

**TRANSFORMATIONS
AND CONTINUATIONS**

The case of Central-Eastern Europe

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Tadeusz Buksiński

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AND CONTINUATIONS**

The case of Central-Eastern Europe

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Introduction

We live in a world of unprecedented social, political, cultural and economic changes. In some regions and countries in the last decades changes accelerated more than in others. In the region of Central and Eastern Europe they are particularly remarkable. The fall of totalitarian system has caused the transformations of all spheres of the collective and individual life in this region.

The book analyzes the problems and features characteristic of Central and Eastern European countries after the fall of communism in this region. The period over twenty years (from 1989) offers the opportunity to make more general assessment of the features of this transformation. It has some specific features and some more common. The knowledge of them could help to understand the processes in the global period taking place in different parts of the world.

The book could be treated as the continuation of the ideas and concepts expressed in the volume *Liberalization and Transformation of Morality in Post-Communist Countries* (Washington 2003). I concentrated in the previous book on the transformations of the spiritual culture and attitudes of the people during the struggle with the totalitarian regime and directly after the collapse of the system. The accent was putted on the role of the traditional morality and cultural identity of societies in process of combating the regime.

The approach of the present volume is based more on the observation of relation between the countries of Central and Eastern Europe and western countries after the fall of communism. Europeanization and globalization have the positive and negative effects in these countries. From one side they make easier building of the democracy and assure the political freedom and individual

liberty, from other side they cause mindful of difficulties. The free market turning in a monopolistic, a polity due to corruption, cliques and political propaganda instead of solving the social problems are the essential parts of reality in these societies. Some states have not worked out any democratic and effective mechanisms to combat such negative influences. In describing and exposing them we hope to raise awareness of their importance for the decision makers within and out and the initiation of appropriate action that will alleviate their undesirable effects. Similar problems can be observed, in one form or another, in all poor countries as well as in rich ones. We see in almost all parts of world the persistence of poverty and unfulfilled elementary needs, violations of elementary collective freedom and individual liberties, mafia relations, enormous inequality. The removal of them seems to be difficult. The different regions of the globe are now more closely linked than they have ever been. Therefore all problems are becoming the global ones. The people of Central and Eastern Europe were combating the totalitarian regime, expressing the hope to solve all of their problems. The created new social and political reality showed itself to be unable in solving many of them. The success is only partial. But the people are proud of the reached results and try to cope with the new challenges.

The awareness of the specific way to cope with these problems in Central and Eastern Europe contributes to a better understanding of the present state of global community. It can deepen and strengthen processes of democratization and peaceful transformations in the others regions of the world as well.

Post-communist countries pose a challenge to the old ones democracies, simply because they clash at the forum of the EU institution. They are, however , a challenge to non-democratic and not-free countries, because they liberated themselves from the totalitarian system by themselves. The traditional collective prepolitical and political identities played the imported role as the condition for the struggle against the totalitarian regime and the societies want to keep and continue them in the new situation.

The book concludes, that what the societies need in the contemporary epoch, is not utilitarian or pragmatic attitudes, but first

of all concentration on the satisfaction of basic needs and values and the implementation of principles of justice and solidarity in compliance with the particular collective identity. For the realization of these values and principles understanding in the light of their own experiences and awareness of personal and collective identity the nations of Central and Eastern Europe have been combating permanently and here is the reason to hope that today they might manage to do so once again. The sensibility of the implementing of some basic moral values and principles is the condition of the successful activity of all societies.

Each chapter in the book could be read as the independent text. Chapters concise the essays describing the different problems and aspects of the social reality in Central and Eastern European countries.

The three essays were already published in the collections of essays in English. I am thankful the editors of the books for permission to publish them once more.

Part I

**BETWEEN
IDENTITIES AND INTERESTS**

Chapter I

The Principle of Self-restriction against the Principle of Non-restrictiveness

1. Surprising facts

Shortage of goods, services, and material things of all kinds, poverty in the public sphere (squalid houses and public buildings, streets, roads, squalid infrastructure) in the socialist countries – this was one of the most striking difference between the real socialism and capitalism compared to the abundance and even excess of material goods and general welfare in capitalist countries. The difference is assumed as an obvious fact and treated as an argument for the superiority of the capitalist system over the socialist system. However, it has hardly ever been thoroughly explained. Economists, who made attempts at explaining this phenomenon, referred to the structural shortcomings and functional irrationalities of the socialist economy. Because of the defective structure, organizational ineffectuality, excessive centralism, bureaucracy, paralysis of decision makers afraid of accusations of the lack of ideological orthodoxy this was an economy of shortages and shortcomings. It was not able to satisfy the needs of the citizens in the countries in which it prevailed.¹

¹ J. Komai, *Stabilizacja i wzrost w procesie transformacji* [*Stabilization and development during the transformation process*], Poznan, Wydawnictwo Akademii Ekonomicznej 1998; J. Kornai, *Niedobor w gospodarce* [*Deficit in economy*], Warszawa: PWE 1985; M. Kalecki, *Teorie wzrostu normalnych systemów gospodarczych* [*Theory of grow*

Explanations of this type are fairly popular all over the world. It is assumed that they have been additionally confirmed by the events that happened after the fall of communism. The shelves in the countries that have abandoned communism were stocked practically overnight. Over a short period of time (weeks, months) the citizens felt the difference when they experienced the abundance of commodities and goods of all kinds, starting with bananas and ending with luxurious cars and expensive apartments.

However, in our opinion, the problem of shortages in socialism concerns not only economy but all the other domains as well (although it is economy where the problem is most visible) and requires a more philosophical treatment, and explanation by means of general categories, applicable to many spheres of social life. Secondly, the rapid stocking of shop shelves after the fall of communism does not mean that popular explanations of the reasons for shortages in socialism and of the system itself were right. Quite contrary, it contradicts them.

Let us start with well known facts and let us try to explain them. Where does this great abundance of goods after the fall of communism come from? Citrus fruit and bananas have been simply imported from the capitalist countries. Many other food products, a lot of clothes and cars have also been imported. But this is only partial truth. At the same time it turned out that Central and East European countries have an *excess* of their own agricultural produce, textiles, machines and other industrial goods. They have not manufactured them over one post-communist night, but during the period of communism. This is confirmed by the fact that the capitalist countries, which once helped the communist countries with credits and mocked the ineptitude of communist economies, suddenly felt threatened with the excess of agricultural and

of economical systems], in: idem, Works, vol. 4, Warszawa PWE 1984, pp. 125-132; J.E. Alt, K.A. Shepsle, *Perspectives on Positive Political Economy*, Cambridge: UP 1990; D.K. Rosati, *Poland: Glass Half Empty*, in: R. Portes (ed.), *Economic Transformation in Central Europe. A Progress Reports Centre of Economic Policy Research*, London 1993, pp. 211-273.

industrial production or the construction industry of the former communist countries and their exports to the West. Farmers and workers from the West protested against the imports from these countries and western governments and experts made decisions about special quotas, criteria and requirements to make imports more difficult. The fact of overproduction of goods and services in Central and East European countries is surprising particularly because it was revealed when many communist companies collapsed, when agricultural production and industrial production declined. Naturally, an attempt can be made to explain the phenomenon of overproduction by making reference to the smaller exports of these goods to the absorptive Russian market. This explanation is convincing to some extent but, as we will try to prove later, only to some extent. Besides, it does not undermine the fact that at the time of communism a sufficient number of goods was produced in the Central and East European countries to satisfy the needs of the population.

And finally it is also surprising that suddenly there was an excess of real estate in the markets of these countries: flats, houses, plots, farms, industrial buildings. The majority of Western companies, which operated in post-communist countries, did not build anything but only took over companies, buildings and warehouses that had been built at the communist times. In the communist times the queues of people waiting for a flat were a few years long. Only a few of them dreamt of having their own house. But these flats and houses, which all of a sudden became available on the market, were not built over a few months or years of communism. They were not imported either. The number of people did not decrease. They were not deported to the Union of Soviet Socialist Republics. This phenomenon sheds some doubt on the validity of the popular interpretations about the functioning of the socialist economy and the communist system as a whole.

We can obviously try to explain the problem in economic and historical terms: the abundance of goods on the market was the result of a shock therapy, means a drastic increase in prices. It ensured the advantage of demand over supply. This answer is true to

some extent, but does not help to understand the communist system. Because some questions arise: why such therapy has not been implemented at the time of real socialism? Why earlier attempts to ensure market equilibrium have not been successful? Why has any, even a very small increase in prices, introduced by the communist authority, led to strikes and social unrest? Should the blame be put only on the ineptitude of the authorities and the bureaucratic system? It seems that more profound reasons for this state of affairs should be looked for.

2. Self-restriction

An adequate explanation of the problem must take into account the behaviours and activities of people during the communist and post-communist times. We assume that the sources of the state of affairs under discussion should be looked for in the change of people's attitudes, and that the changes are only the result of the changed principles of operation and functioning of the whole, i.e. the ideological foundations of the social, economic and political systems. In the post-communist time people simply started to self-restrict their needs, wishes, rights, demands they made on the state, on others, on the employers. They voluntarily reduced the space they inhabited (they lived with their grandmothers, their grandchildren) in order to let the vacated room or flat to others; they restrained their consumption in order to save; they reduced their expenses; more and more often they took into account the costs and profits. It is these self-restrictions that brought about other phenomena: increased productivity, increased entrepreneurial activity, increased industriousness as a limitation of laziness, increased use of their own (individual) strengths and resources and those of their work establishments. Today people work ten hours per day sometimes even longer, and nobody protests. Employees work on Saturdays and Sundays out of their own will and initiative. Work is hard and badly paid but everybody is pleased to

have work. Nobody goes on strike. In communism this situation was unthinkable. Predetermined hours of work were strictly observed.

Today self-restrictions are present in the economy but also in everyday life, in family life, in politics and in culture. The young do not marry. People have fewer and fewer children and less and less time for them and for their families. They seldom make use of their freedoms and rights. They know what they are formally allowed to do. For example, they can manifest their dissatisfaction with the policy of the government but the demonstrators do not have much influence on the policy. And most often they make the situation of the demonstrators worse. This is why citizens are generally passive politically and do not make use of their freedom. In culture the majority of people limit themselves to passive perception of low culture through the mass media. People go to the theatre, opera, and museums much less frequently.

Therefore many theatres, culture centres or reading rooms have been closed down.

3. Communism – the system of non-restrictiveness

What has been said above suggests that self-restrictions exist in the new system as its characteristic feature, as something that is non-typical if compared with the behaviours at the times of real socialism. And this is true. The communist system differed from the capitalist system in many respects. The differences entailed the lack of self-restrictions. This view seems to be outrageous – it is commonly known that real socialism was a totalitarian ideology, oppressing and restricting individuals in all spheres of life. But we will try to defend it.

By definition communism was a system of collective undertakings and it assumed the basic principle of operation, *ice. non-restrictiveness*. It was mandatory at the ideological level and the level of the system as a whole as well in the dimension of

potentials, rights and activities of collective organizations and individual people. It was a programme and intention of communism to expand, to enlarge and encompass the entire world. Communism considered itself as a system with utmost/rained power and influence. It had an eschatological character. It appropriated the future for itself. It also voiced slogans of making full use of man's potential, of expressing man's capabilities and tried to create conditions to satisfy all the natural needs of people: material and spiritual. It was to ensure freedom, equality, and comprehensive development of people within collective organizations. It believed in an unlimited progress. The freeing of individual and group activities aimed at the accomplishment of common, state and collective aims by means of optimal measures was perceived as the means to accomplish these unlimited aims and values. This is what the ideological principles looked like.

The above principles were implemented in practice. The principle non-restrictiveness was officially adopted as the ideological foundation of the socialist system in countries of Central and Eastern Europe. It prevailed at the level of ideology, state policy and rules of management. It belonged to the ideological foundations of the system. The system implemented the idea of unrestricted expansion of communism, which found expression in the export of revolution. The application of the ideas of man's unrestricted capabilities inside the system meant, on the one hand, an intentional, programme aspiration to satisfy all the needs of the society and to provide maximum freedoms and maximum security, equally for everybody. On the other hand it meant the freeing of the enthusiasm for work, self-expression, participation in the social, cultural and political life among the broadest possible strata of the population. Class borders, social hierarchies, poverty, hunger, lack of education were done away with. Of all the state types known then, the socialist state had the best-developed system of social care and social benefit. It provided free education at the primary, secondary and tertiary levels, health care, treatment, holidays, celebrations. Everybody was provided with work and a subsistence wage. Product prices were reduced so that the poorest could satisfy their

needs. Old age and retirement pensions were provided, including for those who have worked for a few years or even for those who have never worked. Culture, even of very low calibre, was subsidized. Schools, theatres, clubs, reading rooms in villages and in towns were built in great numbers. The entire population was actively involved.

By definition the communist system liberated those who in the capitalist system were restricted externally from those who restricted them. It simply liquidated those, who self-restrained themselves and who restrained others (i.e. the former owners). Consequently, the restrained ones stopped feeling the yoke of discipline.

However, no social system can exist without restrictions or self-restrictions of its parts and elements. And the system restricted the activities of individuals and groups by implementing strict regulations and rules that comprised the entire social and public life and, partly, also the private life. Orders and prohibitions imposed by the authorities on the activity of individuals, intended to regulate that activity, should help release the unlimited powers existing in the society and provide for the satisfaction of all the needs, freedoms and rights. A system of rationed freedom was created. The individual, grass-roots initiative and economic, political and cultural activities were muzzled in the name of the aims, freedoms and system benefit permissible under the prevailing ideology. The principle of *external restriction* was the means to implement the principle of non-restrictiveness. This was a selective means, meant to be transitional because it was forced by the global political situation and the need to fight the traditional mentality. It channelled the spontaneity of life in the forms that served the aims of the whole. Means permitted to achieve unlimited powers were defined top-down. The communist system externally restricted its elements and parts in the name of the principle of non-restrictiveness prevailing at the level of the whole, the system and at the level of its elements and constituent parts. Restrictions were direct, related to individual and group behaviours; they assumed the form of orders and prohibitions. In principle, they did not permit any formulation of individual, independent aims, use of independent

means to achieve the aims and to collect any benefits gained as a result of self-restriction and the activity of individuals.

External restrictions are effective: (a) over a short time span (a few years, a decade); (b) when the means and powers of the entire society are focused on few selected tasks, which do not require great ingenuity; (c) when the authorities are strong, i.e.

they have a moral authority and are totalitarian; (d) when the society is disciplined or to some extent identifies with the authorities, their aims and principles of system functioning; (e) when the restrictions are not instrumental in relation to the principle of non-restriction of individuals; (f) when the system is somehow adapted to the mentality, morality, aspirations and customs of the society. But these conditions are rarely met. In the long run the principle of external restrictions proves to be ineffective and is transformed into the principle of non-restrictiveness and its implementation gets out of the control of the central authorities.

In the first years after the introduction of the communist system a great many significant success was achieved at the expense of many forced sacrifices in the field of industrialization, technological progress, education and culture. However, the dynamics of the system was soon lost. Moral decay was one of the reasons for this situation. For the system to function, those who impose external restrictions must restrict themselves in some way. The ideological and organizational straightjacket was not put on the society by the individuals who restricted themselves in the name of individual private business aims (because such individuals have been liquidated), but by a group which has been restricted up to that time, which itself appointed itself distributors of goods and managers of people. The new elites constituted themselves not as a self-restricting group because of their own long-term business interest, but ideologically, by means of such values as equality, brotherhood, people's democracy, socialist justice, modernization, progress and by means of the concretization of these principles in the form of a system of laws, orders and organizational rules. Equality and other supreme values of the system were exercised unevenly. Those who governed and those who were governed were equal as regards

private ownership but were unequal as regards political power. Those who governed reserved unrestricted political power for themselves. And with that power they restricted the political rights and other aspirations of the governed ones. Politics replaced economy in the function of the main field of social order and in the function of the driving mechanism. From the very beginning this was a false situation because the ideology of equality, justice and modernization was used to hide the particular political interests of those who governed. Their interests played a role when self-restrictions and external restrictions were imposed on the governed ones. And these interests were officially prohibited. Moreover, they became more and more unrestricted.

Pathological non-restrictiveness prevailed at the level, eroded the restrictions introduced in the sphere of politics. Corruption, incompetence and indolence were expressions of this trend. The practice of non-observance of self-restrictions by the authorities favoured the fight with restrictions. The weakening of self-restrictions at the macro level resulted, for example, in the weakening of external restrictions at the middle and micro level. Inhibitions in the aspirations to satisfy one's own, individual needs, freedoms and rights were done away with. The material and other needs were artificially expounded.

Other reasons for the weakening of external restrictions existed in the undefined relations between the principle of non-restrictiveness and the principle of restrictions. The guarantees offered by the system of rights, freedoms, goods, self-accomplishment of man were the basis for the claims within the systems. Individuals and groups usually did not internalize the aims and means of the entire system or only pretended to accept them. They expounded the ideological aspects favourable for them and demanded that they be given more and more new goods and rights while neglecting the duties. Because of all this the principle of external restrictions gave in to the principle of non-restrictiveness. The latter became internal at the individual, group and institutional level. It was accepted because it paid off and it started to dominate. However, it was applied in a chaotic manner, mainly as a means to reduce the importance of

the principle of external restrictions. This is why non-productive non-restrictiveness originated, too many things were taken for granted, people were not creative and exhibited features resembling those of people living in communities. The system was treated as something external. External restrictions were done away with and were not replaced with self-restrictions. A certain sphere of freedom was created. However, this freedom was not filled with rational substance.

Behaviours in line with the principle of non-restrictiveness, which did not accept external institutional restrictions, are typical of people with community-like mentality, who act outside the community. Members of traditional communities had internationalized norms of conduct in the communities (families, municipalities, ethnic groups). Once they left the community, the norms proved ineffective, often harmful to them. Consequently, some of them were abandoned and not replaced with others. They remained outside the restrictions. In this situation a favourable atmosphere was created to take everything for granted and make demands wherever it was possible. The socialist societies favoured such attitudes.

As a result of these phenomena, external restrictions at the middle and micro level, although stringent, ceased to be effective and, what is most important, ceased to bring about the expected economic and political effects. The ideology itself opened the door to economic, political, cultural, civic claims and to a fight with restrictions. It also opened the door to a continuous fight for equal conditions for those who felt less equal than others. Therefore, restrictions were imposed less and less rigorously. At the micro level the principle of non-restrictiveness took the upper hand and was freed to a large extent from external top-down restrictions. Employees forced a low level of production, low efficiency, low quality, low work discipline, social and rectorial privileges and fought to have their wages raised. They defended themselves against hard work. Labour regulations were written which prohibited employees to do many types of work (for example, on holidays) and to work more than eight hours per day. Employees were in short supply everywhere: in factories, offices, and institutions. But when the

communism fell, it suddenly turned out that there were too many employees and there was unemployment. Employees did not restrict themselves and did not give in to external restrictions. Survival and wages did not depend on efficiency or on work or on the observance of the imposed restrictions.

Everybody felt entitled to get all the benefits and to get as many of them as possible. The system tolerated laziness, idleness, lack of professionalism, avoidance of the law, fixing or arranging retirement pensions and old-age pensions. Prices were going up as a result of the pressure exerted by the manufacturers of goods. However, an increase in prices had to correspond to an increase in salaries, which, in turn, resulted from the pressure exerted upon the government by the employees. Claims had to be taken into account – if not, the basic principles of the system would be violated. Because of the unrestricted demands real wages and real consumption were higher than the economy permitted. The principle of non-restrictiveness dominated also at the middle institutional level. Work establishments demanded more and more resources and raw materials, more investment funds, more reliefs, rights, more employees. Employment was not restricted. Work establishments stocked too many raw materials. They badly used the materials, misplaced investment projects. Reliefs were used to manage less effectively; wages were raised even if production did not grow. Each work establishment strived to take the position of the monopolist. Individuals and work establishments treated everything outside them as exteriorize. All this was not considered as cost; moreover, everything was often used unthinkingly, including materials, credits, and tools. Development was achieved at the expense of health, environment, low quality of life, aesthetics, security, neglect for the infrastructure and the quality of consumption.

