Thus man’s responsibility becomes for the first time cosmic. Following Hans Jonas4 we can talk of technologically civil society and the need to discover or rediscover our solidarity with the whole world.

Man not only is considered responsible to/for the welfare of other human beings but it is man’s peculiar distinction, his dignity that he can hold himself responsible for the welfare of all other life-forms, i. e.. to safeguard their being treated as ends in themselves and not as means for man’s personal satisfaction and his dealing with and handling of nature. Man has the moral obligation—the duty to act as an agent for those beings which are not endowed with such a moral capacity and hence unable to advocate for their own cases. To put it more clearly, civil society is not merely a social phenomenon of inter-human behaviors but must consider the wider context of man’s being a substantial part of nature: and as the destruction of nature by man is irresponsible and violent use or misuse of the discoveries would be disadvantageous to the human beings and might lead to disastrous consequences, these also are the concern of civil society—the well being of man. I am in agreement with Jonas on the need of a change of consciousness and the outlook of life. We need to change our thinking from a property-oriented outlook on life and world to a value-oriented one; for it is only by changing our way of thought that living conditions can become better; changing social or economic conditions, as Marx suggested, is not enough. What I call the "capitalistic welfare states" of the West have proved that we really need a basic change in our outlook. We cannot afford to look for the success and failure of power in terms of economic gains and technological developments. Successes and failures should be judged in terms of human values and civil society. Duties and responsibilities should be acceptable to all—irrespective of caste, culture, religion, creed and state. These differences should be there but they are not primary; the primary basis should be the universal principles which underlie all the principles and values. The only basic metaphysical imperative is the one in the Kantian sense—only civil society should be on earth: only this can give us moral binding which serves not for some particular purpose but for the sake of humanity as such.

It is Rousseau, I suppose, in neoclassical version, who emphasized and defined good life in terms of a political community, the democratic state in which we can be citizens. He points out to the understanding of citizenship as moral agency which is the key of democratic idealism. A large part of society consisting of women, workers, blacks and new immigrants started claiming their

capacity as agents in recent times. This new idea of agent as citizen took a new turn in recent times. Sometimes we look back to the early democratic, republic Rousseauesque idealism and call for a renewal of civil culture according to a fragmented view—that is, only the political view. But in my opinion, to revive or reconstruct the civil society in view of the developments of the technological age we need to construct a holistic view of civil society which should include on the one hand, politics, economics, all sections of society, human values and freedom of the agents. As Michael Walzer argues, all answers to the question 'what is a good life?' are "wrong-headed because of their singularity. They miss the complexity of human society, the inevitable conflicts of commitment and loyalty."5 On the other, spiritual upwardness may be called transcendence towards Truth and Love.

What is this holistic view of civil society? Is it just a Utopia? Or a social reality? A utopia, as long as it is only a utopia, may not help us much. A good life must be lived through—we must know how to live a good life. Even if it is a Utopia, an idea or a concept, it must be grounded in reality. We need ideologies and structures but we also need to look at the people in their national communities as persons, as free, responsible, creative and dignified agents. We need to suggest a mechanism, or a methodology to convert civil society into a social reality. Rousseau suggested one way—the democratic way with political emphasis; Marx suggested another way—the economic emphasis. These are independently 'a way of good life' but '*the* good life' consists in transcending these ways of good life. In this connection Amartya Sen's idea of positional objectivity may help us in understanding the social reality and consequently lead to a universal notion of civil society which—though suggested in an Indian context—has a much wider application, viz., society as a whole.

Positional Objectivity

Positional objectivity is an interpersonally sharable understanding—a sharing that objectivity in any form must minimally demand. But that shared understanding is specifically in terms of the view from some identified positions. But these positionally objective observations cannot be taken to be position-invariant objective truth. Moon and sun viewed from the earth look the same size but this does not mean that they are of the same size in terms of the criteria of measurement. The objectivity of a particular perspective does not establish its epistemic status beyond that position. It is argued by Amartya Sen that objectivity of an observation of analysis can be judged from uncompromisingly universal terms as well as with reference to identified 'positional' perspectives.6 He explains further that these positional features are not 'subjective' as they may not be 'having their source in the mind' and they may not 'pertain to an individual subject or his mental operations'. They are positional in the sense that they are based on actual observations and the objective interpretation of those observations. To take his example of sun and moon from the earth, the similarity of the observed sizes of sun and the moon from the earth does not originate in our mind. Nor are they peculiar to individual subjects since a normal person placed in the same position, with a standard eyesight, should be able to replicate similar observations. One may ask, is there any 'trans-positional' exercise? If there is any, what is its nature? It is defined in terms of coherence in different positional views. We can also think of evaluating or assessing the positional views in terms of the practical consequences.

Now, I think, by using the notion of positional objectivity and transpositional exercise, we may come back to understand the notion of civil society. Marx's and Rousseau's answers for the good life, the economic and political answers, are answers from positional objectivity and they

cannot be taken to be position-invariant objective truth. The objectivity of Marxist perspective does not establish its epistemic status beyond Marxist position. The same is true about Rousseau's position. But to have a trans-positional exercise is to have a coherence in different positional views and to evaluate or assess the positional views in terms of the practical consequences. Two very good examples could be Gandhi's concept of civil society and Tagore's concept of civil society (the two are not basically different).