The principle of non-restrictiveness found expression in the drive for investment at all the levels and in all the domains. Existing work establishments were expanded, new, gigantic work establishments were built. The industrial monumentalism existed in the Union of Soviet Socialist Republics and in the other communist countries. Great investment projects: power stations, steel plants,

factories, railways, enormous transformations in agriculture: dehydration of fields and forestation, are the features of the communist system. It was not important whether the project was profitable or not, or whether it was at all needed. The investment expansionism was one of the main reasons for inflation. Nobody bothered to restrict this activity because, for example, managers responsible for the investment projects were not accountable for the final results. For example, at the time of the Gierek administration, many factories were built in Poland for the credits taken from Western banks and institutions, but nobody bothered to find consumers abroad for the products made by these factories and the country could not pay back the credits it has taken. The authorities thought in the categories of short-term rationality. In short-term rationality only some costs are taken into account. Others are allocated to external entities. Consequently, the whole, despite central planning, functioned badly.

Soon, as a result of such situation, the system started to be lacking in everything: money, goods, materials, and labour. The needs of the population could not be satisfied. Consequently, the authorities started to multiply external restrictions and adapt the system to the shortages. But these changes curbed effectiveness and restricted innovation. Non-restrictiveness in terms of claims and rights, interpreted more and more individualistically and in the top-down manner, resulted in restrictions at the source, i.e. the possibilities of satisfying the needs diminished.

Shortages of goods did not favour the introduction of innovation.

Communist constraints were external, too restrictive in many cases and too non-restrictive in others. They did not take into account the objects, their structure, values, and differences among them. For this reason entities and individuals found niches in which they could hide, they found gaps in the system of constraints, into which they pressed themselves, maladjustments to which they pointed out, excessive oppression against which they protested. All these factors were used by the individuals, groups, and organized structures to strengthen their position within the

system and at the expense of the system. The system was treated as external by the individuals, groups and even companies despite the fact that it claimed totality. What the individuals and groups gained for themselves at the expense of the system weakened the system.

The system also favoured simulation-like behaviour, which also disintegrated it. Faked, ostensible work was very popular. Externally, behaviour was adapted to the requirements of the system while actually its spirit was undermined.

The non-restrictiveness, which existed in the system, significantly spread to entail its elements and parts. As a result of this process, it did away with the restrictions and blasted the system out. An absolute system made everything absolute – itself, its enemies, its ideas, rights, material goods, needs, aims. As a result the elements and constituent parts became absolute and as absolute constituents they gelatinized the system and weakened it.

It appears that for the system to be effective it must be based on the principle of self-restriction and that effective mechanisms of self-restrictions must stem out of the internal structure of the individual spheres of social life (for example, in the economy they must stem out of the requirements of good management) and be distributed among many subjects. Self-restriction must penetrate from the lowest strata to the top ones. Even subjects restricted externally must additionally restrict themselves, for example, never steal, never destroy machines, and never produce trash. These conditions are necessary for the effective functioning of each system.

4. The system of self-restrictions

Capitalism and liberalism share some objectives and values: welfare, freedom, and rights. They are different in terms of the principle by which these objective and values are achieved, which results in a different understanding of them. The principle of *self-restriction* is the organizational and functional basis of capitalism

and liberalism, at all the levels – individual, group, institutional, ideological, Individuals are left with the freedom of activities. Externally, they are not directly physically forced to act in a specific way or to adopt a specific set of objectives and values. And in this situation they restrict themselves. Self-restrictions assume different forms: modesty, abstinence, moderation in life, spiritual or physical perfectionism and many others. By definition, self-restriction is an ancillary principle to the objectives and values. In capitalist modernity it was subordinated to the utilitarian material values and in this function it exists in the individual and social life, although self-restriction can also be ancillary to other supreme objectives and values, such as respect for others, moral and/or physical perfectness, etc. Usually, however, subjects in the capitalist system restrict the number of values and objectives to one – material wealth. Utilitarianism prevails. When a high level of wealth has been achieved, it changes into hedonism. Other values are subordinated to the benefits or reduced to the minimum.

The principle of self-restriction also becomes a value in itself. It becomes autonomous and transforms into the manners of individuals, groups and entire systems. In the system of external freedoms subjects self-enslave themselves. This brings them satisfaction and the feeling of fulfilment. Self-restriction of the expression of life: spontaneity, expressively and needs (including biological needs) are not sufficient to create an effective and efficient dynamic system. Self-restriction of the means which help increase goods (wealth, prestige, power, etc.) in a possibly most effective manner is another condition. The means should be the cheapest, the most efficient, ones, which produce the fastest effects. The means, which are allowed, include saving, unjust arts, violence, exploitation, frauds to a limited extent. Newer and newer means are devised. This situation leads to the impoverishment of life, particularly its expression, spontaneous dimension. Laziness, wastage of energy are restricted. The entire life is conquered, ordered and subordinated to the narrow group of objectives. Nobody from outside can subordinate individual life to one objective over a long time so effectively as is done by the individuals themselves. Two kinds

(criteria) of this type of self-restriction at the lowest and the highest levels are worthy of mention. At the lowest level we have reduction of all the expressions and needs to the lowest level required by the conditions of existential survival. Subjects, which self-restrict themselves in this way, treat their entire life only as a way of survival by means of work and production. And only if they follows this self-restriction they are able to survive as elements of the system. At the highest level, on the other hand, the criterion of self-restriction means the ability to conquer competitors: in professional life, economy, politics, culture. Both kinds of self-restriction are interrelated and often constitute a system of cooperating subjects. Subjects often exert reciprocal pressure to have the level of restrictions moved up or down. External coercion: physical, psychological, economic, political, is used against those who cannot self-restrict themselves in this system.

The present pressure on consumption as a necessary factor of economic expansion does not undermine the importance of the principle of self-restriction. Consumption should be higher than it is but it should be consumption of specific products by selected social groups. The starving children of African countries are not encouraged to increase consumption.

Formally and legally the capitalist and liberal systems are the systems of freedom, i.e. systems where there are no external restrictions. Again, this is a relative description compared to the communist system. This means that the capitalist and liberal systems formally give everybody a possibility to engage in self-restriction activities and to self-restrict themselves at the level of means and objectives of the active subjects.

In capitalist modernity the principle of self-restriction has been combined with the principle of greed. Greed has been typical of individuals and groups for millennia. In the traditional (pre-modern) societies greed was mitigated by honour, morality, custom, community norms or religion. It was treated as a shameful feature. It was subordinated to the common good. Until the modern times it did not exist as a principle, i.e. organizational and moral principal value of the individual and collective life. It has

gained this status in the modern western communities. The desire to have as many material goods as possible has become the official, highest norm of behaviour for them. And it became one of the driving forces of their development.

The third principle in the axiological-organizational structure of capitalism, which makes it effective, is the principle of the active involvement of the individual, who works for one's own benefit. Systematic and more and more intensive manufacture of new material and civilizational goods to increase one's own profit (prestige, power) and subordination of such activity to one's life has been a recognized social norm of behaviour. Activity develops most intensively in the societies in which the individuals identify with the activity for profit and who have sufficient intelligence and energy to pursue such activity. Their identity is constituted and strengthened in such activity. This is an innovative activity.

As mentioned before, the principles are given some more concrete form at the level of individual activities as motives and norms of conduct and at the level of social systems as permissible, acceptable and promoted forms of collective life. Once they are recognized, legal, organizational, institutional and administrative regulations are enacted to make their implementation much easier. The functioning of the system and its effectiveness depends on how appropriate these regulations are and how effectively they are observed. Attempts are made to fight with the violation of the adopted principles, for example the behaviour that externally limits the productivity of others to an extent that drastically inhibits the development of the whole. Legal and institutional regulations are necessary in order to provide for the concordance between the effects of individual actions and the long-term social aims. Self-restricting subjects apply two rationalities: long-term ones with respect to their own resources and objects that they consider to be their own and short-term ones with respect to what they consider to be foreign. Because of regulations any activity targeted at individual benefits also serves the strengthening and development of the whole and, consequently, provides conditions for the activity

of all the units in the long run – without stifling individual aspirations.

In the system of non-restrictiveness regulations were external, directly applying to the behaviours of individuals, and all encompassing. But in the system of self-restrictions regulations are indirect, fairly general, existing at the meta level. They are based on the aspirations and desires of subjects and use them to manipulate the subjects. They permit satisfaction of desires under certain conditions, which, however, do not weaken their activity or the feeling of freedom. They permit the subjects to self-regulate their behaviour in order to adapt to the most general regulations. They clearly restrict only some methods of goal achievement and the goals themselves are created as a result of the overall atmosphere, with the cult of welfare, so characteristic of it. The system is meaningful when it serves to achieve better and more permanent goals. It is not prohibitions and orders, direct with relation to the behaviours, that define the goals and orientate the passions; this is done indirectly by the media of money, prestige, mass media, fashionable identities and culture. As they provide for the feeling of autonomy to the subjects, their orientations are internalized by the subjects.

As a result, a subsystem was created within the system of self-restrictions, which constituted the aims, aspirations, desires, motives of action and values. This system appears to be independent. In fact the system is dependent on the economy, its production, its money, techniques and political interests. The system includes the mass media, advertisements, marketing, fads, promoted lifestyles. They affect what people do, they standardize them, indicate goals, ways of life, types of consumption, style of leisure, clothing. Creation of consumption plays the key role. When triggered, suggested, they help direct people's conduct and even form their personality and through them – they help formulate the character of the social life. This subsystem ensures equilibrium between supply and demand, politics and economy, the public and the private sphere; this is a system that borrows. Secondly, it ensures the dynamics of the system as a whole by shaping people's preferences, their motivations and activity. It does this in an indirect way, by referring to the

internal aspirations and desires of people. At the same time, it does not promise to satisfy the aspirations and desires. Thirdly, it is like a buffer that mitigates events and conflicts existing between individual social subsystems. It retains the appearance of neutrality and objectivity with reference to different types of claims. It cannot be an object against which claims are made or protests are directed. It is anonymous. Rather, it reveals the protests and criticisms and disseminates them in the flood of information and different aspirations and demands. It is based on appropriate regulations that ensure external freedoms.

In order to introduce relevant regulations that would ensure efficient functioning of the system, employers and law enforcement staff in this system must also be guided by the principle of self-restrictiveness. Self-restrictions of decision makers relate to: the degree to which their egotistic, particular aspirations are accomplished, restrictions of short-term profits in the name of long-term rationality of the community (own short-term profits must be to some extent sacrificed by the decision makers for the long-term profits and goods of the entire community), the extent of intervention into the life of the citizens, into their views, beliefs, religions, business and other activity, the degree to which economic, social, political and cultural life is managed, ensuring the rights and claims of the citizens. Without these regulations they will not introduce or maintain an efficient system of regulations and institutions. Besides, self-restrictions of decision makers condition self-restrictions of other subjects because they give them the possibility of working on their own initiative and create an atmosphere of self-restrictions. The systems of economic and political freedoms bring about the expected results only when the leading social groups are ready for respective self-restrictions, i.e. restrictions, which favour the development of the system. And this is another condition for the effectiveness of the system of self-restrictions, with the exception that the system continually finds new means of ensuring self-restrictions among the decision makers responsible for the stabilization of the system over a long time. The following serve this purpose: division of powers, existence of the opposition,

free mass media, the right to criticism. They create the possibilities of enforcing the policy of self-restrictions on the decision makers.

The principle of self-restrictiveness and the accompanying principles enforce interest in work and entrepreneurship, high work efficiency, restriction of the number of the employed, innovation and a better use of machines, materials, working time, energy. Subjects are forced to self-organize, because they are doomed to co-exist and cooperate within the framework of their own capabilities and resources. Together they try to restrain themselves and live at the expense of others. However, possibilities of such exterritorial treatment of costs are fewer and fewer because more and more subjects adhere to the principle of self-restrictions. On the other hand, the system as a whole does not guarantee the rights and goods to the subjects, except for the equal right vested in each subject to restricted freedom, i.e. to the targeted, active self-restriction and getting the goods thanks to one's own entrepreneurship.

Targeted self-restrictions at all the levels, greed and activity and respective regulations in the long run bring about the development of the sphere where these activities were focused. Innovation progresses, there is a quantitative increase of material goods, and a greater variety of them. This process is accompanied by an increased power of those in whose hands the goods are and the expansion of this power to the areas where the principle of self-restriction does not exist: into the areas of pre-modernity, new spheres of individual and social life and new geographic regions. Self-restriction, when expanding, transforms into the principle of non-restrictiveness: of human possibilities, progress, power, rule, goods. Self-restriction after the conquest of spontaneous non-restrictiveness replaces it and then creates a new targeted non-restrictiveness. Self-restriction leads to control. In this form it becomes the principle of individual and social life. What we have here is a process of transformation of principles that is opposite to what we have observed in real socialism, although in that system there also was wastage that was the result of competition. However, it was restricted by the quantity of the resources of the competing

subjects. So in both cases we are dealing with the dialectics of restriction and non-restrictiveness.

5. Conditions of system functioning

The question why the ideological principles, motives and legal regulations and organizational (political, administrative, economic) structures that favoured the dynamic economic and civilizational development prevailed in some societies only can be answered by reference to history. In some Western societies at the beginning of the modern times there was a change of principles, aims, values and motives of conduct among the decision makers. The process was expanded to other layers. Symbolic values were replaced by material ones, whereas external restrictions by self-restrictions, short-term rationality by long-term rationality. Providing limited external freedom was closely related to the self-restriction of freedoms, spontaneity and sightlessness of many aspirations.

The principle of self-restrictions, being external, led to the gradual liquidation of external restrictions: first to the liquidation of the restriction of owners by the monarchs and classes, then the restriction of employees (people) by the owners. Gradually introduced external freedoms have always been associated with the requirements of self-restriction, i.e. their moderate use by the eligible subjects. In order to achieve this aim, owners were made aware of their long-term interests, people were enlightened, regulations, rules and institutional planes of operation were introduced. New strata were forced to exercise restrictions or taught to self-restrict themselves or they voluntarily exercised restrictions themselves: they saved, worked, gave up the traditional lifestyle (for laziness, spontaneity, or as an act of lawlessness). Those, who did not restrict themselves collapsed – economically, politically, socially, and were later forced to restrictions externally but as subjects, whose importance was very negligible.

Not all the societies have gone through this process. Not all the societies have to go through this process. Some do not want to abandon the traditional, community beliefs, freedoms, ice. spontaneous restrictiveness, unregulated by the system of self-restrictions that reduced life to one dimension only or by the system of external totalitarian restrictions. They feel happy leading a traditional lifestyle. Introduction of an economic or political system that is foreign to them would not make them any happier. But they are not competitive economically and technologically compared with self-restricting societies and are weaker in military terms. They fall prey to the penetration by the stronger ones and are threatened with subordination to them, ice. with the introduction of external restrictions or the principle of self-restriction.

The system of externally imposed regulations does not have to make them any more skilful -as the experience of real socialism demonstrates on the one hand, and that of South American countries on the other. For different societies the system of regulations (legal, institutional, organizational) must remain different. It depends on their hierarchy of values, morality, skills and the will to live by self-restrictions, the extent of spontaneity, ability to act based on long-term rationality. Therefore, the same formal legal and ideological systems bring about different results in different societies. And the same apparent actions taken in different situations bring about different results for the individuals and for the system. They cannot be mechanically applied.

6. Pathologies

The relations between the principles of non-restrictiveness, self-restriction and external restrictions are the key to understand how the economic, social and political systems function. Against Marx, an unrestricted desire of profit does not always give rise to exploitation and poverty for the majority of the society and only under some conditions: when it is not correlated with the principles of

self-restriction; when it is not properly regulated, when it does not correspond to the level and type of axiological beliefs, customs and mentality of societies. Distinctions can be made between properly structured, limited non-restrictiveness, which favours the development of the system and the community and pathological non-restrictiveness, which is destructive and which inhibits development. Pathological non-restrictiveness can exist in both the capitalist and communist systems. It brought about a complete collapse of the latter. In the first one it existed in individual countries at different periods. And in some it still exists, e.g. in the countries of South America, Africa and in post-communist countries.

Post-communist countries are of special interest to us. The reforms they implemented consisted in the regulation of the unproductive non-restrictiveness. After the fall of communism, as a result of the shock therapy (Poland, Russia) or evolution (Hungary), restrictions were imposed on: budgetary expenditure, social allowances, salaries, income of population, subsidies to culture, education, health service, investment projects. The program of self-restrictions at the level of the system was socially accepted. It involved a whole series of restrictions or self-restrictions among the population. The citizens accepted drastic price increases after the introduction of capitalism, reduction of real salaries and the standard of living, deterioration of the working conditions, liquidation of many social benefits and even unemployment. There were no ideological and organizational foundations for effective protests. Prices, poverty all of a sudden became a private problem of the citizens or entrepreneurs. The society did not rebel. People sacrificed themselves understanding that sacrifices and restrictions were necessary for the sake of the future, more unrestricted satisfaction of their needs. People believed in the future of the new system. And the reforms would not have been possible were it not for this self-restriction of the society. Agreements were concluded and compromises were made.

The policy of self-restrictions was pursued at the final stage of communism, when movements protesting against communism self-restricted themselves, i.e. they did not question the ideological

foundations of the system or the leading role of the Union of Soviet Socialist Republics in the system of communist states but they fought with the errors and distortions of the system. The authorities of the time tolerated the opposition and avoided a solution by force. This policy of the self-restricting revolution led to the "round table" and to the peaceful overtaking of power by the opponents of communism.

However, over a few years of reforms the system of self-restrictions adopted more and more pathological features. It gradually transformed into the system of non-targeted and chaotic non-restrictiveness, exactly as was the case with communism.

This was the case at the level of the whole, as well as at the level of the individual members of the system. State expenditure increased, budget deficit was increased, production collapsed, inflation grew, fewer goods were bought, the population was pauperized, the unemployment rate got higher. The time of expected improved welfare, stabilization, productive self-restrictions, productive in the long run, never came.

This state of affairs can be explained by means of the factors, which were mentioned earlier as the conditions of a good functioning of the system. They ceased to be observed. Firstly, the reformers abandoned the principle of self-restriction. They started to appropriate public and state goods in excessive quantities and to the detriment of the whole. Production goods were sold and are continued to be sold for peanuts. Decision makers are involved in large-scale frauds, are corrupted, and wasteful. Excessive expenses, appropriations and frauds of the decision makers trigger similar actions by other subjects and consequently lead to an economic, cultural and political collapse of societies. Secondly, no regulations, especially legal regulations, are enacted that would favour self-restrictions and active involvement of the citizens as well as the development of the system and the collective community. Laws are enacted, which are favourable to particular subjects or which do not correspond to the mentality, morality and culture of the community living in this part of Europe. Emphasis is put in them on the imitation of Western external regulations and individual

rights, but they lack mechanisms of proper orientation of the freedoms. As a result law is used by criminals and the society is becoming more and more criminal. The rule of cliques and mafias becomes a social plague. In this situation individuals do not internalize the values and principles of the system. They treat it as foreign. And any actions taken by them, in line with the principle of self-restrictions, do not bring about the expected results and they are eventually abandoned. The system of self-restrictions is transformed into the system of unregulated non-restrictiveness, detrimental to the majority of its elements and constituent parts.

7. Creation of equilibrium

We still need to explain the basic difference between the pathologies of the system of non-restrictiveness and the system of self-restrictions. In the latter there is still an abundance of goods, services, although jobs are scarce and consumption is reduced. In the former, during the (permanent) crisis, there was a shortage of goods and a surplus of jobs. A number of reasons have contributed to this. Firstly, in the system of self-restrictions these pathologies usually do not reach the middle level, i.e. production work establishments, where discipline continues to be stricter or even more stringent during pathologies for fear of dismissals and more fierce competition. Secondly, subjects affected by the crisis do not have ideological foundations for protests – after all the system, as a system never took responsibility for ensuring welfare and satisfaction of all the needs. Thirdly, the objects against which protests can be directed are scattered, private, often difficult to identify. Fourthly, the most active subjects (i.e. amoral, rational in the short run) can satisfy their claims and demands through the appropriation (“privatization”) of common goods. This situation resembles the times of “enclosures” in England and “winning the Wild West” in the USA. Legally and illegally the subjects, which acquired a political power that gave them the mandate to rule, appropriated all the

common property and turned it into a commodity. By using it, they are applying the principle of self-restriction. Fifthly, there is respective manipulation of the possibilities of subordinated subjects. Depending on the situation of the system as a whole, and particularly depending on the interests of the subject dominant in the system, the purchasing possibilities, the possibilities of influencing all the subordinating subjects are reduced. In the extreme case these restrictions assume the form of dismissals, lower wages or proper orientation of aspirations in a more direct manner. Therefore the system maintains a balance between the claims and the possibilities of their satisfaction. Elements of the system have been integrated, i.e. they subordinated themselves to the system "out of their own will" and they do not threaten the system because they are not capable of going beyond the system.

In conclusion – a system of self-restrictions effectively produces people and their aspirations and self-restrictions. Effectively, i.e. respectively to the conditions that are being created, which make it possible to satisfy them. For example, brands are manufactured by a subsystem of production and a respective demand for brands is created by the subsystem of culture. A new type of the rationality of action has been created. It is not formal rationality or instrumental rationality in the sense of M. Weber. It is not functional rationality in the sense of N. Luhman or other functionalists. New rationality has substance. It is also rationality of the aims and conditions of achieving these aims. It consists in the adoption of the principles and norms of *shaping* both the social subsystems (with defined possibilities of production) and respective individuals (with their wishes and self-restrictions) as their parts and elements. The systems, in which these principles and norms have been anchored for good, by definition, have an internal equilibrium, irrespective of the pathologies of their constituent parts. Significant crises can be triggered in them only by external causes, which have not been detected on time, that upset the existing equilibrium or that affect the possibilities of creating such condition. On the other hand, in places where their principles have not been fully internalized, they come across the resistance of the raw human matter, which is unfit

yet to be processed by the manufacturers of brands. And it too can become the reason for their collapse. The above considerations also indicate that the descriptions of the systems by means of categories and freedoms (negative, positive), which are dominant in the literature, do not reflect the ideological foundations and the significant functional principles of the systems. Self-restrictions existing at the level of systems and human behaviours are more important than freedoms (or their lack). Freedoms without proper self-restrictions are void and unproductive and even lead to the external enslavement. It is the system of self-restrictions that conditions the functioning of the system of freedoms, which are ensured by the production-consumer freedom, the subjective freedom of modernity.

Chapter II

The Struggle for and against the Restrictions and Limits

1. Struggle for Dignity

Under the Communist regimes, the oppositionists considered their own alternative to Communism to be a moral, ideological and political and economical project. They avoided a direct political confrontation, and even formulating an alternative political program in the strict sense of the term but fought criticizing from one side the non fulfillment the communist principles and promises and from another the negative consequences of actual policy. The strategy they suggested consisted mainly of ethical and economical requirements and standards. They demanded that politics and public activities be based on internationally recognized rights and moral norms, and insofar as feasible tried themselves to meet their own requirements of these norms in practice by obeying the law and publicizing their own actions and these of the regime. Regarding the latter the publicizing of the regime's failures to obey the laws which they had passed and to observe the human rights and other standards which apply in the civilized world brought the special impact on people's opinion and attitudes in these countries and abroad. Due to their honesty and integrity, opposition activists gained the confidence of society.

There were three essential forms of opposing the totalitarian system: covert passive resistance, overt non-violent protest, and armed struggle. The last kind of protest has not played the role in the second half of XX Century in Middle and East Europe. The first form of activity resulted, in a way, from a considerations of utilitarian calculating and the traditional morality. It consisted in an partly open cooperation with the regime, and at the same time, taking actions, which weakened or liberalized the system. The citizens took the edge off the dictatorship, whenever this was possible, i. e., not noticed by the authorities, legitimate, or profitable in view of the mildness of the punishment faced by the offender. Both individual and institutions followed this pattern. Under the Communist rule, even many persons holding public offices in the administration adopted the policy of passive resistance. This kind of activity was ambiguous. From one side, by putting up this cunctative opposition such people kept to their moral norms and values and risked a quiet life. From other side, in this rational compromise with the system, system was tolerated in order to avoid punishment, and certain values, including moral values, were sacrificed for material security.

Activity classified as the second form entailed evident opposition or dissidence. Disagreement with the system's policies was declared, and an ideological stance, critical of the regime was defined. This was the level of political protest. In this case the oppositionists demonstrated publicly that there was a limit to utilitarian calculation and toleration of evil. Concessions were made to the system (in order to avoid confrontation and its aftermath), but when the limit was reached, no matter what the consequences, the opposition challanged the regime and declared its disagreement. Obviously this need not involve riots, as people may refrain from waging a struggle or setting up barricades, while protesting in a non-violent manner. It was fight on edges of limits (constraints) and for changing them.

In 1953, Cardinal Stefan Wyszyński, the Primate of Poland's Catholic Church, formulated the concept of the limit of concessions to the totalitarian system by stating: "*non possumus* – we cannot

yield any more". For this declaration he was punished by imprisonment. Since then the Church and some other opposition groups ceased to pretend that they were cooperating with the system, but neither were they openly contributing to overthrowing it. They only established the limits that the system must not exceed. When the level of required concession approached the limit, overt and direct confrontation ensued. Against restrictions and constraints forced on the enemies of system, the other ones from outside of system were established. Then the regime "took offense", persecuted and imprisoned some in opposition, or even had them assassinated, striving to terrify the population lest it follow suit.

The limits of *non possumus* delimited the effective identity of the individuals, groups, communities and institutions making up the opposition: they could not give in any further without jeopardizing their spiritual identity. Identity was defined in terms of the moral, nonutilitarian values, principles and standards adhered to and implemented as ideas of honor, respect, recognition and independence. It was conceived as the sum total of the qualities that made up the essence of the agents (subjects), allowing them to remain spiritually intact, in spite of the developments occurring within or without. Thus identity is the spiritual core that perseveres through changes, and maintains the unity and consistency of subjects. An important factor that sustains identity is the self-consciousness of one's distinctness and individuality. Following the praxis of the church the dissidents delimited from within (quoting the communist's principles) and from without (mentioning the human rights) the economical level of poverty and appease of human needs. Dignity of people requires the assurance of goods for basic needs.

It seems that any dissident activity undertaken under a totalitarian system comprised, as its substantial and principal component, the concern over or the intention of preserving oneself as a spiritual and psychophysical being. Thus among other things, what was always at stake was remaining loyal to oneself, asserting one's identity and fashioning oneself as a human being having dignity. One can discern two aspects of humanity significant in political protest:

the universal and the particular. The former is defined by universal values, rights and the good. The struggle for human dignity, justice, and liberty was an important facet of dissident activity. The concept of human rights, and the Charter of Civil Rights, adopted as the Final Act of the Conference of Security and Cooperation in Europe in 1975 (the Helsinki Accords), and signed by the Communist governments, were used by the opposition (specially by the left wing of the opposition) as a legal basis of their activity. They referred to them and demanded that they be observed¹. To protect their particular identity, people cherished their national culture, religious values and the ties of community, founded on language, customs and tradition, and demanded the liberty of promoting this heritage. The material prosperity is one of the most important condition of the realization of humanity. Dissidents identified themselves with the people and considered relinquishing of the struggle for national identity and economic prosperity to amount to self-betrayal. The communities of family, the Church, and the youth invariably defended these values². In the process of resistance, the ideological differences and limits were confirmed, developed and fashioned further. The younger generation was brought up in the spirit of freedom, tradition and the sense of solidarity with community because both individuals and community spiritual activity were awakened and stimulated³.

It was not true, as some claim, that dissidents were utilitarians or altruistic egoists, i.e., people driven by personal profit, different only in that it is in their nature to rejoice when they promote the happiness, liberty, and interests of others. If this were the case, dissident activity would be merely a case of egoism⁴.

¹ Cf. J. Kuroń, *Wiara i wiła* [Faith and Guild], Warszawa 1991.

² Cf. S. Wyszyński, *Kościół w służbie narodu* [The Church in the Nation's Service], Kraków 1981.

³ Cf. R.T. Knowles, G.F. McLean (eds.), *Psychological Foundation of Moral Education and Character Development*, Washington 1992, The Council for Research in Values and Philosophy.

⁴ The opinion of K.-D. Opp and M. Taylor. Cf. K.-D. Opp, *Repression and Revolutionary Action: East Germany in 1989*, "Rationality and Society", Vol. 6, No. 1, (1994), pp. 101-138; M. Taylor (ed.), *Rationality and Revolution*, Cambridge 1988.

In pure instrumental or utilitarian activity, the aims are replaceable and variable, and there is a price to pay for each of them. They may be “bought”, as those who pursue them are induced to give them up or change them. These are relativistic aims, established with reference to actual or imaginary needs, and easily replaced by other aims equally suitable for the needs. But there are no alternatives to the values that define spiritual identity and which are implemented even when the cost of the implementation is higher than the expected profits and benefits. The dissidents did not seek profit or utility, either theirs or others’.

Those who opposed totalitarianism did not choose one of several available clear-cut options. Their position was one of risk and uncertainty. It was not a reckoning of cost and profit that made them protest, but anger, desperation and the realization that they had reached the limit beyond which they did not want to go and could not to be pushed. They protested because they felt that there was nothing else left to do and that they could not go on like this any longer, since it would entail the loss of material or moral dignity, as well as the right of self-determination and an independent life.

A low material standard of living alone never stirs up opposition against a totalitarian regime. It must be accompanied by – at least – a realization of its injustice or unsuitability for people, and a willingness to struggle in order to demonstrate the validity of one’s moral values and norms.

The limit at which the *non possumus* attitude emerges, varies with societies, nations, institutions, or individuals. It depends on the culture, tradition, upbringing, morality, and even the nature of individuals or groups. The philosophical consciousness and the ability to perceive the situations in general terms are significant factors affecting the establishment of limit of concession to the system.

When exposed to the danger of totalitarianism, the individuals and collectives tend to expand their spiritual identity and social (material) needs, i.e., to incorporate more and more new properties and values, considering them important components of itself, and to demand that they be acknowledged by others and the system. This expansion of identity and social dignity and increase in their

intensity and weight are particularly conspicuous when individuals, groups and institutions are expressly threatened with physical violence. On such occasions, more and more qualities, rites and facts become indispensable, important and sacred for a nation, family, Church or individual, and they are ready to sacrifice all, including the lives of their members in its defense.

Representatives of the regime are themselves aware of the limits set by opponents. Sometimes they provoke controlled confrontation to suppress it at an early stage. The provocation consists in producing facts or conditions that certain social groups would deem “insulting” or “unbearable” e. g., arresting a respected leader, paying “unjust” wages, or instituting dramatic price rises accompanied by wage-freezes. Such acts offend the sense of honor or dignity of many groups in society.

2. Practical Reasoning vs Calculation

As we tried to show, at the level of individuals, dissidents sacrificed personal happiness and interests, professional careers and a life of leisure for opposition activity, the struggle for the justice, and the material prosperity. They strived for the common good. This, however, does not mean that dissidents adhere to the rules of value-rational action, as defined by Max Weber. They take into account the advantages and drawbacks of each possible choice and consider using moral categories. Many instances of choice are a private trauma, as they require sacrificing one’s own and one’s family’s happiness for community values, for good and for the principles of justice. But this choice is the more traumatic and complex, because in order to struggle for principles and the common good, dissidents must maintain certain individual “benefits” and goods: their health, life, and intellectual and physical ability. Furthermore, action requires certain material facilities. Thus dissidents are and have to be prudent and not neglect the instrumental aspect of action. Rather than merely immolating themselves, they strive to

make their activity as useful as possible within the framework of the accepted principles and values. Still this calculating of effectiveness is secondary to practical considerations of an axiological nature; it is not instrumental in Weber's categories.⁵

Protesters must daily make yet another choice of fundamental importance: between greater and lesser social good, and between greater and lesser moral evil. What provokes political protest is not any threat to values and the good, but only to values considered significant and essential which cannot be given up or treaded. Therefore less significant values have to be sacrificed to preserve the former and dissidents have to make choices which values are more and which less important, and for whom (family, nation, Church). The division into the more and the less significant is not always clear as goods and values are seldom ordered in an evident hierarchy but normally are assumed as obvious features of individual and collective activity. Only when they are in danger do we have to think them over, establishing priorities in their importance and for action. Moral decisions and actions are not as clear-cut as an utilitarian calculation and activities. Indeed, moral aims may be achieved only imperfectly and temporally, and have to be sustained through continuous effort; at the same time, a moral attitude requires that the fulfilled conditions be enhanced and expanded. The described reasoning and meditation concerning the aims and matter of action in given circumstances, resembles the mode of reasoning described by Aristotle in the *Nichomachean Ethics* when discussing what action is virtuous in a certain situation. In a similar way dissidents estimate whether in the current circumstances it would be wise to intensify protest (e.g., by calling strikes), or to content themselves with a verbal statement of the authorities' unjust treatment of a certain group. The purpose of such estimation is to determine a wise course of action or a long-term moral optimum, taking into account the facts of the situation, among which are the effectiveness of action.⁶ This concept may be

⁵ M. Weber, *Gesammelte Aufsätze zur Wissenschaftslehre*, Tübingen 1973, especially Chapters II and X.

⁶ Aristoteles [Aristotle], *Etyka nikomachejska* [*Nichomachean Ethics*], Warszawa 1956, Books III and V.

found, e.g., in Solidarity's idea of self-contained revolution. Accordingly, dissidents usually did not call their activity "political" although it produced political results, and the regime very often considered it to be political. In fact the dissidents did not aspire to overthrow the totalitarian political system, which would be a hopeless and suicidal mission. Instead, they focused on combating extreme manifestations of evil, those that went beyond the limit of fortitude and demanded curbing the worst excesses, publicly exposing and resisting them. Still the "worst" does not cease to exist: as one opportunity for excess is banned, another automatically emerges and replaces it, becoming a new object of critique and negation. The resistance movement against the system of non-restrictiveness was self-restrictive.

3. Developing an Alternative Society

Besides the forms of opposition activity discussed above and that covertly or overtly denied the absolute power of the totalitarian system there existed also another, equally important realm of peaceful moral activity, which played a significant political role. This consisted in developing situations, relationships and communities based on such standards, norms and values as kindness, free cooperation, liberty, trust, friendship and religious beliefs. Such attitudes, actions and forms of community life were independent of the regime and confined its power by developing an alternative world. Society was thereby offered a different type of life lived within dissident or religious communities. This type of activity, as a specific was of "practising virtue" spreads through imitation. Furthermore, it is difficult to fight it, as it pretends to be neutral to the regime. It questioned the system at the pragmatic rather than semantic level, and by means of its assumptions rather than of expressed manifestos or purposes pursued. A new world emerged that competed with the official one and was inaccessible to the supporters of the regime. The inhabitants of this world considered

themselves superior to the proponents of the system. They defied the absolute and ubiquitous supervision and control to which the system wished to reduce all social interaction. The very fact of creating an independent society provided a certain value, as it produced a place of liberty and highlighted moral values. Members of these communities found in them the recognition of their personalities, and did not allow themselves to be reduced to components of the authoritarian system.⁷

In totalitarian systems, protesting amounted to walking a tight-rope between life and death, freedom and imprisonment, concession and defiance. The regime treated dissidents like lunatics. In the Soviet Union, thousands were committed to insane asylums, prisons and gulags. In fact, they may validly be called insane, as their actions did not take utilitarian calculation into account. They protested, although they knew in advance that they would not overthrow the system. In a way, they acted like court jesters, except that the rulers did not tolerate their vagaries.

On the other hand, by treating all protesters as lunatics and persecuting them, the system was proving itself to be irrational and certifying itself as insane. The very fact of a formal, public denouncement of the system's tyranny, material and spiritual robbery, disregard for human dignity and freedom, eradication of tradition, etc., undermined it. This is because a regime of totalitarian system essentially identifies itself with all of its actions because the system too (like traditional communities) bases itself on the logic of intensive and extensive identity, rather than of profit and utility. Thus, challenging a specific action of the system implies defying the entire system. The continuing operation by the regime of policy of total identity and responsibility was becoming increasingly expensive, both ideologically and economically. Accordingly, when the degree of protest unwittingly

⁷ T. Buksinski, *Die Kategorie der Sittlichkeit und die Wirklichkeit der postkommunistischen Staaten*, „Hegel-Jahrbuch”, 1997, s. 169-173; T. Buksinski, *Morality and Politics in Postcommunist Countries*, in: P. Kampits, K. Kokai, A. Weinberg (eds.), *Applied Ethics*, Kirchberg am Wechsel 1998, pp.109-115.

and gradually exceeded the limit of the system's endurance, the latter collapsed.

To conclude, when the totalitarian system of Communism was overthrown, it was not the result of conscious, organized effort expressly striving to defeat it, but a by-product of actions intended to establish limits for this system. Border skirmishes, such as not observing some orders, demands for better living conditions, the legalization of free trade unions, etc., on the one hand, established the limits and provisions, on the other hand, blurred the limits altogether and involved both parties in ambiguous contentions that obfuscated the definition of the conflict, gave rise to doubts, and made certain officials willing to grant minor concessions, producing internal strife among the authorities.

Such skirmishes exposed the system's weakness, and especially its inability to cope with vague and complex situations. They revealed the strength of the opposition. This type of imperceptible friction undermined the essence of the system. At the turning point in the history of the Communist system at the end of the eighties when the trade union movement of *Solidarity* was at the peak of its influence, Jacek Kuron, a leading Polish dissident observed : "We wanted to discuss the nation's issues with the Communist Party, but then it turned out that the Party was already disintegrating, and no one was willing to represent it."⁸

⁸ J. Kuroń, J. Zakowski, *Siedmiolatka, czyli kto ukradł Polskę* [*Seven Years Old or Who has stolen Poland*], Wrocław 1997.

Chapter III

From Freedom to Solidarity

1. The principle of liberal freedom

In this chapter I shall try to demonstrate that the idea of solidarity, which took shape in modern history, found its first full realisation in the social and political movement initiated by the Solidarity trade union of workers founded in Gdańsk in August 1980. The idea still continues, expanding in the world, and its effects are difficult to foresee. A thesis that the Solidarity labour union, along with the social and political movement which the former spurred, is associated with the modern idea of solidarity presupposes that the name of the trade union is not incidental, but full of the philosophical meaning, while the social and political transformations we have been witnessing tend to be interpreted in the categories of solidarity.¹

As has been often shown, the very term “solidarity” originated in the Roman law, where it is used to mean a guarantee for someone or taking up responsibility for someone else’s behaviour, for example for their incurred debts.² The term has also frequently appeared in works by religious – chiefly Christian – thinkers and activists, and in documents of the Catholic Church. Since the 19th century, the idea has been taking the form of the so-called class

¹ Compare articles in the collective book *Solidarität*, K. Bayertz (Hrsg.), Frankfurt/Main 1998.