It is worth noting here that the classical Indian formulation of nationalism which we find in Gandhi and Tagore often did emphasize the importance of broader concern that goes beyond national limits. In one form or the other, references to such constraints can be clearly seen in the writings of Gandhi, Tagore, Nehru and others. The anti-colonial nationalists often had strong global commitments, while invoking the unity of the nation in pursuit of their demand for 'self-determination'.7 Thus Gandhi's and Tagore's views may also be considered as positional but their concern was the whole of humanity in the trans-national, trans-positional sense.

The question of our national identity is influenced by the positionally objective observation and positional understanding of our history and culture: we have to take a transpositional view of reasoned choice by looking at the implications for society. Not in terms of the economy of our history and culture. We cannot stop with mere economic gains or techno-developments. Rather, in terms of civil society we should look forward. The developments of the West have proved that no civil society can develop by having only techno-politico-economico-developments.

The Attempt at Unision: Gandhi and Tagore Towards Civil Society

Two of India's greatest minds, Gandhi and Tagore, expressed themselves in their thoughts and actions. Gandhi and Tagore often run parallel and often supplement each other by strong affinities and contrasts. They had the passion for social reform, for India's independence and growth. But more than that, their concern was much wider. They both looked for an inclusive view of civilization—they both knew the transcendent value—Man's very humanity. They both had concern for the dignity of the individual, for economic and educational justice, for disciplined freedom in the enterprises of personal and social change. Both of them stood up against violence and war. They both spoke as one among countless many—everyone knew them as men—they were regarded as members of the big family and never as 'great leaders'. Yet, their gifted personalities were there. They both believed in divine guidance in the pursuit and fulfillment of human service; both of them denounced violence and discrimination; they committed themselves to spreading education and enlightenment, particularly in view of the need for understanding and for interdependence in the emerging world order. The decisions were made from different backgrounds: *Visva* (the world) and *Bharti* (India) had to meet anew in a creative community (emphasis of Tagore); *Satya* (truth) and *Agraha* (the urge, the cohesive force) belonged together in a technique—a way of living (emphasized by Gandhi) which would replace the ruinous and ineffective methods of violence in a world that seeks radical changes. Tagore tried to explore the unfolding richness of humanity and nature. Their efforts are now seen as correlated and supplemental.

Gandhi: Truth, Ahimsa *and Renunciation—the Source of Civil Society*

Gandhi realized as early as the beginning of the twentieth century the need to reconstruct a civil society—"The machineries of government stand between and hide the hearts of one people

from those of another. Yet, we could see how the world is moving steadily to realize that between nation and nation as between man and man, force has failed to solve problems"—the universal civil problems. Tagore too was aware of these problems which cut across individual state territories. The 'unison' view of Tagore and Gandhi may be called also a 'trans-positional' view—mainly the humanist approach, which they claim can help us in solving civil problems. Though it is true that all religions have 'humanism' built into their structure, it is normally not *practiced*. But this kind of humanism may be called 'operational' or 'activistic humanism', and in this sense, a step forward towards civil society. Tagore worked for a rural reconstruction—e. g., at Sriniketan, to give shape to his ideas and at his school in Shantiniketan (the place I come from). It is just a co-incidence that Gandhi and Tagore both shared a number of convictions about the nature of man and civil society. There were differences between their opinions as to how these can be executed. Both represent humanism by having faith in man, in his dignity as a 'free' individual. Gandhi's ideas we get from his speeches, letters in *Young India* and *Harijans*; and Tagore's in *Religion of Man*, *Sadhana* and other writings.

Gandhi believed in mysterious power pervading everything, call it love, truth, low or inner voice or anything. Gandhi's concept of man and the dignity of man is rooted in a prior faith in God. It is this faith which creates a kind of optimism—a humanism which may be called an activistic or operational humanism; man has to be understood in terms of acts or actions. He talks of 'renunciation', which I suppose is from the traditional value of the *Bhagavad Gita*. This is a very complex term—which includes to reject, to give up, to sacrifice, to surrender and to serve and to transcend. It has positive aspect and negative aspect. Rejection of untruth is an essential activity on the part of the individual man. Gandhi writes: "In my humble opinion, rejection is as much an ideal as the acceptance of a thing."8 'Untruth' implies everything British, individual interests and selfish desires and the body—its limitations (not literally).9 Man according to Gandhi is essentially a spiritual being, the body is to him a form of untruth. Sacrificing the body connotes self-restraints—the fast. At the same time, body is a gift from God and has to be used accordingly, i. e. sacramentally: "all of us are bound to place our resources at the disposal of humanity."10 This is the positive aspect of renunciation. One form of service is 'bread labour'—the *shrama*. Gandhi takes this notion from Tolstoy and Ruskin which is traced back to the teachings of the *Gita* where it is called *yajna*; the third chapter of the *Gita* says that "he who eats without sacrifice eats stolen food. Sacrifice here can only mean bread labour."11

What is to be renounced? One's own lethargy or inertia. This would lead to struggle for mutual service. The Law of the brute will be replaced by the Law of man.12 To renounce fruits of action is freeing oneself from the bounds of egoism and to act instead with 'desireless action'. But it is not indifference to results, an idea taken again from the teachings of *Gita*, the *Karma-sannyasa*. The *sannyasa* of the *Gita* is all work and yet no work. In this sense renunciation means 'to transcend' and is therefore transpositional. This, as Gandhi was aware, is a formidable task, often impossible of complete realization. But then 'a constant striving after' ought to be there, for in that way alone human beings could be viewed as a distinct mode of being—distinct from animals. By transcending the narrow self one can realize the infinite-in-me, the authentic existence which is 'self-realization'—the inner possibilities present in the individual. In this sense renunciation though not directed towards any purpose is found to be purposive in nature. Renunciation takes an individual ahead and still ahead towards realizing one's inner possibilities.