² J. Schmelter, *Solidarität: Die Entwicklungsgeschichte eines sozialetischen Schlüsselbegriffs*, München 1991, pp. 7-10.

solidarity which was contrasted with class struggle postulated by Marxists and socialists.³

In the commonly held and most popular approaches, the category of solidarity is associated with – or its political meaning is derived from – the motto of the French Revolution: liberty, equality, brotherhood (*liberté, égalité, fraternité*), though in actual fact the tripartite category appears neither in the Declaration of the Rights of Man and of the Citizen adopted in 1789, nor in any of the French Constitutions, nor in any other official document issued during the period of the French Revolution. In the French Constitution of 1791 there is only a brief mention that national festivals should be instituted to commemorate the Revolution, maintain fraternity between citizens and bind them to the Constitution and statute laws.⁴ It seems, however, that the above sequence of categories offers a good reflection of the succession of ideas cherished in the Western Civilisation since the 18th century. Let me now briefly describe the process of realisation of the three ideas (values, standards, principles).

All the declarations, constitutions and speeches of the French Revolution were directed against the feudal, royal and clerical authorities of the day, and against any external superior authority using violent repression. They formulated certain ideas as positive moral values which – at the same time – had the function of legal rules, i.e. general standards which were supposed to be enforced by means of statute laws binding all the people in a given area. Statute laws were to specify legal principles. The main idea of the French Revolution was the idea of liberty which recurred in a number of versions and contexts in all the documents and speeches, beside such principles of law (legal rights) as ownership, safety, right to resistance, equality before the law and happiness. It was recognised that these freedoms (rights) were natural and inalienable. The source of statute laws was the nation as a sovereign entity, though it was not entitled to undermine any of the inalienable rights. Similar ideas and principles of law were pursued during the

³ Ibidem, p. 45, 83 and others.

⁴ See *Die Französische Revolution. Eine Dokumentation*, München 1973, p. 62.

Revolution of 1688 in England and during the American Revolution of 1775: they are brought up in all the official documents, including the Virginia Declaration of Rights of 12 June 1776, the Declaration of Independence of 4 July 1776, the USA Constitution and the Bill of Rights of 15 December 1791.⁵

At the time, personal liberty was recognised as a natural right, binding at law and applicable to the same extent to all white owners enjoying the citizenship of a given state. As each adult white man was, to a certain degree, recognised as an owner (for he owned his body and soul), he enjoyed civil liberties. White adult men were guaranteed equal rights to dispose of their labour, as well as the freedom of movement, opinion and expression, choice of religion, personal inviolability and ownership of property. The civil liberty thus understood was placed in opposition to serfdom on one level, class privileges on another, and arbitrary – particularly absolute – political authority on yet another plane. Civil liberty was supposed to safeguard people against constraint, lawlessness, violence exercised by the political power and fellow people. It served the protection of life and health, unrestricted disposal of property, freedom of movement and economic activity. It had a moral and political/legal dimension. It was to be enforced by virtue of constitutions, laws, separation of powers and – above all – citizen representation.

The right of citizens-property owners to select their own representation was recognised as an inherent constituent of freedom. Citizens' representatives in the parliament (national assembly) co-ruled the state (as in England) or independently governed the country (as in the United States or in France). The choice of representation by election, as opposed to appointment by the sovereign (as in the Middle Ages), and its power to co-decide on the fate of the state, became manifestations of the political liberty of citizens-property owners. Political freedom was thus more limited in scope than civil liberty, since it was conferred by bourgeois revolutions

⁵ W.P. Adams, *Republikanische Verfassung und bürgerliche Freiheit*, Darmstadt, Neuwied 1973, pp. 141-161; compare *Prawa człowieka* [Human Rights. Selected sources], K. Motyka (ed.), Lublin 1999, pp. 63-73.

only upon tax-paying property owners. The sphere of liberty (both civil and political) permitted the flourishing of private, business and industrial actions, stimulating citizen activity.

The realisation of civil and political freedoms led to the stratification of the society into classes and the progressive exploitation of one group of free (poor) subjects by another group of free (rich) citizens. Individuals started to attach the highest value to their selfish (typically material) interests and only looked after them. Representatives routinely used their position to pursue their own interests, ceasing to take any interest in the general society, the state and the public life. The rich no longer cared about other people. "The other" was reduced to the role of an object that only served the fulfilment of own interests or hampered the accomplishment of goals. Civil liberty and restricted political liberty thus enabled the subordination of one group by another within the limits permitted by the law. These processes contributed to the separation of the private sphere from the public domain on the one hand, and its isolation on the other, with ensuing class divisions and conflicts.⁶

Labour and socialist movements which escalated in the second half of the 19th century along with the development of the heavy industry forced the extension of political liberties to those residents of the state who were not property holders and severance of ties between political liberties and ownership (property qualification). As a result, in Western countries in the second half of the 19th century, civil and political liberties were gradually extended to cover new social strata and classes: working men, the educated, all adult men and finally – in the 20th century, all women. The extension of political rights (suffrage) was a development of particular importance, as it resulted in more positive attitudes of citizens toward the state and state authority. Citizens acquired an influence on the selection of authorities, which made it possible to contain certain negative side-effects of civil liberties, such as extreme exploitation, poverty, inhumane working conditions. The authorities had

⁶ Compare *Morality and Religion in liberal democratic societies*, G.L.Anderson, M.A. Kaplan (eds.), New York 1992.

to enact regulations aimed at improving the standard of life and health of those voters who were the worst-off in the society, since they also determined their political fate. Thanks to political practice, citizens became increasingly competent at coercing the state authority into introducing beneficial legal and economic changes.

2. Equality in freedom

Equality has accompanied liberty from its very beginnings. Freedom debated by philosophers and fought for by revolutionaries was external, i.e. socially created, not natural. It was constituted by means of legal and political measures. It restricted the freedom of actions taken by one group of citizens towards another group, however its main task was to confine arbitrary political authority. It created for the residents of the state a certain sphere of action independent of the state and political power. Liberty thus understood was enjoyed by specific social strata, classes and groups. It regulated relations within these social entities and between them, which is why it had to have a clearly defined scope. It was customarily recognised that freedom is self-limiting based on the criterion of its equal entitlement to all the people or all the citizens or all the individuals of a specific type. Consequently, civil liberty in the 18th century instituted equal rights of property holders towards the political authority and the law (for example equal opportunities of property disposal: acquisition, sale, donation). In turn, political freedom in liberal political systems in Western Europe at the time treated property owners differently from other state residents and within the group of property holders it also granted active and passive electoral rights in an unequal manner, for the rights were determined by the value of the property and the amount of paid taxes. Such inequalities are to be found in all the constitutions which came into force in the period of the French Revolution. As mentioned above, labour and socialist movements – particularly during the Spring of Nations and worker strikes of the 2nd half of the 19th

century – contributed to the introduction of political freedom among all the male citizens of a given state, while the 20th century saw the extension of civil and political freedom to women as well. In this way, liberal political systems were transformed into democracies.

The fact that new social groups were granted the same liberties as the factions that traditionally enjoyed them (i.e. property holders, educated people, male citizens) meant that the freedoms of the latter became actually limited, as they simply ceased to be privileged. Consequently, in their actions they had to take into consideration the opinions and interests of newly entitled individuals and groups. Equal access of citizens to liberty also entailed that the freedom of actions taken by the state was further curtailed. The state authority had to take into account the views of an increasing number of citizens. New regulations put up barriers restricting exploitation, freedom in administration and decision-taking for those that had no right to vote. As a result, social relations became more tolerable for everyone.

The principle of equality on the one hand extended the scope of application of the principle of liberty and, on the other hand, limited the freedom of its interpretation and implementation, delineating increasingly unambiguous boundaries. Gradually, not only the scope of applications of equal liberties became broader (with equal rights being extended to cover successive social entities), but their content as well. In addition to equality before the law (also commonly referred to as formal equality) which was regarded as an effect of the consistent implementation of the principle of liberty, the notion of real equality (also called real liberty) was introduced.⁷ Real equality is about providing actual equal opportunities in exercising formal rights to all social groups, including the poorest. This was the guiding principle behind the process which began in the 2nd half of the 19th century and which aimed at providing material support to those most deprived, enacting legislation which entitled the poorest groups to free health care, education, disability and old-age pensions, decent jobs, acceptable working conditions and

⁷ Compare A. Sen, *Development as Freedom*, New York 1999, Anchor Books.

pay. The extension of political liberty discussed above favoured the process which gradually gave rise to the social state and eventually the welfare state. Actual inequalities in terms of taking advantage of available freedoms (opportunities) were being compensated which, however, does not mean that they became equalised. What was achieved was in fact a restriction of extreme material inequalities and their adverse effects, affecting predominantly the most economically underprivileged groups.

Towards the end of the 19th century and in the 20th century, these trends led to the development of ever stronger state (bureaucratic) structures and vertical relationships which – slowly but surely – became more important than horizontal relations. People ceased to directly relate to and identify with one another in favour of indirect identification via institutional structures. More and more problems became nationalised or otherwise institutionalised.⁸

In the wake of increasingly effective achievement of the equality of liberty, the Western state grew more people-friendly on the one hand and – on the other – became powerful and all-embracing, taking over from the citizens the task to care about their own business. Bureaucracy grew; new institutions were established, gradually capturing and controlling successive new areas of the private and social life of citizens. Still new legal regulations were laid down to regulate the rights of citizens, institutions and authorities and define their mutual relations. All these actions led to people's mutual moral indifference and caused a decline in day-to-day, spontaneous interpersonal solidarity. What happened was the state, along with its institutions and legal regulations, engaging in a total mediation in all actions undertaken by individuals and determining both the form and content of cooperation between human beings.

Paradoxically, then, the pursuit to ensure citizens equal freedom towards the state and other individuals – guaranteed both institutionally and legally – led to the people's material dependence on the state, social atomisation and moral indifference. This was

⁸ A broader discussion on this topic is presented in T. Buksinski, *Moderność [Modernity]*, Poznań 2001, pp. 199-225.

a new type of dependence. Citizens grew independent on the will of the arbitrary political authority and the wilfulness of others, while becoming subordinated to the legal will and experiencing social atomisation.

3. Equality against freedom

The problem of equality was handled completely differently in the communist system which emerged in Russia following the events of 1917. Equality was recognised as a fundamental value determining freedom and, in this sense, was considered even more important than the latter. Equality was pursued at the expense of civil and political liberties achieved in bourgeois revolutions. A proletarian revolution raised the slogans of radically understood substantial (real) equality. The achievement of real equality was supposed to ensure real freedom, radically understood as rule over the conditions of one's existence around the globe. Civil and political liberties were abolished precisely in the name of equality thus interpreted. In fact, these liberties were typically referred to by the communists as *bourgeois* freedoms, for they constituted freedoms of choice based on egoistic decisions and preferences. The communists called them *formal* liberties, since they enabled an unequal exercise of legal guarantees for rights, with some (the poorest) groups being altogether deprived of them. Finally, they labelled these liberties *false* freedoms, claiming they effectively led to differences and actual inequalities, exploitation of some groups by others and subordination of people by other people. Communists wanted to release people from freedom and equality thus understood, freeing them from having to choose between different religions and parties, from pursuing the ownership of property, purely formal rights, inequalities and actual dependencies. Real equality was to liberate people from superfluous needs and concerns, thus making them free in actual terms. In this way, they intended – in a sense – to reinstate natural freedoms which people enjoyed when they were

not familiar with the idea of private property. According to Marxists, the introduction of private property brought the establishment of the state as a body of oppression and exploitation, repressing those that had not managed to acquire any property. This is why one of the assumptions of communism was to release people from the state by abolishing it altogether. Lenin wrote that the future system will not need any rule or management from above: "For when *all* have learned to manage, and independently are actually managing by themselves social production, keeping accounts, controlling the idlers, the gentlefolk, the swindlers and similar "guardians of capitalist traditions", then the escape from this national recording and control will inevitably become so increasingly difficult, such a rare exception, and will probably be accompanied by such swift and severe punishment (for armed workers are men of practical life, not sentimental intellectuals, and they will scarcely allow any one to trifle with them), that very soon the *necessity* of observing the simple, fundamental rules of everyday social life in common will have become a *habit*".⁹ The state will then be ruled by the principle followed by everyone voluntarily: "from each according to his ability; to each according to his needs".¹⁰

In practice, the view came down to institutional efforts to change the selfish human nature. Consequently, real communism authoritatively declared people equal and equalised the material and spiritual circumstances of their existence. They were, in fact, reduced to the most basic level that could be provided by the communist state. Equality in the possession of material goods (or rather lack of them), education, opinions, needs, views, thinking, clothing and behaviour. Inequality emerged only within the scope of possessed political power, as the elite of the communist party controlled the remaining masses and decided on the selection of the most loyal supporters of the headquarters. Not only was the state not abolished but it was in fact strengthened. It became a totalitarian

⁹ Compare W. Lenin, *The State and Revolution*, in: W. Lenin, *Dzieła wybrane* [Selected Works], vol. 2, Warsaw 1955, p. 208.

¹⁰ *Ibidem*, p. 204.

state. In the communist system, individuals were granted a sense of existence and defined their value exclusively on the basis of the contribution they made to the social whole. Within the whole, the individual performed the role of a functional module, a tool determining its existence. The individual existed within collective associations and was authoritatively moulded in these by the political and ideological power. Individual interests became entirely subordinated to the interests of the whole.

The policy of radical real equality in effect caused atomistic equalisation and total dependence of individuals on the communist state. The communist dependence was much more pronounced than that in Western states, for the communist system actually eradicated all liberal civil and political freedoms, particularly the right to private property.¹¹

In terms of social policy, the communist system had a dual nature. On the one hand, communists used the slogan of "Proletarians of all countries, unite!", thus exhorting to class solidarity on a global scale. On the one hand, however, communism strove to suppress any signs of interpersonal, spontaneous, independent grassroots solidarity in all its countries. Communism consciously and intentionally endeavoured to destroy all community ties based on selfless religious principles, moral standards, customs and traditions. Communists regarded these as factors limiting people's freedom, as barriers hampering the process of creating the universal man, without any particular features. Communism also destroyed solidarity ties based on interests, considering them an expression of egoism and an attempt at objectifying others. Authoritative control, spying, supervision, expansion of the state's investigation machinery and secret police were exercised to track down and eliminate all solidarity ties between people.¹²

¹¹ M. Heller, A.M. Niekricz, *Utopia u w³adzy: historia Zwi¹zku Sowieckiego* [Power of Utopia. History of Soviet Union], vol. 1: 1985, vol. 2: 1987, London; M. Heller, *Maszyna i œrubki; jak ksztaltowa³ siê cz³owiek sowiecki* [Machine and screws; How the Homo sovieticus was shaped], Paris 1988.

¹² A. Zinoviev, *Homo Sovieticus*, Moscow 1985; V. Zaslavski, *In geschlossener Gesellschaft. Gleichgewicht und Widerspruch im Sovietischen Alltag*, Berlin 1982; V. Zaslavski, *Contemporary Russian Society and its Soviet Legacy, The Problem of State*

Summing up, the principle of equal freedom generated individualistic liberalism in the West, while practices employed to bring in real equality gave rise to collectivist socialism (communism) in Eastern Europe. The two systems were contradictory and fought each other. However, both were institutionally complex, made people dependent on the state and eventually led to the atomisation of the society. In the liberal system, the phenomenon occurred voluntarily and on a smaller scale, whereas in communism it was compulsory and acquired an all-encompassing dimension.

4. Solidarity as a social movement

The “Solidarity” trade union founded by striking workers in Gdańsk, in August 1980, initiated a protest movement against the communist system and authoritative induction of the principles of real equality which led to the emergence of equality in poverty. At the same time, however, “Solidarity” rose up against restrictions of liberal civil and political freedom. The movement also struggled to give a new meaning to the modern ideas of freedom and equality, combining them with the idea of solidarity and forming a comprehensive composition. The idea of solidarity became the basic value and legal standard of actions taken against the totalitarian system. Just like in the past, when freedom was directed against the privileges and arbitrariness of authority, and then equality was raised against actual inequalities, bondage, economic repression and unjust law, solidarity now strives to fight the totalitarian authority of the state and its institutions, as well as endeavouring to limit their influence and the measures of repression it uses against the society. However, it struggles against violence under the banners of a new value and hopes to avoid the negative effects which emerged in the wake of realisation of ideas of previous revolutions.

Dependent Workers, in: B. Granach (ed.), *Social State and Modernisation. Lessons from Eastern Europe*, Berlin-New York 1995, p. 45-62.

It was primarily aimed against the totalitarian system in Eastern European countries, however it also develops and expands to other continents controlled by totalitarian systems (Ukraine, Georgia, Asian Republics of the former Soviet Union). It also exerts an impact on Western European countries, being simultaneously aimed at eliminating degenerations emerging as side-effects of equal freedom in the form of excessive development of the state apparatus, citizens' dependence on the state, atomisation of the society and withering of interpersonal, spontaneous grassroots solidarity. The revolution of solidarity which we are witnessing now is a bloodless one. It is a continuation of the previous two types of revolution, complementing modernity understood as an axiological and social structure.

Since its very beginnings, the Solidarity movement has embraced a number of ideological streams and a wide scope of social tendencies. It was founded in a period marked by economic and ideological crisis of the communist system and it united representatives of opposition groups with different philosophies, religious beliefs and political opinions.¹³ Still, some views and judgements were shared by all or the vast majority of the communist system's opponents. Let me focus on those that were the most crucial from the ideological and philosophical perspective. These were first and foremost slogans of self-governing and independence of organisations (including trade unions, social and public institutions) of any political authority. The slogans appeared repeatedly in documents, declarations and leaflets. The first thesis of the Programme of the Independent Self-Governing Trade Union "Solidarity", adopted by the First National Congress of Solidarity Delegates in Gdańsk, was: *We demand that, at every level of leadership, a democratic, self-management reform should enable the new economic and social system to combine planning, autonomy and the market*, while thesis twenty spelt out that *genuine workers' self-management is the basis of the self-governing*

¹³ Compare T. Buksinski, *Postmoderność a sprawy Polski* [Postmodernity and Polish affairs], in: *Wspólnotowość wobec wyzwań liberalizmu* [Community and challenges of liberalism], T. Buksinski (ed.), Poznań 1995, p. 79-96.

Republic.¹⁴ The banners were strictly associated with the postulates to involve all citizens in cooperation in the extra-political sphere in order to sustain its viability. The actions were governed not by legal regulations but shared moral values and standards: mutual integrity, trust, dedication, selflessness, truth, justice, reciprocal respect, responsibility for entrusted tasks and property. Morality was the normative foundation that united individuals and groups. On the very first pages of the Solidarity's Programme cited above, its authors emphasised that *for none of us was it just a question of material conditions – although we did live badly, working hard, often for no purpose. History has taught us that there can be no bread without freedom. We also wanted justice, democracy, truth, freedom of opinion, a reconstructed republic [...] Economic protest was also social protest, and social protest was also moral protest*.¹⁵ Solidarity was a movement against the rule of violence and ideology, instigated to overcome fear: *the state must serve people instead of dominating them*.¹⁶ The aim was to create a social unity independent of any political authority (the state, political party) which would be sufficiently strong to pose a barrier to the authority, if required. This trend is continuing.

A somewhat ambiguous role in the Solidarity movement was played by the idea of interests. Communists, as commonly known, constantly called for sacrifices for the sake of the state and the society. They led a policy of restricting the role of individual interests in actions taken to cater for interests of the entire communist community or demanded actions motivated by utmost loyalty to the communist ideology. Obviously enough, Solidarity fought this approach, however – at the same time – it did not absolutise individual material interests. Naturally, Solidarity has always struggled to improve people's material status, regarding it as a prominent issue, however, by the same token Solidarity also spared no effort to

¹⁴ *Programme of the Independent Self-Governing Trade Union "Solidarity", adopted by the First National Congress of Solidarity Delegates in Gdańsk on 7 October 1981, Warsaw 1981, printout published by the Independent Self-Governing Trade Union "Solidarity" of the University of Warsaw.*

¹⁵ *Ibidem.*

¹⁶ *Ibidem.*

improve the conditions of spiritual development, to achieve a freedom of self-fulfilment and create conducive climate for voluntary cooperation. Material circumstances were seen merely as a constituent of a broader programme of spiritual (axiological) transformations of the society. The ideological principle of solidarity functions as social glue competitive towards the political authority, rule, money, selfish interests and legal regulations. At the same time, it marks the boundary for state intervention in the life of individuals and communities. The principle is mainly understood as a moral value and standard, embracing community life based on free communication, life in truth, freedom and cooperation, based on mutual trust, respect and integrity. This was a programme of moral unity in a strong sense. The status of the principle of solidarity is essentially similar to the principle of human dignity. It may not be imposed authoritatively, however it should be realised from the grassroots up by cherishing proper customs, traditions, social habits. It thus also performs the function of a legal principle, though one that is valid even though it is not concretised in the form of statute law. Let me quote the Final Provision of the Resolution no. 1 of 14 July 1981, adopted at the by the First National Congress of Solidarity Delegates in Gdańsk: *“Work and existence, truth and law, democracy and self-government are the main areas of the Union’s activity. Dignity, integrity and justice are the main guiding principles of Solidarity members”*.¹⁷

In this sense, the union movements has consistently represented a naïve ideology based on the belief that moral feelings and attitudes will prove effective and will bring beneficial material, political and spiritual effects for everyone. The belief has so far been effective as a cementing force that mobilised the society to battle communism and post-communism. Shared ideological principles and values, as well as a community of material interests – all independent of the state and political authority – is still the foundation of the genuine movement.

¹⁷ *Report from the First National Congress of Solidarity Delegates*, Warsaw, October 1981, p. 31 (printout).

The Solidarity movement did something more than coming out against the totalitarian state in the name of the independent society. What is even more important, it created the society in the process of civil contestation. Solidarity was a movement guided by a moral rebellion against evil and, as with any rebellion, it forms a front of state citizens who recognise one another as free, equal and solidary. Such solidarity-based society emerges in the process of defying evil and – in this sense – it represents power.¹⁸ Nevertheless, it is the power of the powerless, i.e. those that resist fear and hypocrisy without the use of violence. Solidarity proponents rise up against instances of violating of human and civic rights, injustice and humiliation. And they force such transition within that oppressive state which will make it possible to fulfil these principles.¹⁹

Solidarity exposes that what freedom- and equality-oriented movements disguised and could not cope with: detail, specificity and the combination of detail with specificity without any exclusions and without any *Gleichschaltung*. This is why such great importance is attached to self-government, self-development, activity, regionalist features and communities. The Solidarity movement is marked by a collaboration of ethnos and demos. Traditional communities are not excluded; however they are incorporated into the civil discourse – hence they are elevated to the rank of one of the pillars of the civic society. The programme thus goes beyond the boundaries of communitarism, though it does not disregard the community dimension of solidarity-based relationships. It gives community relationships a public meaning and transforms them into civil relations, open to others, satisfying the rule of equality towards those who are not members of the community. It builds a superstructure of partner relationships on community-grounded relations.²⁰

Thanks to steadily developed solidarity-based relations, individuals feel safe, secure and free to expand their autonomy. The

¹⁸ Compare A. Camus, *Człowiek zbuntowany* [*L'homme revolte*], London 1968.

¹⁹ V. Have, *Siła bezsilnych* [*The force of the forceless*], Berlin 1987.

²⁰ J. Tischner, *Etyka solidarności oraz Homo Sovieticus* [*Solidarity ethics and Homo sovieticus*], Cracow 1992.

Solidarity movement creates a society of people who have been liberated from fear, repression, violence and lies – and who are free as a result of cooperation, mutual assistance and communication.

Solidarity also rejected the communist thesis which said that each individual is formed by the surrounding social and political system. The movement accepted each individual the way they were: neither good, nor evil, but striving for good. It contrasted the particular man, maintaining relations with others, with the former universal man, authoritatively and uniformly politicised. It rendered citizens independent of the state – they were supposed to get back on their feet again thanks to direct collaboration with others. Solidarity provided such people with affirmation. It did not endeavour to change them top-down according to any ideological schemes, but rather wanted to foster such conditions that would reveal their good features. It was assumed that people's nature is given. It is partially undefined and prone to slow changes. As such, it should not be disregarded. People are able to alter it to a certain degree in a bottom-up process of mutual voluntary interactions. The "I" personality takes shape in the process of both voluntary and enforced contacts, in a perspective of mutual references, conflicts and cooperative activities. It may not be construed from the outside, as this undermines human dignity.²¹

5. Solidarity as an idea

In the preceding section, I focused on emphasising features characteristic for the solidary social movement that developed in post-communist states in the wake of formation of the "Solidarity" trade union in 1980. However, the movement also has a substantial universal meaning: it raised specific ideas and modernised those

²¹ Ch. Delsol, *Esej o człowieku późnej nowoczesności* [Essay about man of the late modernity], Cracow 2003; T.G. Asch, *Polska rewolucja. Solidarność 1980-1981* [Polish revolution. Solidarity 1980-1981], Warsaw 1987.

values and standards that were also highly esteemed by other countries, including Western states. Usually, works discussing the idea (principle, value) of solidarity invoke various types of legal regulations enacted in the past to demonstrate that the principle has long been embraced by in legal and political practices of Western countries. It can be argued that such references are based on the mistaken view of the sense of the idea (principle) of solidarity and mislead the reader as to the nature of social relationships developing in the age of modernity. For example, authors cite the English Poor Law of 1601 which decreed that assistance to the poor should be administered at parish level, or the Poor Law Amendment Act of 1834 that ordered aid to those unfit for work.²² However, the legislators themselves pointed out that the laws were not introduced to help the impoverished but help the police clamp down on crime and prevent it from spreading.²³ On the other hand, the genuine motive behind Bismarck's social legislation of 1883-1889, which introduced the old age and disability pension programme financed by a tax on workers, was a political one. The laws were passed in response to the growing importance of socialist movements in order to weaken the influence that socialists and the Catholic Church had on worker masses.²⁴

It is thus evident that such actions have little in common with the principle of solidarity. Even leaving aside any subjective grounds that could have accompanied the introduction of such "welfare" legislation, it is plain to see (a fact already indicated in the discussion above) that starting from the second half of the 19th century it was forced by aspirations of selected social groups striving towards equality or was a sign of principles of and attitudes

²² K. Metz, *Solidarität und Geschichte, Institutionen und sozialer Begriff der Solidarität in Westeuropa im 19. Jahrhundert*, „Rechtsphilosophische Hefte“, IV. Solidarität, Frankfurt/Main 1995, p. 17-36.

²³ A. Widt, *Bemerkungen zur Begriffs- und Ideengeschichte von „Solidarität“ und ein Definitionsvorschlag für diesen Begriff heute*, in: „Rechtsphilosophische Hefte“, IV. Solidarität, op.cit., p. 37-48; compare also other articles in this volume.

²⁴ H. Holborn, *Deutsche Geschichte in der Neuzeit*, vol. 3, Frankfurt/Main 1981, p. 61 and following.

based on mercy, compassion and charity towards those worse-off or hit by fate. These were unilateral and unidirectional actions, institutional and authoritatively organised. Furthermore, they are mostly concerned with the provision of financial aid. This by no means suggests that they should be disregarded or undervalued. They are extremely important and some of them may even contain seeds of solidarity. Also, this does not mean that there are no genuine solidarity phenomena in Western countries – quite the contrary, there are a number of self-help and support groups, and there is a great degree of willingness to provide financial aid to those that have been seriously afflicted by fate. These are constituent elements of the process of implementing the principle of solidarity. However, they fail to exhaust its meaning as well.

Just by analysing the linguistic meaning of the word “solidarity” and the contexts in which it has been used by various social movements, one can venture to represent in greater detail the semantic components of the idea of solidarity. Solidarity as a social movement and as a moral principle emerged in opposition to the totalitarian state and system. Still, similarly to freedom and equality, solidarity acquired positive connotations and became a foundation of the programme aimed at building a solidary society. Basically speaking, solidarity is not about philanthropy, that is to say, unilateral aid – for example given by the rich to the poor – or the formal definition of subsistence level and delivery of welfare benefits by the state. The main aspect of solidarity is mutual cooperation of equal citizens for the sake of day-to-day creation of social relations based on morality and free communication. Solidarity assumes acts of *mutual recognition*, without bloody struggles for being recognised and without any acts of granted by the state. Solidarity has no room for giving alms or one-way aid, as such acts imply that social relations are imbalanced: the rich or the more able, by helping the poor or the weaker, at the same time emphasises and solidifies existing inequalities. People of solidarity, however, are expected to find such forms of social relationships that will rest on mutual interdependencies and relatively reciprocal assistance. Such relationships are voluntary. They take into account individual

interests, but they go beyond them. They hinge on shared values, goods and standards. Such social relations become valuable in themselves. Individuals make sacrifices to create and maintain them. One-way aid also has its place within such social structure, however it is regarded as temporary, delivered only in exceptional circumstances with a view to making others equal partners within the community. It is precisely partnership-based relations between individual entities in a given group that best illustrate the principle of solidarity.²⁵

Solidarity as a description of factual states and as a normative principle above all means the reciprocity of communication, as well as mutual interactions, understanding, cooperation. As a mechanism actually present in societies, solidarity can replace the state in the function of uniting the community to secure common goods – a fact pointed out by anarchists. The function – in their view – stems from the anthropological predisposition of humans to take cooperative actions and their inherent inability to live in solitude.²⁶ On the other hand, in the liberal view, unity within groups arises in response to material needs and interests of individuals and it does not have to be related to any anthropological feature attributed to human beings.

As a normative principle, solidarity assumes that cooperation is undertaken to pursue shared morally positive goals and values, and on the basis of moral standards. Solidarity is thus a principle opposite to competition and egoism. Cooperation recognises and accepts the diversity of individuals, existing aside from the shared layer of common identity. An open society thus emerges, based on free communication and cooperation. Solidarity overcomes people's inherent egoism on the pre-political and pre-state level in consequence of rational self-limitations imposed by individuals

²⁵ Compare G. Khushf, *Solidarität als moralischer und politischer Begriff. Jenseits der Sackgasse von Liberalismus und Kommunitarismus*, in: *Solidarität*, op.cit., p. 11-146.

²⁶ Compare P. Kropotkin, *Pomoc wzajemna jako czynnik rozwoju* [*The mutual assistance as a factor of development*], Łódź 1946; P. Kropotkin, *Etyka współczesna* [*Contemporary ethics*], Warsaw 1929.

(and nor forced upon them in the form of statute laws and state regulations).

Solidarity fulfilling the goal of social integration is different not only from material interests (which determine market relations) and the threat of violence (which forms the foundation of unity on the political level). It also diverges from the sense of unity, from the belief that cooperation should be based on kinship ties, blood relationship, shared tradition or religious beliefs. All of these factors determined traditional communities, though it needs to be noted that they can transform into solidary communities and they quite often do. Unity based on solidarity is axiological and moral (shared values and standards). It is constituted voluntarily and intentionally, in a communicative and cooperative fashion. Its overriding goal is the common good. It is not mediated either by the state or law or external political institutions. It cannot be reduced to love, compassion or charity. Solidarity-based relationships are rational. They embrace elements of selfish interests of participants, elements of common material and symbolic interests, as well as principles of selfless cooperation resulting from the understanding of humans as beings who shape their identity in voluntary and freedom-giving joint actions to achieve better conditions of collective life. In this sense, one constituent of these relationships are specific beliefs about human dignified life. These views are expressed in a certain vision of solidary social life. The vision provides guidance in joint actions.²⁷

A significant semantic component of solidarity-based actions is the awareness of being responsible for the fate of the entire community. The awareness is distributed according to the position held within the group, individual capacities and status of consciousness. Therefore, the solidary movement strives to prevail over the one-sidedness of liberal individualism, and communist and communitarist collectivism.

²⁷ K.O. Hondrich, C. Koch-Arzberger, *Solidarität in der modernen Gesellschaft*, Frankfurt/Main 1992.

The attitude of the idea of solidarity towards freedom and equality is by no means unequivocal. Solidarity curbs liberal negative freedom, as – on the one hand – it emphasises the need to base one's actions not only on particular interests but also moral standards and values and – on the other – highlights the significance of citizens' active involvement in the public life, in the self-governing activity regulated by public moral standards. One element of the freedom is to become independent of the dominance of some people over others, of class rule, bondage and dependence of one nation upon another. Solidary freedom is the freedom of joint rational creation of living conditions in an atmosphere of free communication and consent to the common good. The scope of freedom is inextricably connected with the scope of responsibility. Civic virtues are necessary preconditions for the solidarity-based society to function properly. Such freedom goes beyond liberal civic and political liberties, though it does not negate them, regarding them as preconditions for solidary freedom and, at the same time, pointing out their limitations and trying to avoid the adverse consequences of their excessively formalist application. Solidarity thus becomes a type of activity in the horizon of sense of the social whole (i.e. nation, culture, civilisation, humanity) in the prospect of determining conditions of common future.

Solidarity also undermines socialist (communist) equality. It shares the collective approach to resolving social issues, however not at the expense of freedom. It rejects the authoritarian rule and equalising people, which destroy distinctness and diversity. Solidarity replaces ideologies with its own rational situational identification by active subjects. It does not struggle to achieve material equality, but to ensure suitable spiritual and material conditions for acting, matching the capabilities and aptitudes of each individual. If citizens are provided with minimum material conditions of existence, they become immune to ideological or economic pressures from the outside, corruption temptations and demoralisation. This is precisely why the struggle to secure decent material conditions for people's dignified life occupies such an important position. In the solidarity outlook, neither formal equality (before

the law), nor actual equality is able to satisfy essential human desires and vital features of the desirable social life. Humans want to co-exist with other people and expect reciprocal recognition of their particular identity – even in modern communities, i.e. large groups of people in which individuals largely do not know one another. Solidary society is supposed to fulfil such desires. Solidarity claims liberation from violence to the benefit life that is self-defined in processes of mutual recognition and confirmation of its legitimacy.²⁸

Solidarity should also be clearly distinguished from justice. Distributive justice – which plays a very important part in contemporary society – requires a certain objectivity of judgement according to accepted criteria for allocation of goods (based on services, labour, needs, positions, etc.) and obligation conditions formalised in the form of contracts. It also entails an obligatory implementation in the form of specific concrete legal regulations and accompanying sanctions. Solidarity, in turn, requires actions taken for others without any particular criteria of assessing equal contribution. The principle of solidarity does not determine any mandatory duties – only strongly moral obligations. A solidary person takes just and fair actions not because this is the way he has to act, but because he wants to live in a just and fair society. He feels co-responsible for the social whole and for others not because he was mandated to represent them, but because he holds rational opinions about what is good and proper for others and for the society. A solidary person helps others unasked, just because to feel hurt and need help are universally obvious experiences. He protects and defends his group identity, his own traditions and customs for the reason that he cherishes these things as major values, while not depreciating identities and traditions of other people, as long as they are not aggressive and totalitarian. He pursues his own interests, but also takes into account other people's interests. Solidarity means that individuals base on the energies and resources of their community,

²⁸ A. Honneth, *Kampf um Anerkennung. Zum moralischen Grammatik sozialer Konflikt*, Frankfurt/Main 1991.

without counting on official institutions and the state.²⁹ The role of the state and its institutions in the concept of solidarity-based society requires a separate discussion. As we have repeatedly pointed out, a solidarity-based state by definition emerges *beyond* the existing political state and hampers the aspiration of the totalitarian state to control the entire social life or the ambition of the welfare state to leave citizens to the mercy of the state. Solidarity constitutes a society resting on independent moral foundations of communication and cooperation which are supposed to protect citizens against alienation, atomisation and dependence on external institutions. At the same time, the solidary society is not anarchist. It creates a vision of the solidarity-based state. The solidarity-based state is placed in opposition to the totalitarian state and the liberal state. It confronts the material and spiritual problems of the humanity and helps resolve them (without taking any decisions for citizens or removing them into the private sphere). What is more, the solidarity-based state does not converge with the Christian vision of the subsidiary state, for the latter functions mainly as an institution providing one-way aid to the poor and the underprivileged. A positive dimension of social solidarity is expressed, among others, in the fact that the state is treated as one of partners in a dialogue – a very important partner, for that matter. The state is called upon to create appropriate conditions for free, independent cooperation between individuals and social groups. The conditions may and must also take a specific legal form: for example as laws securing the development of self-government, the public life, rank-and-file organisation, laws to combat crime and corruption, restricting growth of the common good, as well as ensuring good material conditions fostering education, upbringing and family growth.³⁰

²⁹ A. Wildt, *Bemerkungen zur Begriff und Ideengeschichte...*, op.cit., p. 46; J. Habermas, *Gerechtigkeit und Solidarität. Eine Stellungnahme zur Diskussion über "Stufe 6"*, in: *Zur Bestimmung der Moral. Philosophische und sozialwissenschaftliche Beiträge zur Moralforschung*, W. Edelstein, G. Nummer-Winkler (Hrsg.), Frankfurt/Main 1986, p. 291-318.

³⁰ T. Pangle, *Uszlachetnianie demokracji [The nobling democracy]*, Cracow 1994.

It should, however, be noted that full institutionalisation and legalisation of conditions of the solidary society may in effect cause formalisation and deformation of solidarity on the social level – as it was the case with freedom and equality. Institutionalisation typically eradicates spontaneity, individual personal responsibility and personal morality which form axiological foundations for solidary relationships. The problem is extremely delicate, for as it consolidates, the solidarity movement demonstrates a natural tendency to institutionalise its actions, keep on introducing new regulations, take over political authority and authoritatively enforce the principle of solidarity. The role of material and egotist interests also increases in the process. However, as these tendencies are fulfilled, the solidarity-based society becomes increasingly weak. Direct communication, mutual help, grassroots initiatives, spontaneous responses to evil, self-administration activity become compromised as the state and the market grow in strength. And yet the solidarity-based society can only remain viable if it expands also beyond the official, formalised political structures; if it comes up with new types of unformalised and uncoerced joint actions, even though it has political significance and affects the domain of politics or even realises political ideas, for example ideas of the solidarity-based state, self-government, democracy, freedom, equality. Nevertheless, it may neither be absorbed by the state (even the solidary state), nor identified with political structures. It must be constantly in a state of tension and dialogue with states and entities that are political *sensu stricte* (political parties, governments). It must be incorporated into the politics-independent public sphere and the domain of civic society within states and on the global level. Similar tensions, relationships of mutual dependence and limitations occur between the solidarity-based society and the free market.

The discussion thus leads to the inevitable conclusion that solidarity is a paradoxical venture.

Chapter IV

Master or Servant?