The other principle is *Ahimsa* or 'non-violence', which is not seen as distinct but a constitutive of renunciation. It is "the law of our species." The dignity of man requires obedience to a higher law (than the law of physical might, characterizing the beasts)—the strength of the spirit. The

strength of the spirit is *Ahimsa* and it is the law of our species; it has universal significance and applicability: "I am not a visionary, I claim to be a practical idealist. The religion of violence is not meant for *Rishis* and Saints. It is meant for the common people as well."13 It has no spirit of withdrawal or resignation, just like renunciation. He says "My creed of non-violence is an extremely active force".14 *Ahimsa* is normally taken as non-killing or refraining from taking vengeance, etc. But Gandhi is using it in a much wider sense: "The principle of *Ahimsa* is hurt by every evil thought, by undue haste, by lying, by hatred, by wishing ill to anybody."15 Thus, the positive meaning of *Ahimsa* consists in the cultivation of good will and love towards all life. *Ahimsa*—is love expressed through forgiveness, fearlessness, the feeling of sympathy, mutuality, and unity; and it leads to complete sacrifice and humility. I feel this idea may show the influence of Christianity and Buddhism (Mahayana). This is the basis of social solidarity—non-violence as Love turns into a social virtue and necessary social activity and helps one to realize the possible unity of oneself with the Supreme One-Truth or God. Gandhi says ". . . truth and non-violence (*ahimsa*) are, to me, faces of the same coin. "

Ahimsa and renunciation are also functions of man as opposed to walking, breathing and sleeping, which brings out the possible meaning of being of the man. These functions are potential ones. Gandhi's ideas are the outcome of his firm faith in man, in his dignity and his capability to realize his own intrinsic nature: self-realization is the result of the realization of one's potentialities. It is a kind of directedness to realize certain potentialities. They may be called "*Sattvika* qualities". Gandhi will agree that *rajas* and *tamas* are also qualities of man but *sattva* is the true potentiality—if properly cultivated *sattva* would transcend the qualities all together (*guna-atita*). *Sattva*-goodness, *rajas*-passion, and *tamas*-ignorance. To be free means (i) not to be bound to the work, and (ii) to see, recognize, realize, and live up to the essential unity lying at the roots of things—man is free since he is the ground of meaning-conferring activity. His humanism is an emanation from his faith in man's potentialities. If we agree with his assertion that man is to strive forward to realize his potentialities we may justifiably call Gandhian humanism a kind of activistic or operational humanism which is required to convert civil society into a reality.

It is true, Gandhi is an idealist in some sense, but his idealism is grounded in practice. At the same time he is optimist too. "Why can we not see that if the sum total of the world's activities was destructive, it would have come to an end long ego? Love, otherwise *Ahinsa*, sustains this planet of ours."16 Further, he says "Whether mankind will consciously follow the law of love, I do not know. But that need not perturb us. The law will work, just as the law of gravitation will work whether we accept it or not."17 So, should we do nothing? That would be merely *Himsa*.

Tagore: Dharma—*the source of civil society:*

Civil society cannot be understood in terms of a totality of happenings around us, by chance. It must be the expression of some guiding moral force which we have evolved as human beings and is the object of attaining by a method agreed upon by the humanity as a whole. What could be the guiding moral force? Since man is a complex being and always at the path of transforming and transcending himself, the guiding moral force cannot be crystallized by one answer. But whatever the particular form it has, it has to be something which holds us firmly together and something the following of which would lead us to our best welfare—a *dharma*—a quality of life. A civil society as an ideal should be an expression of "man's *dharma* in his corporate life." The simplicity of life, which is the product of centuries of culture, should be the source of civil society, which cannot be imitated, it takes no account of its own value and does not claim any wages but it is the highest

product of any civil society. Development cannot be measured by the speed with which materials are multiplying. The 'horse-power,' though it drives, does not sustain—only the spirit power sustains; the one which sustains is called *dharma*—the source which would lead to civil society.

A society would be healthy and strong; 'civil' if it centers on some ideals that bind its members in a relationship. It is the relationship which is beautiful and not merely utilitarian,—the immense value this relationship has with the other and the inner ideal; the spirit of the unit, leading to co-operation and to a common sharing of life. Tagore talks of our living society which should follow its natural rhythm: the grace of self-control—without being extravagant.

For giving a shape to civil society, he started a school in Shantiniketan where the children from any background would come and see themselves as a part of the unit in sharing the common life (seeking to realize the spiritual meaning of their life), yet to find their freedom in Nature by being able to love it. For Tagore, "Love is freedom.; it gives us that fullness of existence which saves us from paying with our soul for objects that are immensely cheap."18 The children enjoy the freshness of their feeling for Nature, a sensitiveness of soul in their relationship with their human surroundings with the help of literature, festivals, ceremonies and also religious teachings. It is a real 'homecoming'; for the children. They learn in the open air under the shade of trees, they have their music and picture making, drama performances and other activities which are the expressions of life. Tagore along with these also realizes the need to give the education which would give them the ability to clear the path towards a definite end or practical good. He emphasizes that for children the *atmosphere* is more important than the rules and methods, the buildings, class teachings and textbooks. The education system should be like a "tiller of the soil, whose work is in perfect collaboration with the nature". . . . There must be atmosphere for developing the sensitiveness of soul, for affording mind its true freedom of sympathy. Apathy and ignorance are the worst forms of bondage for man; they are the invisible walls of confinements that we carry around with us when we are in their grip. "In educational organizations our reasoning faculties have to be nourished in order to allow our mind its freedom in the world of truth, our imagination for the world which belongs to art, and our sympathy for the world of human relationship. This last is even more important than learning the geography of foreign lands."19 The mind of children is full of natural human love and it's only by preserving this natural human love and sympathetic understanding that we may reach to civil society.

Tagore talks of universal love, universal man, universal person and universal vision for the world consciousness. He talks of the process in which an individual can become universal person. It's only through creativity in language. The transcendent beauty cannot be expressed in language. He says "where my language cannot take me, my songs can take me." He talks of love and devotion. The love relation is between the individual and the universal. Without the individual the universal is not complete. The universal remains essentially incomplete without the individual. The divine love would remain unfulfilled if it is not for individual. So, there is no contradiction in solidarity and subsidiarity. These are two sides of the same coin. The main idea is to find universal principles to understand the universe. The reality is an abstract reality—a unified reality. But there is also difference. Just as in science there is a difference in individual and universal and to get universal principles one has to eliminate individual, the individual is not important; but from the *other* level without individuals no universal can be formed. Tagore asks Einstein, "Do you believe in the divine as isolated from the universe? Unity deeper than humanity?" Einstein answers, "I can not prove but I believe that truth is independent of human beings."20 It is *avidiya*, the ignorance, which causes our disunion with our surroundings. It is *Vidya*, the knowledge of the Brahma manifested in the material universe that makes us realize *advaitam*, the spirit of unity in

the world of matter. Those who have been brought up upon a misunderstanding of the world's process, not knowing that it is the individual's by his right of intelligence, are trained as cowards by hopeless faith in the ordinance of a destiny, offering no room for appeal. They submit without struggle when human rights are denied to them.

In the social and political field the lack of freedom is based upon the spirit of alienation resulting from an imperfect realization of *advaitam*. One may imagine that an individual who succeeds in dissociating himself from his fellows attains real freedom inasmuch as all ties of relationship imply obligation to others. But we know, though it may sound paradoxical, it is true that in the human world only a perfect arrangement of inter-dependence gives rise to freedom. The most individualistic of human beings, who own no responsibility, are the savages who fail to attain their fullness of manifestation. They live immersed in obscurity, like an ill-lighted fire that cannot liberate itself from its envelope of smoke. Only those may attain their freedom from the segregation of an eclipsed life, who have the power to cultivate mutual understanding and co-operation. The history of the growth of freedom is the history of the perfection of human relationship.

Democracy as Practice

As concerned with the welfare of the human being as well as with the equal rights and justice owed to all human beings, civil society may have a democracy which would make the qualitative development of the citizens and this would be the central concern, which would lead us to a 'socialist' society. In this sense, socialism would mean two things: first, a system of economic relations which would stop the exploitation of one section of the people by another and second, the gross inequalities among persons would be absent, in regard to their necessities of life and material comforts. A perfect democracy should be able to provide equal opportunity for self-development and progress to every citizen. Though it seems difficult to see how provisions for such equality can be made unless there is a democratic control, at the state level, over the material resources, employment, education, etc.

In a society where material goods are considered to be source for pleasure, such goods come in a competitive spirit. This accounts for the fact that even in such a rich country as the United States most people are not happy, as the spirit of competition keeps them perpetually worried. Thus, in my view, a *socialist, humanist* outlook along with democracy could be a solution of many national and international problems of the modern man. But they only supply an external framework, wherein the spirit of man has a chance of being regenerated. The regeneration itself, however, is a different process, an inner discipline; the adjustment of the external environment may assist man in discipline, but one can never substitute for the other. The necessary outer conditions for the spiritual development of modern man are not part of the development itself. We may be interested in politics but there is something higher than the politics. Politics is not a substitute for philosophy. In present times, man must reassert that man is exclusively a social animal and that an ideal man is identical with the ideal citizen. Modern man cannot solve his problems unless he learns to appreciate the significance of the emphasis on self- knowledge and self-transformation laid down by Buddha, Socrates, Christ, the Upanishads and in modern times by Gandhi and Tagore. They appear to be far superior than any 'wealthiest person' of the modern west. The essence of man as a man consists in his creativity, and as a creative being he must constantly transcend the limits set by his bio-social-economic needs. A person guided by a creative companionship finds other person interesting, not because they are a potential source of material gain to him or his nation but because they are potential centers of creative awareness and potential

sharers in his or his nations's spiritual life. This creative companionship can enrich and contribute to the cultural unity of mankind and share and enrich the spiritual heritage of one another.