1. The transmutation of the qualities of the master and the servant

The last few decades have been marked by a revival of the Interest in Friedrich Nietzsche's views, and not only among philosophers. It is emphasized how accurate was his account of the tendencies that modern culture and civilization display. His prophecy that his name will be associated with the most acute moral crisis in human history seems to be coming true. Existentialists, postmodernists, conservatives, nihilists, skeptics and theorists of the end of history, all refer to him. All those who are not satisfied with the present condition of society, culture and civilization, seek inspiration for their criticism in Nietzsche's writings.

In this paper, we will try to prove that – contrary to the general opinion – Nietzsche's account of modern human beings and his predictions on their future were mistaken. It seems that Nietzsche is popular nowadays not because his examination of social reality yielded valid conclusions, but because of certain normative assumptions on which it was based, which assumptions reflect such secret human aspirations and desires as most people cannot satisfy either in the modern world or in any other.

Nietzsche and his followers focus on juxtaposing „the last man” with the master and the Superman.¹ “The last man” is identified as

¹ F. Nietzsche, *Tako rzecze Zaratustra* [*Thus Spoke Zarathustra*], Krakow 1996.

an individual having a servant's or a slave's mentality, an individual who is the basic unit of the liberal-democratic social system and of the free market. He is passive, weak, spiritually feeble and self-seeking, concerns himself mainly with ministering to his material needs, is incapable of heroic arts, pursues petty pleasures and profits, and cherishes equality and limitation. The Christian religion is his ideology, and Christian morality, the standard of his conduct.² Conversely, the masters value liberty, a sense of greatness, superiority over others, sublime composure, magnanimity and the enjoyment of life. They are amoral, creative and willing to risk their lives in the struggle for *recognition*. Their qualities are the most expressive of the will to power and to life.³

As we know, Nietzsche claimed to be a descendent of the Polish gentry, of the masters, that is, citing his lineage to justify his cult of liberty and high-handed behavior. Strangely enough, it is by considering the transformations aimed at implementing the liberal-democratic system and the free market in Poland and other post-communist countries that one may demonstrate most convincingly the divergences between the philosopher's expositions and prophecies, on the one hand, and the distinctive qualities of modern human beings, on the other.

In the social-and-political reality of East European liberal democracy based on the free market, one may distinguish between three essential human types and three corresponding strata of society: the middle class, the capitalists (business people), and the peasants-and- workers. The characteristics of these groups do not coincide with Nietzsche's classification. In the terms of sociology, they have been transmuted with respect to Nietzsche's disjunctive account of the two human types.

Nietzsche's definition of "the last man" applies the most pertinently to the lower middle class, and only slightly, to other strata. Even when applying to the former class, one has to qualify it considerably. Thus,

² F. Nietzsche, *Z genealogii moralności* [*On the Genealogy of Moral*], Warsaw, Kraków 1913.

³ Cf. F. Nietzsche, *Wola mocy* [*The Will to Power*], Warsaw 1911.

one cannot accuse the middle class of cultural or economic passivity, as it has produced the largest number of those individuals who contribute to the cultural and civilizational creativity of the contemporary world, and even the prevalence of inferior entertainment and commercial mass culture would not disprove this fact.

Let us, however, investigate the process of the transmutation of qualities, focusing on the characteristics of the masters – the breed whose decline Nietzsche lamented and deemed the principal shortcoming of the modern age, a shortcoming that would result in the utter debasement of humankind.

2. The servants as masters beyond themselves

Both in Western and Eastern Europe, complaints are voiced that it is turning out to be difficult to implement the free market and introduce democracy in post-communist Europe, because of society's passivity in economics and politics. There is much truth in these complaints, and yet the passivity is not – as it is usually assumed – merely a result of the forty or seventy years' rule of Communism, but also arises from the traditional nature of these societies and their social relations. Similar problems are developing as capitalism and democracy emerge in Latin America.

The traditional society of peasants and artisans did not encourage and creative, rewarding stable order and action in the framework that tradition had established for each social stratum, trade, status or function. Moral and religious standards, along with customs and conventions determined the scope of action and the mode of thinking. The struggle for recognition was cried on at all levels of the social hierarchy, although it need not stimulate creative inventiveness or innovation. It was sustained with whatever resources happened to be available at the moment, constituted a fixed feature of the social setting, and woke people up in the same way as did festivities, cooperation in time of disaster or a street

brawl. What governed one's attitude toward others were the standards of honor.

The conditions of the liberal free market may elicit constant inventiveness, creative activity and alertness: Labor discipline becomes more severe, while competitiveness requires better performance and efficiency, and – most importantly – the continual development of new methods of manufacturing and organization, and of new products. In terms of politics, wit provokes the development of more and more effective means of nonviolent control over political opponents. Only success matters, and success amounts to being better and quicker than others.

One may succeed through applying a more efficient or economical method, or by developing a new commodity that will impress the public and attract its notice and money. Besides, the needs that are ministered to are more and more often artificially generated, sometimes by means of the very products used to satisfy them.

Accordingly, during the transition to the liberal free-market system, the apparent servants must and do acquire quite a few of the qualities of the masters, in order to live or just survive in the new conditions.

Whether they want to change or not, change they must, or else they will be put out of action and cease to matter as emancipated members of society. Those who do succeed acquire further qualities of the Nietzschean masters: They set themselves apart from the rabble, shut themselves up in their clubs, beaches, places of entertainment and private schools. They make up the elite of power and wealth, pay with their money for the ancestry, tradition and customs of the born masters, and screen themselves from the crowd with lines of bodyguards, the thick walls and gardens of their estates, and the windows of their jaunty cars.

To succeed in the liberal free-market system, it is not enough to be active – one must also be amoral. Rather than a mere means to an end, amorality turns into a trait of the successful person's nature. Its members to be active. In a traditional community, every action is morally significant, and may be evaluated as morally good or evil according to the effective standards.

The world of being is thus anchored in the world of duty, and moral individuals stand only a slim chance of promoting themselves, whether at the expense of the community or independently of it. The liberal free-market world, however, provides formal and institutional individual liberty, and thereby disintegrates moral communities. In Max Weber's terms, it is an aspect of the former world's essence that value-rational action predominates over purpose-rational action.⁴ In practice, this boils down to institutionalizing moral standards, customs and traditions. The faster and more ruthlessly one can get rid of these or apply them to one's own ends (by observing them only in a self-seeking manner, i.e., only ostensibly), the more one will succeed in business or in politics. Business people observe standards, carry out agreements and cultivate friendships only if this is profitable. In fact, they mercilessly exploit both friend and foe, turning all those who consent into their target group – those who consent because they lack the strength, cunning, courage or cruelty to act independently. Accordingly, mafiosi, or the people who parted with all respect for both moral and legal standards while Communism was still ruling, have become the most successful in the post-communist economy and even in politics. They are the active and uninhibited individuals operating “beyond good and evil”.

Selfishness is another quality of the masters in the liberal free-market system: Their own needs, ambitions and whims are all that matters, while others' needs and views are important only insofar as they may hinder or enhance the attainment of the masters' ends and aspirations. The liberal free-market masters ruthlessly make use of their authority and public offices for their own and their confederates' benefit. Furthermore, this is largely a utilitarian selfishness, manifested mainly in the accumulation of the greatest possible quantity of material goods, whether in observing the law or not.

Economic selfishness is accompanied by other varieties: cultural, intellectual and legal selfishness. Those who wield power propose regulations that are beneficial mainly for themselves; they

⁴ M. Weber, *Wirtschaft und Gesellschaft*, I, II. Vols. Koeln, Berlin 1964.

establish standards of culture and conduct, and impose them upon others. In fact, at the level of international relations one may identify entire nations that constitute master groups – e.g., the English, the Americans or the Russians. These nations bring about the destruction of regional or ethnic cultures. Regional and national economies are likewise wrecked by the tycoons' interests.

The ruthlessness and avarice of the emerging social stratum strike the eye. Its members have no regard for society at large and its good, treating moral standards, the law, tradition and public offices as mere means to their ends. What matters for them is only successful individuals and their interests, and such individuals make up a network of mutual relationships and interdependencies.

The liberal free-marketers have no mercy on others, exploring and taking advantage of their weaknesses, and turning their subordinates into obedient pawns or else disposing of them. The new business people in the post-communist countries often will pay their workers below the minimum wage, and do not shrink from dealing with the mafia, to which in fact they frequently owe their status and fortune. In this way they develop a new organization of power and business, operating beyond the law, official institutions and the very principles of the market economy. At the international level, one notices a struggle for spheres of influence and the persistence of neocolonial policies, in which context small and weak nations become expendable.

It is due to such qualities that certain individuals manage to establish control over the market and come into power. These people are held in high esteem and make a pretentious display of their accomplishments, in spite of the theoretical provision for all citizens' equality under the law. These people have achieved what Hegel's masters did not manage to, viz., unilateral recognition from their peers who in fact are not equal to them. Thus, the paradoxical aim of the dialectics of mastery and slavery has been attained.

By making themselves, these people frame a new social, and even natural, reality. After all, the accumulating of fortunes is not an essential or natural need, but is a symptom of the desire to be superior to one's peers, or to promote oneself. One's achievements

generate satisfaction, and at the same time produce a relationship of dependence in which others are debased. Behind the achievements is merely the wish to achieve and to display one's power, ability and greatness. Thus, the masters identify themselves with their achievements, and now and then become workaholics, devoting their entire lives to them. It is in the new reality's natural order of things to develop new ideas for promoting oneself. In this process, people change themselves and the surrounding world. Those who have managed to elevate their status, may conquer the world and assume control of it by means of economic, technological, financial or cultural subjection rather than of murderous wars.

Such actions require risk, courage, capital outlay and ruthlessness.

The masters of the liberal-democratic system have brought about a hiatus between the system's ideology and Christianity. If the system is viable and dynamic, it is due to instrumentally rational actions that preserve it from stagnation. Still, liberal free-market democracy in the form that the new masters have given to it is – contrary to Hegel's and Nietzsche's claims – ceasing to be a lay form of Christianity; on the contrary, it is turning hostile to Christianity, pushing the latter to the marginal realm of private life, and its principles are superseding those of the Christian religion. The Christian ideals of brotherhood, love, charity, equality, respect for the dignity of the individual, good and justice are becoming obsolete. The new type of people regard Christianity as – at most – meaningless trimming or the decorative ritual of a few holy days observed. Free-market humans have no permanent beliefs, values or religious creeds – only interests and they are willing to modify these if it be profitable.⁵ At the same time, the perseverance of Christianity suggests that democratic human beings do have guilty consciences or a schizoid consciousness, and that their subconscious does hold a moral mortgage.

One quality in which the modern masters incontestably differ from the classic masters is their utilitarianism. The aristocrats of

⁵ E. Mounier, *Co to jest Personalism [What is Personalism]*, Krakow 1960.

yore were profligates, and for them it was a matter of mere good manners to be generous, to display the grandeur of their lifestyles, and sometimes to act uncalculatingly. Today's financial tycoons are calculating and thrifty.

They even use their charities as a means of advertising their products or publicizing themselves as good manufacturers, merchants, politicians or citizens. They are unable to transcend their material and political interests, or be magnanimous. In their aspiration to promote themselves and control others, they are more ruthless than their predecessors, and they devote more time and effort to these aspirations. Accordingly, their selfishness is flatter or more flavorless than that of the masters of old. In the past, selfishness ministered to desires and ambitions in the broad sense of the words (ambitions to be famous, glorious or free, to hold offices, etc.); now it is principally a means of advancing material and political interests. These are the realms of activity where these people seek recognition, scorning such actions as do not result in handsome profits or power. Insofar as they feel no affinity with any specific communities, traditions or spiritual values, they may be called versatile: their sphere of activity is the whole world, their methods are versatile, and their manner, worldly-wise.

Such is the way in which the servants have modified their identity and become the masters of the democratic free-market system.

3. The servants as masters at home

Paradoxically, the aspiration to *non-utilitarian recognition* – which according to Hegel and Nietzsche was the key characteristic of masters – has remained a distinctive quality of the lower strata of society (peasants and workers), i.e., the strata who have not taken the path to status of the new masters and whom Nietzsche would have classified as the servants or the herd. These people are capable of playing, struggling, risking their lives, showing solidarity and truly believing in things in a disinterested fashion.

The individuals representing these groups (who may be called traditional) are loath to succumb to the globalization of the free market. They are profligate, and value their private and family lives and their leisure more than submission to the tyranny of the free market.

These “servants” appreciate quiet and non-aggressive lives proceeding at a slow pace. The local industry is enough to satisfy their needs. They organize themselves to develop economies that focus on meeting essential natural needs rather than manufacturing or generating wealth for the sole sake of such activities.

“Servant” human beings belong to communities. They are all anchored in a specific community, and respect its good, attempting to advance their interests without violating the community’s moral rules and unwritten laws. Thus, their individualism is governed by moral standards and the idea of the common good.⁶

On the free market or in the politics of the democratic system, such individuals stand no chance when competing with people unhindered by moral and other standards of the community. In order to match their amoral competitors, such individuals would have to alter their identity, mentality and manner of acting, which they are unwilling or unable to do.

Individuals in a community govern their conduct by an axiological rather than instrumental rationality. Thus, they observe moral standards, and act in order to do good or to adhere to their principles, regardless of their interests. These are the people who do not resort to immoral methods in business even if they are effective (e.g., tax fraud or fraudulent representation of the quality of merchandise), and do not engage in immoral business even if it is profitable. Such people are ousted from the market. The human beings in communities are merciful, help the weak and the unfortunate, and are not ruthless toward their opponents and competitors.

If the apparent servants’ attitude is paradoxical, it is because when focusing their actions on values and standardly they are

⁶ T. Buksinski, *Racjonalność współdziałań* [*Rationality of Cooperation*], Poznan 1996.

more uncompromising than the masters whom we have discussed. In this sense, the servants are more independent, and cannot be compelled or tempted by the potential profits to change their religious beliefs, moral attitudes or disinterested love, friendship and goodness. The reason for this is that they express their selves through their beliefs and attitudes. Conversely, the self-seeking ones are more flexible in their choice of ends and means, and consequently more easily bribed or panicked. People who believe in nothing but their own success, lack a firm foundation and are more easily exploited.

Human beings in a community are honorable: when they do or refuse to do something, that is because they are guided by their honor, standards or sense of human dignity. They do not heed calculations of the material profits and losses that their conduct may entail. Their actions are governed by the idea of recognition, and they assert their independence from external factors (material concerns) and their identity as specific moral individuals living in a community. It is due to such actions that the individuals in question remain themselves and maintain their self-respect; such actions produce permanent communities and bonds between humans and are immune to the impact of economic and political systems and the people flourishing therein. When acting thusly, the servants are masters in their own homes. Even today, one may encounter among members of peasants' and workers' communities, relationships based on the recognition of the actual, rather than the merely formal, equality of the partners, and on mutual kindness and disinterested solidarity. Such people are not afraid of being frank and honest with one another. They are not obsessed with the advantages of others, and approach their neighbors as equal partners rather than as competitors or means to be exploited on their way to their personal ends. In this context, all "servants" must be considered magnanimous, as they spontaneously acknowledge the equality of others, denying the Hegelian dialectics of mastery and slavery.

It is in such cooperation that the "the moral sense" of their activity becomes apparent. Such cooperation both establishes standards

of joint action compatible with human dignity and provides an opportunity to experience them. Interests and profits are transcended, and a sphere of joint action or cooperation emerges, offering to its members liberty through fulfilling their identity in harmony with others. Thus, human beings become more human than they used to be, and go beyond their animosity.⁷

It is thanks to the above “masterly” qualities that the strata of the “servants” managed over several decades to remain impervious to and oppose passively the Communist system, and to subsequently establish the Solidarity movement and overthrow the totalitarian regime, the regime that had attempted to replace their desire for recognition with an insipid conformist existence, broken off human relationships, curtailed the freedom of speech, and endeavored to eradicate tradition. And it is on these same “servants” that we must place our hopes for the continuance in the future of such action and cooperation as are based on the moral sense rather than on interests. In the end, there can be no full-fledged humanity without implementing the moral sense.

To sum up, both the Nietzschean and the postmodern concept of the modern human being are cramped and one-sided, both factually and philosophically. Nietzsche identified the modern human being with the passive and slung West European lower middle class. True, any system that has prevailed in a large territory for a long time and that guarantees security and well-being – including the liberal-democratic system – may turn philistine. Yet, the developments occurring in Eastern Europe over the recent decades prove clearly that there are elements in our culture and civilization capable of revolutionary action governed by a moral outlook rather than by mere profits or filthy lucre. And this fact arouses a fair amount of hope.

⁷ A.T. Tymieniecka, *Logos and Life*, Books 1&2. *Analecta Husserliana*, XXIV, XXV, Dordrecht, 1988.

Part II

**PROCESSES
OF EUROPEANIZATION**

Chapter V

The New Apparel of Modern Identities

1. New identities

Collective (social) identity is understood as being different from personal, individual identity. Using G. Mead's terminology, I am not talking about "me" but about "I".¹ Identity is understood as a set of significant (important) qualities (features, relations, structures, values, norms, beliefs), which guarantee that we remain the same under conditions of change. In case of individuals and groups of people, the feeling or awareness of being the same and the view on what constitutes and ensures identity is an important constituent of identity. It is the awareness of people, which defines a set of qualities, which are important for being oneself, for defining the substance and specific features of subjects. Identity understood in this way is constituted in the spiritual or ideological space and is characterized, first of all, by means of terms, which pertain to mental, spiritual, characterological features and structures or by means of aspirations, normative claims, activities and, less frequently, by means of terms, which characterize the corporality or spatial-temporal location.

Identity distinguishes a given subject from among others. And it is defined in relational way. Some qualities (structures) of identity are given to individual subjects during upbringing; others

¹ G. Mead, *Mind, Self and Society*, Chicago 1934, University of Chicago Press.

are shaped by them in the process of personal development and socialization. Individual and collective subjects shape their identities in the processes of reference to other subjects. A subject (an individual, institution, group) defines his/her significant features, which constitute him/her as a peculiar being through reference to other subjects and he/she identifies with some of their features or activities (for example, with the success of national sports teams) or negates them (for example, condemns the crimes of ancestors or negatively evaluates others). The process of identification is not always conscious. It takes place at different planes and assumes different forms (discussion, statements, power conflicts, armed struggle). People, because of their nature, aspire for stabilization; they want to ensure their own continuity. Identity gives them spiritual (ideological) security.

There are many types of collective identity. One can identify with one's own family, nation, church, institution, state, political party, professional group, friends, subculture, etc. But in any society there are dominant collective identities, ones, whose intensity dominates among members of society or among its active members or elites. They are most important in any characterization of societies.

The specific character of political identities rests in their substance and ways of constitution. They are constituted in a relation to the subjects who have political power or who exert influence on political power; furthermore, they have a public character.

The chapter addresses the issue of transformations that have taken place in collective political identities in countries of Western, Central and Eastern Europe at the time of globalization, over the last thirty years. Especially intensive spiritual and political transformations have taken place after the fall of communism, i.e. in the last twenty years. Some of these changes are striking, others much more difficult to notice.

The former dominant political identities of political decision makers and the people of Europe were rather simple and unambiguous. They were formed by the struggle between great ideologies and great systems (liberalism and capitalism on the one hand and

communism on the other). Ideological features were important for the political identity and universal significance was ascribed to them. And their implementation in the entire world was either supported, or negated. The attitude towards them triggered passions, controversies, and even armed conflicts. The division of identity outlined above comprised almost all politically significant collective subjects in the world in XX. century. This does not mean that in every case it was possible to make the distinction using geographical criteria. There were distinctions across societies, which divided them.