Man's real potentiality is his creativity. He creates not only for himself but also for sharing his feelings with others. No poet writes only for himself; no philosopher writes only for his pleasure. In this sharing and in being spiritually creative one person can sacrifice for the other person. The person who constantly sacrifices his own comfort for the sake of others is a virtuous person. For him there is no suffering in service—it is not a 'sacrifice' in the sense of 'sacrifice'—rather, it is a joy. True virtue is an attribute of a morally creative individual. He feels creative joy in the promotion of the other person's good.

Civil Society: An Idea and/or Reality?

The concept of unity in diversity which is inbuilt in Indian structure is the best example of exercising universality or approaching solidarity. Many religions, many cultures, many languages, many casts, etc., form the subsidiarities. Let us resume our discussion of transpositional objectivity which is the essence of civil society. Hinduism from the beginning is based on some overreaching values which transcend sectarianism and which provide a cultural basis for tolerance. Mahatma Gandhi thought that truth might be this uniting factor. "The essential spirit seems to be live or let live. Mahatma Gandhi has attempted to define it: 'If I were asked to define the Hindu creed, I should simply say:—search after truth through non-violent means. . . . Hinduism is the religion of truth. Truth is God. Denial of God we have known. Denial of truth we have not known.'"21

There has been a unitary impulse prevalent in Indian culture. Has this been really a special feature of India which is not present elsewhere? It is hard to answer here. But it is true that despite all diversities, invasions, there has been in India a tolerant culture and it has successfully given rise to a new synthesis by way of absorption.

It is often suggested that in spite of this absorption there has been a national perspective prevalent: internal diversities and divisiveness were always present which later on led to divided India. This was largely the imperial view. "The very fact that India chose to have a secular constitution in spite of the fact that Pakistan chose to have an Islamic Republic shows that indeed there was much unity in India despite the undoubted presence of many religions, diverse languages and other differences on which the imperial theory is based. This unity lived in India over the millennia."22 The ideal universality would be ideal without diversity and thus void of any unity, as unity by definition has to unite something. On the other hand, if there is only diversity without unity then too diversities would not be 'diversities' as it has to 'diversify' something. Thus to make sense of 'unity' and 'diversity' we need to have both as real entities.

By way of concluding, we look forward to a civil society where we all have democratic rights protected and practiced, providing justice to every individual; a society where all persons are responsible citizens (this necessarily involves moral and legal duties, along with economic freedom and political freedom and development). This would be overall development for and of all. But whether such a civil society will ever be achieved or can ever be achieved in reality is another question. The circle of violence must be broken somewhere, and it can only be broken by non-violence. To quote Tagore about Gandhi, "Perhaps he will not succeed. Perhaps he will fail, as Buddha failed and as Christ failed, to wean human beings from their inequalities, but he will always be remembered as one who made his life a *lesson* for *all* ages to come."23

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Notes

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2. Michael Walzer, "The Concept of Civil Society", in *Towards a Global Civil Society*, ed. M. Walzer (Oxford: Berghahm Books, 1995), p. 7.
3. G.F. McLean, *Solidarity and Subsidiarity as the Social Exercise of Human Freedom*, p. 1.
4. Hans Jonas, *The Imperative of Responsibility: Foundations of an Ethics for the Technological Age* (Chicago: Chicago Univ. Press, 1984).
5. Michael Walzer, *ibid*., p. 12.
6. Amartya Sen, "Positional Objectivity", *Philosophy and Public Affairs*, 1993.
7. Amartya Sen, "On Interpreting India's Past", *ibid*., p. 3.
8. *Young India*, 1919-1922, p. 611
9. Renunciation of anything foreign or British meant "of [British] titles, councils, law courts, schools…."
10. Harijan, *My Religion*, p. 56.
11. *In search of the supreme* (Navajivan Publishing House, 1962), VI. III, p. 113.
12. Harijan, 29. 6. 1935, p. 156, pp. 56-57
13. *Young India*, 1919-1922, p. 260.
15. *In Search of the supreme*, p. 26.
16. Harijan, 14, 12, 1947, p. 468.
17. *In Search of the Supreme*, II, p. 59.
18. R. Tagore, "A Poet's School", *Boundless Sky* (Visva Bharati, Calcutta, 1964), p. 243.
19. *Ibid*., p. 249.
20. "Confluences Of Mind," Tagore-Einstein Colloquy (Visva Bharati, Tagore-Eienstein Council, Berlin and Shantiniketan, 1997), p. 15-17.
21. Jawaharlal Nehru, *The Discovery of India* (Calcutta: Signet Press, 1946, 1989), p. 75.
22. Amartya Sen, "The Idea of India," Nehru Lecture delivered at Trinity College, Cambridge on 5 Feb., 1993.
23. R. Tagore, *Mahatma Gandhi* (Visva Bharati, Calcutta, 1963), pp. 16-17.

Chapter XVIII

National Consciousness, Multiculturalism and Democratic Citizenship: Value Phenomena in the Formation of the Moral Identity of a Personality

Martin Zilinek

From the point of view of content, the highly integrated formation process of the moral identity of a personality can be specified internally according to various viewpoints. The conceptual structure here has been developed from the humanistic axiological essence of morality and its role and function in the individual and social life of a person. It is that the social sphere of morality has its own macro-structure and levels of relation to one's own nation, to other nations, and to the whole world. Although the individual changes his/her position within these relations, their moral essence continues to exist because the individual acts always as a human being with his/her natural rights and relations in the national, intercultural and world communities.

The three relational levels of social stratification and their role in the moral cultivation of a personality have been intensified significantly by the dynamics of social change. This has been felt in the post-socialist and post-communist countries of Central and Eastern Europe. Here we shall consider present day Slovakia as an example. Over time Slovakia has developed from a totalitarian social system before 1989 towards the democratic pluralistic society of the present. In the first period Slovakia belonged to Czechoslovakia; in the second period, marked by the year 1993, it has become an independent state: the Slovak Republic. Its active participation in the global continental process of integration has been inseparable from the development of other democratic social changes. The dynamics of these changes manifests the need for the development of an integral moral education with mutual links between the three basic relational fields cited above, namely, national, intercultural and world.

The Moral Aspect of National Consciousness

The moral relation to one's own nation is a comprehensive social value: each person belongs to a national community and to its values. A nation is a human community established and developed on the basis of a common life, territory, language, and culture with its socio-spiritual features, national consciousness, national peculiarities, and solidarity. The ethnocentric enclosure within the boundaries of one's own nation ahistorically has been a developing process with its own significant specifications. The national character and features of this community are reflected in its culture.

National awareness manifests conditions which have resulted in the disaggregation of humankind into nations and represents the essence of the national spirit. People are aware of being part of a certain specific socio-cultural community; they feel that they are related to others and part of a larger community. The consciousness which connects people has been created in each person under similar conditions; therefore they have the same psycho-social intentions and social dispositions.

The essence of a national consciousness is a specific value-related identity, with all the other substantial attributes of the national community, especially its spiritual and material cultures.

Being part of a nation is a natural human characteristic; it is part of one's identity. An individual is born into a national community with its social integrity. If being part of a nation is a part of one's individuality, then one should be proud of that, show it openly, be sensitive and respectful of the nation's needs, and help toward the development of its values.

One is related to one's nation as to a integrating socio-moral value. National pride and the relation to a nation has its emotive dimension. This primacy of the emotional aspect in national consciousness and the emphasis on national pride can also be interpreted as respecting the axiological interpretation of "the love of one's nation and national identity". It is a kind of emotional-integrative outcome of all that links one with one's nation. Thus, the awareness of one's identity is emphasized in a natural and instinctive manner.

Such an emotional relation includes moral duty and everything derived from the notion of love. This relation is not only to another person, but to the nation as a whole. We should be happy in doing everything that helps the development and improvement of our nation. This is possible only when everyone starts from oneself in terms of self-education, self-study and personal cultural development.

The nation is an part of global humanity with which it must be integrated. It cannot be directed only to its own territory, but should try to reach the higher stages of humanity. The national idea and national consciousness are part of the universal socio-cultural ideals and moral value structures. Their mutual links and connections at the axiological-moral level as regards the moral evaluation of behaviour and its consequences are very complex.

National awareness and enthusiasm is a significant activator of social development. It is an accepted "duty" in order to be able to keep and defend one's national identity—which is a complex problem when we take the moral requirements into account. Its complexity derives from the fact that were "national" to be analysed only as a freely accepted subjective value, moral value judgements could not be articulated.

Categorical moral requirements and multicultural regulations are universal and abstract. As such they should be appreciated and have even a certain imperative flavour inasmuch as they are above anything that separates people. In terms of humanity, a moral man considers another as a person regardless of his nationality. It is in terms of such an approach that his relational moral value judgements are created. The humanistic moral essence of interpersonal relations is the key to the value formation process. It can neither contradict nor prefer what is specifically national. Humanistic moral criteria are central to the relation to what is national, multicultural and universal. At the active-pragmatic level a space sensitive to value relations can be formed. But a deeply sensitive moral relation to one's own nation cannot become a reason for a differential relation and different behaviour towards members of other nations and nationalities under the same conditions and situations.

National awareness and its manifestation in various activities cannot become moral indifference or tolerance of injustice. If so, then national awareness would lose its moral status as the essence of national pride, and become instead a source of national egoism and separatism.

National awareness and the cultivation of feelings of national pride form an integral structural sphere in the process of the formation of the moral identity of a personality. The values of national culture, spiritual and material values and the whole socio-cultural living space form the content and constitutional base of this processual phenomena. On the basis of the acknowledgement and creative development of cultural-spiritual and cultural-material values, a man creates his relation to the past and present of his nation, a real feeling of national pride. This represents a moral,

dynamically developing, personal value, which under the influence of the dynamics of social life has undergone frequent reevaluation and development.

Such a natural relation formation process can be effectively developed in the integral social sphere whcih is the national community. This especially significant function of the ontogenesis and total cultivation of a personality has been passed to the school, to other educational and cultural institutions, and to special interest institutions. This space cannot be limited to the school curriculum, or to any "standard" educational practice.