After the fall of communism political identities became more complex, multi-layer, pluralistic. In many cases it is difficult to define their dominant features. What becomes apparent is the fact that new characters of collective identity became popular and they claim to play the political role and affect more and more the politics of different states. They are the identities of the so called "marginal group's", i.e. groups, which live on the peripheries of public and political life of societies. Those related to gender and sexual orientation, until today considered to be deviations (homosexuality, lesbianism), have become particularly vocal and visible. They became present in the public sphere and demand to be publicly and politically recognized. And they get this recognition. Their representatives are present in culture, law and politics. And they change the image of the public sphere. Next to these new, "post-modern" identities, pre-modern communities – religious, ethnic, traditional, also demand public recognition. Conflicts arise between the claims of pre-modern and post-modern communities as their demands related to the character of public and political sphere are in opposition. And usually the pre-modern communities lose.

What becomes apparent are also new collective structures that are being formed in last decades, different spatial dimension – microregional, migrational and macroregional. For example, Catalonians demand recognition of their own language and political autonomy. The identities related to the new political particularly regional ones, being of Basques want to have their own state

whereas the European Union aspires to create European identity of citizens who belong to the states associated in it. Globalists, on the other hand, appear as if their attitude to global ideology and global system determined an important or maybe even dominant political identity of the people in the world.²

The phenomena signalled above become the source of different generalizing interpretations. They are interpreted as a manifestation of the crisis of identity (“alone can do without it”) or as heralds of the fall of old identities giving way to new identities or as the phenomenon of disproportion and dispersion of identity,³ or as manifestation of our entering into the era of pluralism of collective identities (we are forced to live in the world in which each one of us has many collective identities at the same time and there is no dominant identity among them) – after all you can be a Silesian, a Pole, an European and, in addition to that, a globalist or an anti-globalist, a Catholic or a proponent of feminism. Moreover, these identities can change in time. Depending on the situation, a subject emphasizes some or other collective identities, which he accepts as his own. In this sense the identities become contingent and construct.⁴

It seems that all the interpretations briefly discussed above excessively highlight the importance of new phenomena and make too hasty generalizations on their role in the life of a communities. Some of these interpretations are ideological in character. They clearly support the interest of post-modern groups. Therefore it is necessary to look at the modern changes of identity in a more “realistic” manner, i.e. focus on significant identities of collective subjects, who play in fact the dominant political role in the modern world.

² A.D. King, *Culture, Globalization and the World-system*, London, New York 1991, p. 21, Verso.

³ J.-F. Lyotard, *Le Different*, Paris 1983.

⁴ Cf. E. Laclau, *The Making of Political Identities*, London, New York 1994, p. 3-10, Verso.

2. Vitality of national identities in the western world

It seems that today processes of globalization, transnationalisation and particularisation (or pluralisation) play a particularly great political role. On the one hand we witness the opening of borders, economic standardization, increased communication and, on the other hand, the status of regional, local, folklore, racial, gender features is boosted. In our opinion, these are processes, which constitute a continuation of the processes of economic, systemic and ideological standardization, which have dominated since the Enlightenment. These processes significantly affect the constitution of political identity of both political elites and millions of people in the world. National states (strong politically and economically) and institutions and companies that are under the influence of these states, are the driving forces of these processes. Political identity of these subjects has a double dimension : universal and particular at the same time, in other words, idealistic and self-interested. This means that such identity is ideological in character, particularly when it is a feature of political elites. As is known, during Enlightenment slogans about universal freedoms, human rights, about the necessity of being a rational and civilized person were voiced. But they were understood in a very particular way. It was tacitly assumed that they are features and rights of white rational men, who own property, and who are citizens of western states. On the other hand, western national states pursued the policy of subordination, colonization, and enslavement with respect to other countries and their inhabitants. And this policy was pursued under the slogans of civilization, conversion to freedom and teaching rational conduct.

Today we are dealing with a similar situation, Because what is hidden behind ideas and programmes of globalization and transnationalisation are national interests, which continue to determine the activities of individuals, groups, and states. National identities are not built, but rediscovered and given them additional values. Conditions are favouring these changes: the fall of the Soviet Union,

an aggressive external policy of the USA, acceleration of the processes of modernization and accumulation of their negative consequences for the traditional communities. In the western world an increase of nationalists is observed. The United States of America affects the globalization processes and with their help tries to impose its hegemony upon the world. American governments, following an policy of Libertanization and protection, enforce concessions that are beneficial to American investments and goods. It is a national or even nationalistic policy. Most US citizens identify with it. The American nationalism is opposed by the nationalism of West European states. The Policy of European unification has nationalistic sources. More and more people of Western Europe identify with it. National states have retained the basic political significance, and national identities play the dominant role in politics. The bog national states of Western Europe continue to obtain the dominant position of universal subjects and impose their particular point of view on others as universal. This is clearly seen during the debates about the budget policy of the European Union or when developing the foreign policy of the Union.

The nationalism of today is different than that of the Enlightenment or that of late modern times (post-Enlightenment). We can identify at least three basic types of nations, and, respectively, three variants of nationalism – ethnic, cultural and political. The proponents of the first one identify with significant features of an ethnic group: its language, religion, mythology, customs, origin, and history. They consider these features more valuable than similar features of other nations. Fidelity to these features is treated as a moral obligation. A cultural nation, on the other hand, is identified, first of all, with the specific cultural (literary, musical, philosophical, artistic), civilizational, spiritual (religious) achievements. And members of the nation value mainly their specific features, which make it more important than those of other nations. They identify with them. For a political nation, in turn, it is political structures that are most important. Political nationalism exists in two variants. The first consists in identification of the citizens with the dominant (or abolished) political system, with legal, political regulations

(e.g. those related to freedom) and with ascribing excessive values to them, The other is expressed in the identification of the citizens with the state and the ruling authorities. In this case the strength of the state, the aspirations and interests of the whole are important for members of the nation, irrespective of what the system is and what the specific legal system and government is. Political structures (states, systems) can be created by the nations of all the types mentioned above. But they will be different with respect to the character and role they play in the life of citizens.⁵

Modern nationalism of western states is political and ideological. These states consider the ideological principles and political structures in their countries as model ones and try to shape a transnational system according to them. Moreover, they use their political and economic power to persuade others to pursue economic and foreign policy that is beneficial to the national interests of western states. This is a behaviour that is typical of representatives of the nationalism of domination. Official policies of the so-called republicanism in France, permissively in Holland, economic libertarianism in the United States, liberalism in England or legalism in Germany serve to strengthen first of all their own nations and national states. The establishment of the European Union did not liquidate or even weaken national political identities. Individual member states compete to make use of the Union for the benefit of their national aims. Some (stronger ones) aspire to get the dominant position in the Union, others (weaker ones) to get the most at the expense of others. This policy is considered obvious by domestic companies, political parties and individual citizens.

Obviously, the political situation in Europe and in the world today does not allow strong states to implement their policy so ruthlessly as they did in the past. Firstly, more and more nations (medium sized, small ones) seek recognition of their ethnic, cultural or political identities as equally valuable with others. During the Enlightenment weak nations subordinated themselves to stronger

⁵ See also T. Buksinski, *Modernoæ[Modernity]*, *op.cit.*, p. 161-165; T. Buksinski, *Liberalization and Transformation of Morality in Postcommunist countries*, *op.cit.*

ones. Today they want to play an independent role. So we have a complex process in which different national identities exert influence upon one another, incorporate and/or oppose one another.

Secondly, the new identities of the so-called social margins, mentioned at the beginning of the chapter, particularly the “post-modern” identities, restrict the importance of typically modern identities, particularly in the public sphere. They force national identities to be more open, more homogeneous, more diversified, poorer in content, tolerant. Thirdly, the political culture in Europe and in some other regions of the world has generally increased. Drastic solutions implemented by the use of force generate protests in the western world, and are condemned by the international opinion. The importance of soft power: public opinion, mass media, citizens organized in self-government groups, political parties, trade unions is growing. More and more governments take their opinion into account. They influence the decisions of governments without any use of physical force. Such atmosphere helps the unemployed and the aggrieved to organize and demonstrate in the defence of their interests and identity. And this is what the “power of the weak”⁶ is all about.

Fourthly, supranational systems are created, for example the European Union, which in the name of long lasting common interests of the states united in them are forced to fight institutionally extreme nationalism and all aggressive activities, which could lead to “power” (armed, bloody) conflicts. The culture of tolerance and openness favours this institutional endeavour. With the strengthening of such systems, supranational identities are shaped, among them European identity. National identities must share with them the area of axiological attachments (affiliations) of individuals and groups.

Modern (post-Enlightenment) political identities in Europe were closely centralized, exclusive, closed, related to the military power and economic position of national states.

⁶ See also T. Buksinski, *Liberalization and Transformation of Morality in Post-communist Countries*, [op.cit.](#)

They excluded others and defined them not only in their otherness but also valued that otherness with respect to themselves – as something worse, less civilized (this is how the English treated Germans in the 19th century and how Germans treated Slavonic nations).

Presently they are more open, tolerant, less aggressive, more political than ethnic, they include democratic components as their constituent parts, Nevertheless, they continue to be dominant. A representative of another European nation in Western Europe is not treated as an enemy but as a competitor. He is considered to be different within some common shared universal of values, norms, and threats. But obviously he is still different “other” coming from “other” Europe⁷.

3. Transformation of collective identities in post-communist countries

Transformations of collective identities are visible in Western and in post-communist countries. In modern times, the postcommunist countries, compared to Western societies, have been largely retarded, both civilizationally and socially. Pre-modern identities (of traditional communities) and early-modern (national-ethnic and national- cultural) identities were dominant until the 20th century. It is them that the communist system, imposed externally, opposed. As was already mentioned at the times of real communism citizens of Central and Eastern Europe had two basic collective identities: public (system) and private (community). As performers of public roles (in work establishments, during official appearances), were more or less loyal to their authorities and to the (political-economic- ideological) system. It has to be admitted, however, that in many cases they passively resisted the system, either not following or only partly following the orders and regulations, which were

⁷ See also T. Buksinski, *Modernoæ[Modernity]*, op.cit., p. 161-165; T. Buksinski, *Liberalization and Transformation of Morality in Postcommunist countries*, op.cit.

detrimental to the community or disadvantageous to the interest of the mankind. Public identity was artificial, feigned, simulated, superficial, done for show, only when public functions were held or when professional work was done. It was possible to change it at any time, when doing something for show was no longer necessary or when the pressure of the authorities became ineffective.

The negativity was in it, not outside it, Citizens, who performed public roles did not feel authentic in them, they did not feel to be at home.

Genuine identity had a non-public, unofficial character. was constituted in communities. Attachment to tradition, customs, rituals, religious beliefs, and nation was its essence. Community identity was expressed in the attachment to the family, religious groups, neighbours, rural groups, groups of friends, to the nation. Being part of the communities, individuals were at home. Communities created the environment of freedom, they cared for morality and values. They had profound impact on the spiritual structure of individuals, their beliefs and awareness. Genuine mentality and personality were shaped in the communities, Negativity was outside them. Their identity had a negative attitude to Marxism ideology, materialism, communist system, state, political power.

In the public sphere individuals usually avoided clear self-identification. Excessive identification with official ideology and system led to a conflict with community identity.

Too excessive identification of genuine traditional identity could result in restrictions of the political authority (e.g. dismissal). Hence public figures were usually dull, without clear views and without any strong system of values. Fuzzy public identity served as the protective layer for community identity.

On the other hand, community identity was substantiality, rich in substance. It comprised a large set of qualities, truths, stereotypes, values and norms. Almost all that subjects were saying or doing outside the official sphere was considered important. Truths and myths about the national past, the smallest attempts at revolt against the authority, customs, celebration of church holidays, etc. were treated as sacred and significant. Subjects recognized that

without these significant qualities they would not be themselves. The more threatened were the qualities, properties, values and norms with which the subjects identified themselves, the more they were stressed by them. Moreover, in such situations happened a transfer of the relation of identity to new qualities, values and norms, which in other situations would be considered indifferent to identity. In situations of threats, identity expands, becomes conservative, intensifies. Communism as a totalitarian system had an identity character, extremely extensive : it identified its being with all the activities of the authorities and was not responsible for them. It wanted to control all the activities of the people who lived in the communist system. No wonder that there was the unavoidable and permanent clash of these two exclusive, holistic identities: institutional and communal.

The overthrow of communism meant the victory of community over the system. It started the expression of the genuine, substantial (dominant) identity and rejection of double identity. Nations and individuals confirmed to each other and to others their age-old and never changing continuity of identity. Wherever anti-communist opposition came to power in the 1990s (Poland, Czechoslovakia, Hungary, Lithuania, Latvia), it treated activities aimed at the reinterpretation of some past facts or their restitution as priority, even more important than economic reforms, which surprised so many external observers. State symbols from before the Second World War, interlay institutions, holidays, offices, names were reinstated. In this fight for the past the broken continuity was reinstated in the symbolic dimension. States opened to others. They approached the nations living in freedom as their equals and those, who represented a similar collective identity.

However, the opening between the east and west of Europe brought disillusion. It turned out that the long lasting period of liberal freedom in the west of Europe led to the disappearance of traditional communities and identities based on the relations of origin, customs, moral norms, religions, impartial solidarity. Western collective identity became formal, legal, self-interested. Even the political identity of the West proved to be different than expected.

The meaning of such political values as freedom, autonomy, equality or brotherhood was exclusively procedural, even for the people from the West. For them what was important was the very fact of the possibility of having options, the very assurance of freedoms. The substance of formal freedom was not filled with community values, principles and moral norms but with individual and group interests, including national ones.

This clash resulted in the crisis of collective identity in the post-communist countries. This crisis continues and is manifested in tensions and conflicts existing between different identities and related to the fight for the dominant position in the society and in the political system. Different social groups and political parties attempt to impose different identities on the entire society.⁸

It seems that today two trends deserve special mention: the processes of shaping hypothetical (or commercial) identity and the formation of political nationalism. The spread of the first one was particularly intensive among the youth and some of the political elites in the first decade after the fall of the communism. It is continued, although its intensity is smaller. Its adoption is treated as an indication of Europeanisation and super modern approach. The characteristic features of this type of identification include (a) indifference to the traditional moral norms, religious principles, national tradition, tradition and community customs, Along with that we witnessed the weakening of relations between neighbours, friends, family members, religious relations and solidarity with others, for example with the poor, "injured by fate; (b) departure from the past and tradition and facing the future; (c) temporariness, changeability and arbitrariness of the terms adopted and treated as important and significant for the subjects. The substance of identity ceased to be given or inherited. It is being constantly constituted by individual subjects, more or less arbitrarily; (d) dominance of material interests." I am what I have. And it is not any specific good which is important, but the success in achieving some gain generally –

⁸ See also T. Buksinski, *Liberalization and Transformation of Morality in Post-communist Countries*, op.cit.

irrespective of the field of activity and irrespective of the means by which it has been achieved; (e) in addition to interest, an important role is played by the rights and liberal freedoms, which make it possible to accomplish the interests. What counts is the fact of them being formally in effect and not the manner or extent in which or to which they are used by everybody. Giving them specific substance is the private business of citizens; (f) an individual treats values, communities, institutions, state structures as instruments, which make it possible to accomplish private interests. He considers himself the centre of values and norms.

As can be easily noticed, the subject of hypothetical identity is egoistic, self-interested, changing, self-steering. She/he does not attach much importance to the community (nation, state) she/he lives in, she/he is not anchored in the culture, tradition or religion. Spontaneity and unselfish solidarity are alien to him/her. It is a scheming subject. What dominates in his/her thinking and action is instrumental and strategic rationality.⁹

Apart from the processes of commercialization of identity, in recent years we can also observe identification processes of a new type. They originated as a result of becoming aware of proper features of Western identity, particularly understanding how modern, ice nationally self-interested character it has. The new phenomena became apparent particularly after the well-known reprimand, which the new members of the European Union got from French President Chirac in 2003, when they tried to pursue foreign policy independently of France and Germany and after the initiatives of German compatriots' associations, which aimed at building a centre to commemorate the Germans expelled from the eastern territories after the Second World War, as well as the reaction to the attempts made by Prussian Trusteeship to regain (or obtain compensation for) the possessions lost by Germans as a result of the Second World War. These and similar

⁹ Cf. A. Glucksmann, *Osobliwe odwrócenie sojuszy* [*Peculiar revers of alliances*], „Rzeczpospolita” 5-6 April 2003, No. 81 (6461); J. Moskwa, *Cierń w boku Rosji* [*Stitch in the side of Russia*], „Rzeczpospolita”, 29 September 2004, No. 279 (6962), and other articles in this daily.

events, as well as the observations of the behaviour of the leaders and citizens of Western Europe made political elites and inhabitants of post-communist countries aware of the restricted (by national interests) character of the freedom slogans, values and norms voiced in the West. The national feelings started to revive.

The nationalism of “postcommunist” countries, aspiring for full political recognition is usually more ethnic, than that of nations with long democratic tradition. Therefore these nationalists break out as more evident force than political nationalism of western countries. The retarded nations want to modernize on the basis of their own values, norms and tradition. Without the expression and recognition of their specific character, without confrontation with others and without free reflection upon it they cannot modernize them fully. Therefore more modernized nations, with strong political identity, have an advantage over ethnic nations in the political and ideological struggle because their nationalism is hidden behind the universal norms, rights and rules of political life.

In fact the postcommunist countries try to heal the old wounds between the neighbours. They create tolerant identities, open for cooperation, which are also aware of the common history, common values, norms, interests, cultural heritage. In this sense national identities exist in new political robes. National values and interests are reconciled with European or even global ones, The principles of freedom and democracy are accepted. In this sense the new nationalism (or patriotism) is becoming similar to the Western one. This means that in its centre are national interests and political liberation principles, which ensure accomplishment of the national interests and values. The new identity is becoming political, democratic and at the same time national. It is a nationalism of compensation, being a reaction to the nationalism of the dominance of western states. It demands fair treatment of one’s own identity and recognition of its specific character and the significance of national interests.¹⁰

¹⁰ Cf. J. Bielecki, *Unia została zmuszona do zaangażowania się w sprawy Ukrainy. Kryzysu nie można pominąć milczeniem* [Union was compelled to engagement in the Ukrainian Affairs], „Rzeczpospolita”, 29 September 2004, No. 279 (6962).

This discovery of one's own new collective identity is synonymous with its creation from scratch. Return to the roots assumes the form of the creation of the roots. Recently this policy of reidentification has manifested itself particularly strongly in the Ukraine. A country, which has never been free as a state and has never been democratic in the categories of western liberal democracy, has declared that in line with its own national identity it wants to create a democratic system, based on truth, justice, freedom, respect for human rights, fully democratic, and peace loving. And it manages to politically mobilize masses in support of this programme. In the public sphere it appears as a state belonging to civilized nations, loving peace, freedom and tolerance. It demands others to recognize it as a nation with this identity and the specific national interests. The nations of Central-Eastern and Eastern Europe do not want any foreign-outsider (from the East or from the West) to continue to define their identity and their interests and decide to which sphere of influence they should belong. They alone want to decide about themselves. They work out the policy of the weak against the policy of the strong. It is a policy of local subjects, which wants to exert influence on the regional and global policy and which demands recognition from the heirs of the former vowers. Just like in the past the "blacks" accepted their "blackness" and raised to the dignity equal to that of the "whites" and forced the whites to recognize their specific character, the nations of Central-Eastern and Easter Europe highlight their specific features as positive values and force them to be recognized by those who have claimed their right to evaluate them negatively or arbitrarily subject them to the influence of others, without asking the interested ones about their own opinion. External descriptions and evaluations are opposed with their own reinterpretations and evaluations and their recognition is enforced. They want to have political democratic and specific national collective identity at the same time and want to decide by themselves about their interests, in a similar way as western countries decide about their own.