The Moral Aspects of Multiculturality

One's relations to other nations, nationalities and ethnic groups is a second integrative formative link, namely, the socio-cultural sphere of morality. Concerning any multicultural civilization, the ideas of humanism and the universal social and cultural values of morality are the basis for the integrity of the ethnic group. The basis must be free of any ideological or restrictive antagonisms, while the geo-cultural "finger prints" must be respected. In many multicultural communities humane co-existence can be based on equality, emotional understanding and tolerance. In a modern democratic society, national self-awareness (consciousness) and cultural identity are strongly tied to multicultural understanding. Once one is able to tolerate other cultures with all their differences, one begins also to tolerate other systems of values and depends on specific conditions and environments in which cultural development takes place. One cannot set rules for judging other cultures based on one's own. On the other hand, one generally can use criteria based on what is essentially humane. The moral dimension of mutlculturality coincides with one's ability to recognize and accept the following facts: the characteristic features and mutual similarities of different cultures and the mutual intercultural dynamics. This dimension coincides also with the ability to lead a dialogue with other cultures (Sukuba, D., 1993). One's own culture becomes isolated if people ignore a global view of intercultural relations and connections. This aspect is very important because a national culture and its system of values naturally interacts with other cultures and their systems of values.

Human identity is not a personal affair. It concerns not only individuals, but the whole human community and all its groups. Human identity has also a social dimension uniting everything from the basic social groups to the largest communities (ethnic groups, nations, states, etc.). Based on this interpretation, we recognize the identity of an ethnic group, of a nation, a state, a continent; we recognize also an identity of humankind as such. In its most human interpretation, identity is not abstract, but stands for the existence of many human beings as individuals. Every individual has his/her own potential and competencies to develop their own essence. One has also the potential to make one's personal image come true in particular living conditions.

We can say that the above-mentioned interpretation of human identity is global and integral. In this frame, as well as one's own cultivation and education, the development of human identity has a specific multicultural dimension. This is a new phenomenon in human and moral cultivation based on the diversity of the global perspectives in a particular time and on its multiple interpretations.

Multicultural feeling appears through the ability to understand and see the overlapping and mutual dynamics of different cultures, and the ability to communicate with them. All kinds of cultures have a natural right to exist. History shows that rapid and full assimilation in the frame of national cultures and communities is not possible. (Any form of violence produces only new violence and moral cultural decay follows.) Cultural, national and ethnic identities can be

integrated with one's specific existence in the frame work of the cultural and social dimensions of human civilization.

Humanistic essence is crucial for creating human relations in a complicated multi- or inter-cultural environment. Integrating and purposeful values are embodied in the full personality development of every individual. But the development must be replete with respect for one's cultural, ethnic, and religious background. Thus, one concept of self or personality cultivation is without outside interference. On the contrary, however, outside factors and emotional reciprocity should help in this development, for these embody and revive the basic ideas of human existence and support and stimulate an individual's ability to live with his/her own identity, competencies and potentials.

At the same time, a common idea of the individual is integrated into human society. These two concepts which seem to be opposite, can function as one entity. Humankind (the *humanum*) is universal or generally valid in authentic human existence. This can be seen in its uniqueness, personal originality or inventiveness (Zilinek, M., 1996). Though there is great diversity in a multicultural civilization, a common identiy is also to be found. Developing this identity could help solve many global problems. This includes unifying the important and vital elements in building a new world citizenship and endowing this sense of citizenship with a universal sense of love, justice, solidarity and tolerance.

For the pedagogy of ethics, an education with a multicultural finality has as a basic strategy the development of dialogical forms and pathways in the social and educational fields of communication. The mechanisms of understanding coincide with dialogue, i.e., with one's effort to learn how to listen and understand others carefully and precisely. It also includes tolerance of other opinions, simply a continuous search for new ways of self-improvement and peaceful co-existence.

In highly developed countries this sphere of cultivation has been the subject of intensive research and ethnical and pro-social exploration. The terms used for the descriptive purposes are "Multicultural Ecucation" ("*Multikulturelle Erziehung*") and "Intercultural Education ("*Interkulturelle Erziehung*").

Multiculturality has an educational dimension of intergroup relations in different cultures. It leads all persons to the acceptance and creation of good relations with one's multicultural environment. That goes for the national, as well as the international, level. It helps build up positive relations and the acceptance of different cultures with their value and ethical dimensions. On the other hand, it stimulates the ability to see things and personal experiences through the eyes of other cultures. This goes for the development of personal identity in its cultural and ethical dimensions (Leicester, M., 1989).

Experiences play an important role in a multicultural and educational process, especially in the early stages of ontogenesis. The multicultural feelings and understanding of children are developed when they have relations with the products of another culture and an opportunity to establish intercultural relations in social and communicative sphere. This process may result in the formation of an integrated personality in one's own environment. That can be achieved through the forms of recognizing one's own cultural identity (the national consciousness), as well as in education to tolerance, solidarity and the entire realm of multiculturality.

One's region, national origin, and other differences should not be an obstacle to dialogue which can be achieved through tolerance in a multicultural environment and can be lived on the basis of universal moral values. Everyone should respect the individuality and specific

characteristic features of others. We should put egocentric thinking aside and concentrate on achieving unity while preserving diversity.

Tolerance has an important social and moral dimension as a moral quality and characteristic feature of the human being. It is not derived from other ethical and axiological structures, but is anchored in one's essence of which it is a part. It is a natural human right to hold personal opinions and defends the principles of plurality, discussion, dialogue, acceptance and the right to be closer to each other by means of constructive criticism (Varossova, E., 1995).

Integrationist tendencies have been manifested significantly on the continent and worldwide. The continental dimension has a deep cultural-spiritual heritage not limited by territory. Given its central geographic position as well as its geopolitical and geocultural position, it is important for Slovakia to develop in education the ideas of a multicultural civilization living together with European and global dimensions.

Many countries, especially former Eastern European countries, are leaving the idea of a monolithic development of culture for an understanding of culture as many-sided body, whose cultural value hierarchy has its "dynamic stability" through a constant developmental process. Multicultural understanding and perception has been a very complex and long-term developmental process. It has been and will always be developing in our social and educational field. It is not a campaign, a short-term or a unique process of development; but it is real.

The educational dimension of multiculturality has an important educational strategy, namely, a correct understanding of the global character of human civilization. The continental dimension of multicultural education has been underdeveloped and the expansion of this sphere will help to establish active intercultural competencies.

The Moral Aspects of Democratic Citizenship

The relation to democratic citizenship is the third integrative relation-building connection in the socio-cultural area of morality. "Citizenship is the basic need for every individual because it defines one's legal, political and social relation to the society to which one belongs." (Wallace, C., p. 163, see also Buzassyova, K., 1993, p. 176). Social life and the mode of co-existence in the modern legal and sovereign state are closely connected with the integrity of two basic principles of the optimal functioning of democratic society—the national principle and the citizenship principle.

Man as a citizen—an active person in all structures—has been the dominant subject of state. The democratic relation of a state and a citizen has been developed from the rights and freedom, from the protection of the laws of a man and a citizen. The area of an individual's freedom is prior and can be integrated by the state only when based on the law and by means of the law. The recognition of the principle that a man is the highest social value manifests a humanistically centered view.

The state has been constituted to serve the nation and society. It declares and respects basic natural human rights, and the general postulates of equality and freedom. It guarantees them for all without differences as to sex, race, skin colour, language, religion or nationality. Everyone can decide freely one's own nationality, together with the prevention of any oppression which leads to denationalization.

From the viewpoint of building a democratic society and the role of a man therein, political laws play a significant role in human lives. They manifest the standard of democratic environment and the structure of democracy in a state. Political laws help every citizen take an active part in

policy formation and decision-making in state and public affairs. In multinational states the rights of ethnic minorities are very important because they help the application of citizen-equality.

All the basic rights and freedoms of a citizen and the state-citizen relation in a pluralist democratic society have been codified in our constitution as the basic legal document. Respect for the unique human being and for human rights in the broad sense of the world came first and laid the foundation for this.

Man as a citizen is found in all the structures of the modern state and in social life as well. The moral quality and democratic values of citizenship have been most important in the state. A high cultural life style, democratic social relations and a favourable environment can be created only by citizens who are good, generous and respect other opinions and ideas, and who are able to live in a democratic state (see also Kucerova, S., 1996).

Democracy (from the Greek word *démos*=people and *kratia*=power, meaning the power of the people) has had decisive significance for citizenship. In its essence, democracy is in opposition to a totality which tries to absorb people, society, families, interests and spiritual communities, and even people themselves. The acceptance and application of human rights is the means by which democracy can achieve a firm and authentic base. But democracy is not only a form of state administration, it tries to assure every individual of sufficient freedom to enable development and total self-affirmation. This is based on the ideal of an equality of people and of rights based upon their moral essence.

Democracy means, first of all, a proper atmosphere for cooperation, which requires the removal of status and national, religious and racial boundaries (Dewey, J., 1963). This represents dynamic developmental progress. But democracy cannot be simply preserved; it must constantly proclaimed and re-built. This should be continually examined from various angles and in the light of citizens' attitudes.

Respect and tolerance in relation to people having different viewpoints has been one of the basic moral qualities of a democratic citizenship. In the socio-cultural area of co-existence this has been manifested sensitively especially as regards religious belief. Freedom of religion belongs to generally accepted human rights. Religious communities form a part of the social structures in a society and the conditions of a favourable spiritual atmosphere should be provided in order that people of various religions may live together in mutual respect and tolerance. The formation of spiritual unity, ecumenical harmony, integrity of spiritual and democratic values and the spread of these values in a democratic manner should be a common effort (Wilson, A., 1991).

Democratic citizenship has its relation to all areas of social life. In order to make a person a good citizen who could be integrated effectively into all areas of the modern state, preparation is needed. During the ontogenesis of human life one must cultivate one's citizen qualities through a multidimensional process of the formation of a democratic personality.

The moral dimension is basic and key. As an anthropological and socio-phenomenon, morality has been closely connected with the life of an individual and society; it has been present in every content-formative part of democratic citizenship. These areas include: economic, social, ecological, legal, political and eco-national. Citizen education forms a complex structure for an integral or whole-life cultivation of behaviour by every individual in the society of a democratic state.

Conclusion

The formation of the moral identity of a personality has its micro-structural and its macro-structural levels. Here we have dealt with the second level which represents the broadest socio-moral area of human life. National consciousness, multiculturalism and democratic citizenship are value phenomena with relevant functions in a humanistic concept of education.

The effectiveness of their application has been conditioned by full acceptance of their integrative, mutually conditioning and influencial application by means of the formation of an optimal social and education social ethos. This is done by means of the choice of suitable strategies, methodological procedures and practice in the school, after school and in the broader social educational context.

How should the approach to man's morality be accepted with regard to the integrity of the three significant national, cultural and democratic dimensions? This is still a moral dilemma for any young person. In a multicultural civilization the phenomena which require moral evaluation will increase ever more intensively depending on the broadening of democratic personal freedom. Ethics must inform the areas of the art of living in order to make one's life worth living.

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