4. A crisis of identity?

Repetition of arguments about the crisis of identity has been in fashion for some time. And probably these arguments are justified. However, they have many meanings. We can talk about a crisis in many cases: in a situation when identity no longer plays an important role in the life of individuals or communities; when subjects change their dominant identities or relations between their different identities (many representatives of the so-called marginal groups or post-modern identities are in this situation); when there is a change of a component within their dominant identity and also within other (not dominant) identities in a given subject. To some extent we can observe all these cases in Western and Central and Eastern Europe.

Despite this, the crisis of identity in Central and Eastern Europe has a positive and negative aspects. Accelerated changes within the dominant identity and in other identities are evaluated positively, both by the subjects who are affected by the changes and also in view of international standards and laws. Post-communist countries have liberated themselves from the identity imposed by force, apparent, false, leading to inhibitions or untrue qualities, the feeling of inferiority and fictitious guilt. They are constituted again by overcoming fear, retardation, intolerance, external pressure. They want to decide freely about themselves. They reject external hegemony, which determined possibilities of their articulation and imposed identities. But, as mentioned before, they also reinterpret their own traditional identity. They create conditions (procedures, atmosphere, institutional structures, organizational structures, medial structures) to express their alter ego, i.e., they bring to light what was in the shadow, what was pushed aside, left unsaid. And these conditions become also a part of their new identities. The activity of the subjects themselves constitutes identity.

Liberation of these countries poses a challenge to the political identity of western countries, Western identities constituted themselves, among others, through the exclusion of others as

non-democratic and lacking freedom (mainly those who were non-western – Poland, Ukraine, Lithuania, Latvia, Estonia and other European countries and most non-European countries), Now the absent become present, they join the political, democratic, modern identities, without giving up their national specific character. They enforce changed articulation of the assumptions of western democracy and its exclusive political identities. They enforce abandonment of the dual morality and dual identity: inside democratic and freedom loving and outside (in relations to foreign) extremely self-interested, nationalistic, and imperious, which abandons political and moral principles, neglects the interests of the small and the weak. The new democracies show that democracy cannot be treated as a luxury (only for the chosen ones), that it cannot be treated instrumentally (as a means to provide welfare for oneself at the expense of others). It is to be global and be recognized as an autonomous quality.¹¹

At the same time confrontation with the democracies of the West is a challenge to the new democracies and introduces the negative characteristics of identity. They become convinced that their views and aspirations towards democracy had or continue to have a too idealistic character. They learn the grey sides of democracy and freedom: egoism, crime, bribery, the power of capital, cliques, ruthlessness. The clash with reality forces them to continually revise their views and modify their political identity. Political elites and social groups differently respond to the new experience. On the one hand it is manifested in attempts at instrumental treatment of democracy, on the other – in aspirations to make it more “noble” i.e. to fill it with morality, honesty, tastelessness, observance of the law. The new egoistic, superpowers (not ethnic but political and economical) nationalism is raising and becoming dominant in Western and Central Eastern Europe. I see in it the main danger for the European Union.

European identity is being born in pain. The experience of post-communist countries (oppressed for a long time) is contrasted with

¹¹ See also T. Buksinski, *Modernizm [Modernity]*, *op.cit.*, p. 161-165; T. Buksinski, *Liberalization and Transformation of Morality in Postcommunist countries*, *op.cit.*

the experience of western countries (which manipulated others, which often oppressed others). All the collective subjects in Europe undergo accelerated changes. They change their apparel. But they must also change the significant substance of their identity, i.e. the components that make up egoism – national, political, exclusive. And it depends on the latter changes whether they can adjust (their interests, opinions and values) to create an effectively operating whole. The future is open and its result is uncertain. Today politics stands for the articulation of at different interests and identities of many different subjects. Some of them so far did not have to be considered as independent. It is pursued on many planes at the same time. It tries to create a common political will on the basis of different particular wills. It should do it so, as to let particularize accomplish itself to some degree but all nations are treated in the same way, and, at this same time, lead to the development and dominance of an common identity that attracts the particularistic attitudes and limit their role, that means, it cause to overcome the extreme collective egoism. What we need in Europe is the politics of balance between the three elements: universal principles, nationalistic interests and identities of western countries and the nationalistic interests and identities of postcommunist countries. Only the general attractive identity policy with the clear principles of cooperation, solidarity and justice, may voluntarily be accepted by all European nations and create the basis for the pursuing of common and specific interests. The all nations should find in it their own place as the recognized, included and not as the excluded ones. Only such identity can create the framework for the formation of an extensive inclusive political whole. Until now is not clear, where are the borderlines or limits for egoistic national identities and interests, because there are not definitions of common European identity and interests. The big western countries try to identify the European identity and European interests with their own national identities and interests and try to compel the new countries to accept this kind of policy. Therefore the common European policy and politics does not exist still.

Chapter VI

The Transformation of Tradition of Central and Eastern European Countries

Usually the discussions concerning the role of traditions in the period of globalization concern three basic problems. (1) The danger of disappearing of many local and regional traditions. Americanization and Westernization of the culture cause the weakening the old customs, norms, moral values, rituals in many parts of the world. The problem is: how to preserve the old cultures? They are valuable in themselves.¹ (2) The danger of conflicts between the different cultures and civilizations. The representatives of the small or weak cultures fight for their survive using sometimes violent methods. The problem rises: how to avoid the conflicts? The task of intellectuals and politicians is to clear and remove the misunderstanding and bring the people together to begin and prolong the dialog.² (3) The need of transformation of many cultures to make them more open, more tolerant to foreigners, more friendly to processes of modernization.³ In this chapter I concentrate on the problems of challenges and opportunities of so called Europeanization to post-communist coun-

¹ See K. Wiredu, K. Gyekye, *Person and Community, Ghanaian Philosophical Studies I*, Washington 1992, CRVP ; T. Okere, *Identity and Change, Nigerian Philosophical Studies I*, Washington 1996, CRVP; L. Dyczewski, *Values in the Polish Cultural Tradition*, Washington 2002, CRVP.

² G. McLean (ed.), *The Dialogue of Cultural Traditions. A Global Perspective*, Washington 2003, CRVP.

³ O. Blanchette, T. Imamich, G.F. McLean, *Philosophical Challenges and Opportunities of Globalization*, vol.1, 2, Wahington 2001, CRVP.

tries. By Europeanization the unification with European Union and adaptation of its standards in public life is meant.

The processes of globalization are influencing the cultures of different countries in negative as well as in positive way. From one side they bring about the destruction of tradition, cultural values, religions, spirituality imposing the so called universal (that means Western) values and norms, from other side they make easier the spreading the cultural heritage of the nations and – what is more important – eliminate the rusty, backward, prejudicial, injurious components of cultures and social mentalities. Every culture is transforming slowly or faster. We are witnesses of revolutionary changes of cultures of postcommunist countries under the impact of globalization and Europeanization, which consequences will be far reaching. In the paper we want to characterize only some aspects of these processes starting with negative influences and reactions to them.

1. The weakening of the tradition

The cultural tradition of communities living in communist countries was inclusive, i.e. it had a very rich content – an extensive assortment of properties, truths, stereotypes, values, norms and principles with whom the agents of action could identify themselves in a permanent manner. Almost everything that the agents did or said outside their public life was significant, as it expressed the notions and beliefs which they considered important and distinctive for their spirituality and culture. The moral, religious, national and cultural truths, norms, principles and values were considered irreplaceable and unique. Under the traditional morality, the common good was superior to the good of the individual, people were obliged to provide generous help to their neighbors who were in need, honesty, frankness and sincerity were appreciated, the values, norms, customs and rules of community were to be adhered, while egotism, showing off, careerism and quick accumulation of riches to the detriment of others, were condemned. In Poland,

this type of morality had a religious sanction, while in other Communist countries it was justified by the importance of tradition. Tradition ensured a disinterested coherence of families, communities of villages, cities, friends, ethnic groups and nations, regulated their ways of life and efficiently united people in their resistance to the communist system. The traditional culture supplied the agents with a depth of spirit that could be glimpsed only in their physical properties and behavior patterns. Communities, comprising the family, the Church, the groups of friends and neighbors were united by links of consanguinity, friendship or socializing. The community epitomized a nation's ethos and resisted the prevailing materialistic ideology, deemed it to be hostile and alien to national traditional culture and forcefully imposed from outside. The community and the communist system fought each other.⁴

The victory over the communist system entailed a manifestation of the genuine inclusive tradition and culture and a rejection of the former official public communist culture. It was a demonstration of reverence for tradition, religion, national and local customs, moral norms. Nations and individuals affirmed, for themselves and for others, their immutability and the age long continuity of their tradition. The struggle for the past restored the importance of ideals and values which were significant for nations and individuals. When the inclusive tradition of the community was able to express itself, the borders between states and nations were obliterated. The East European nations felt united to all free and democratic peoples, and considered their culture and tradition to be essentially akin to that of Western Europe.

Still, the long awaited encounter of the East and West turned out to be a disappointment. It appeared that the extended period of liberal freedom in the West European countries had destroyed the traditional communities and the traditional culture which based on the ethnic heritage, the customs, religious principles and romantic ideals. The Western popular culture has proven merely formal,

⁴ T. Buksinski, *The Identity in the Period of Transformation*, in: Z. Zdybicka (ed.), *Freedom in the Contemporary World*, Lublin 1999, pp. 411-420, KUL.

enlightened, pragmatic, or utilitarian. And so it transpired that the liberal freedom, when implemented jeopardized the traditional identity and community. In the present period, after the collapse of Communism, we are witnessing a weakening of the tradition. Turning out to be weaker in relations with the culture of Western countries and in promotion of the processes of modernization of Central- and Eastern European countries, it is being increasingly renounced by the businesspeople, politicians, public figures and even many ordinary citizens, specially young ones. The expanding free market strives to control the communities, by subordinating spiritual life to material life, destroying tradition and the family. Challenging the moral norms and assigning to humans the status of patients, rather than agents, of action. In this the market is more efficient than the Communist state, as it works from inside, being our "own" and acceptable creation. The political liberal system, in turn, tolerates nay, encourages the immoral and selfish attitudes which undermine the links of family, the community values, and the sense of solidarity, of responsibility for other people and for communal possessions. The liberal system entails a new type of personality, morality and culture. The system needs people who are successful, active and ruthless, who strive for profits and have no moral or religious inhibitions. Tradition, morality and religion are valid only insofar as they are conducive to political or economic achievements. Thus, the new social and political circumstances recreate the conflict between the traditional community of postcommunist countries and the requirements of the new economic and political system.⁵

Under the influence of Europeanization more and more people are becoming indifferent to the moral norms, traditional religious principles and rituals, and the national tradition. Once people were willing to sacrifice their lives for such values ; now many sections of society are turning indifferent to them. The links of neighborhood, friendship, family and religion ere weakening.

⁵ See. Bednar, M. Vejrazka, *Traditions and Present Problems of Czech political Culture*, Washington 1994, CRVP; V. Prodanov, S. Davidov, *Morality and Public Life in a time of Change, Bulgarian Philosophical Studies I*, Washington 1994, CRVP.

The sense of responsibility for the entire community and its tradition is disappearing. Public freedom seems to have exempted the individuals from the responsibility for common spiritual assets. The “self” think that “we have our government now, and therefore the government should look after the entire society and its culture”.

People are ignoring their memories, refusing to remember the history of their lives, nations or communities. Rather than being rooted in the past, they focus only on the future. Under communism, the people considered their significant values to be shared in the groups, rooted in the past, constant and obvious, always valid, and in some cases always sacred. Now they select their aims, values, attitudes, and beliefs in an arbitrary manner, feeling they assume no obligations by doing so. Allegiance to values and beliefs has become a transitory condition which entails no obligations.

Another characteristic of contemporary changes is the prevalence of materialistic interests over the spiritual values. The ulterior motive of action is going to be the pursuit of material profits, and the possession of goods is becoming the main criterion for judging the value of humans. The formal rights and legally sanctioned individual freedoms matters and not substantial communities' norms. The moral norms, religious principles and cultural rules have been cut down to matters of personal choice within the limits of the law. The new public culture is developed rather by individuals than by the community as a whole. Now individuals do not define themselves by accepting certain traditional community values anymore, but regard themselves as entities independent of any community and as focuses of preestablished rights and liberties on which should be based and developed social agencies and organizations. Thus the public and state institutions, as well as traditional communities and their values, are becoming the instruments which satisfy individuals' material needs. The new culture is also spiritually deficient. No specific properties or features (besides the transitory interests) unite an individual agent with others permanently. The individuals are going to be indifferent to the common good, they

regard all attempts at basing the society on the inclusive tradition as act of fanaticism.⁶

In the period of mutual influences and opening the borders demoralization is spreading: such pathological social phenomena as organized mafias and cliques are becoming more and more ubiquitous, controlling increasing areas of the public, political and economic activity. The incidence of theft and fraud is growing. Public figures are becoming increasingly guilty of corruption, bribery, nepotism and illegal operations, and the number of robberies and crimes is high. The people feel not secure, as unemployment and the impoverishment of society creates an environment favorable for such pathological phenomena. The traditional communities have opened themselves to a new economic and political system, which is eroding them. "Para-communities" (mafias, cliques and other groups of organized crime) are emerging, developing a "para-morality" of their own. Such organizations are becoming the active players on the economic, and even the political arena. In their internal affairs, they observe certain norms of the traditional morality: honesty, sincerity, and mutual help- while applying ruthless extreme measures when dealing with individuals from outside their "para-communities" and with official institutions or the administration, whom they consider mere tools for multiplying their material profits, prestige and authority. They are taking control of institutions and organizations, limiting free competition and the liberty of other people's action, and imposing their order on them.

The increasing criminality caused, that crimes are treated more like a civil litigation between the parties. Liberal penal system also becomes one of the sources of poor execution of law. Policeman, victims and witnesses for the prosecution are afraid of defendants as they know that the latter will be released and will become danger to them. The ideas which are the guiding principle of the liberal penal code are very humane: respect for the dignity of those accused of crimes, providing them with as much freedom as possible, giving

⁶ A. Mielczarek, *Europejska metamorfoza Polaka [The European Transformation of the Pole]*, Warsaw 2000, Fundacja Studiów i Badań Edukacyjnych.

a chance of living within the society and socializing. The thing is, however, that these ideas are reflected in a very impractical manner in the dimension of the material justice. Therefore in the post-communist reality they were conducive to the spreading of crime and demoralization of the society. In practice the laws protect criminals from the administration of justice. The code does not provide protection, security and justice to victims, those harmed and to witnesses. The police and prosecutors are not able to provide evidence of the committed crimes as required by the liberal regulations. Sentences often depend on the opinion of experts, but experts' opinions are often ambiguous and raise doubts. As a result, responsibility for the crime is blurred. Knowledge about evil is changed into ignorance. Everybody may know very well who is the culprit, and some may even testify in public, but this is not enough for a sentence which puts the criminal to prison. The law is not adapted to social reality, to dominated morality, culture, tradition and the sense of justice of society. Therefore it has no authority among the people. The political elites treat it as a technique used for realization of their party's interests in a manner which just destroys the values which the laws were supposed to protect and for the protection of which it was passed.⁷

2. The promotion of the new culture

Europeanization is influencing the East and Central Europe directly and indirectly in many different ways. In the Western countries the creation of the European Union is conceived as a political and economic structure defending Europe against the anarchy of the global market and the competition of American corporations. Only the political unification of the states could limit and control the large international and American corporations in an effective and permanent way and is able to build the competitive economy and technology. In

⁷ A. Siemaszko, B. Gruszczynska, M. Marczewski, *Atlas przestępczości w Polsce 2* [*The Atlas of Criminality in Poland 2*], Warsaw 1999, Oficyna Naukowa.

fact, the notion that “we must compete effectively, retaining profits for our citizens” has been recurrent. Such integration was a strategic accommodation to necessity, a response to the requirements of the global economic system. The countries united in one political organism, because they wanted to control and direct the processes of globalization, and they lay down the laws and rules regulating the new economic and political activity. But in the Central and Eastern Europe the processes of globalization and Europeanization are treated by the ordinary people and many public persons as identical, because they bring the similar consequences and require the similar transformations. Both processes come from the West countries. In the first paragraph of the paper we concentrated on the negative consequences of the influence on the domestic traditions, now we try to enumerate some more positive characteristic of them. There are two kinds of changes which play the most important role: (1) the creation of the new – European- culture and tradition; (2) the democratization and modernization of the traditional culture. In the face of the weakening of national tradition and national states the question arises: what form is needed for social integration and identity to keep pace with economic and political changes. Over time, besides the economical and political interests the notion of a common European identity and tradition is expanding in Western and Eastern Europe. The view is more and more common that belonging to Europe is not only a matter of large-scale political participation. Regional policy and institutions depend on political commitments and social solidarity, which, in turn, depend on a common collective culture, identity and tradition. They produce some strong feeling of specific solidarity with the members of macroregional community. The political and economic Europeanization requires a presuppositions or background of an effective internalization of some new norms, values, attitudes and ways of thinking. The project of the political union of the region requires not only common economic and political interests, but also a common culture and mutually interdependent social relations which underpin the creation and reproduction of laws, institutions and organizations. The European intellectuals and elites try to build a common civil society and

public life as conditions for a common political and economic life. Civil society, comprising the sphere of citizens' nonpolitical and nonprofit activity striving for the common good, plays an important role because in this sphere the new political and social culture is created and European social solidarity is constituted. We observe the emergence of a transnational civil society in the form of the Movement of the Non Governmental Organizations cooperating across borders, in the self-organizing relationships of citizens of different countries, as well as in some common disputes and polemics in the public media creating an European public opinion. Step by step, the elites of West and East European countries together develop a common European politics, democratic public culture and open view of the world in their public discourses. The so-called ordinary man on the street in postcommunist countries accept democracy, human rights, economic prosperity, negative freedoms, tolerance.⁸

We witness that the cultural, economic and political differences between the nations of Westeuropean countries are diminishing because each particular nation is adopting some elements of other nation's way of thinking and being, which it recognizes as valuable: for example educational style, ideas of justice and freedom. We witness similar processes of assimilation in Central and Eastern Europe. A synchronization of the problems and themes of discussions is a specific dimension of Europeanization: all countries in West- and Eastern Europe discuss the same topics at the same time, for example, agricultural subsidies; European Constitution; the spiritual foundation of unification; how can cultural differences be preserved in a new organism?; what ethical and cultural conditions are needed that make the new political constellation stabile?; in what direction should democracy be changed to answer the new transnational challenges?.

⁸ See, Klaus Mueller, *Countries in Transition. The Roads of Development in Eastern-european Transformations*, in: T. Buksinski (ed.), *Postkomunistyczne transformacje [The Postcommunist Transformations]*, Poznan 2002, pp.15-50, WNIFUAM; J. Jakubowski, *From National Socialism and Communism to Liberal Democracy*, *Ibidem??*, pp. 51-66.

In the transformation of tradition in Central and Eastern Europe we witness many positive trends. One of the most important of them is the formation of the new political or constitutional identity. In Poland, Ukraine and many other communist countries the law and the rules of political systems were never much appreciated by people. Europeanization means the rule of laws, observation of rights and strong institutions. Strong laws and institutions regulate public behavior and limit corruption, nepotism and the mafia in public and political life. These institutional changes impact the mentality of people and bring about a new political identity and new tradition consisting in the respect of law, rights and established public rules. The people internalize these norms and incorporate them to their ethnic and national tradition. In fact with regionalization citizens get new instruments to fight for their rights, because they can appeal from the internal or states court to the European Supreme Court. Persons with this attitude are more closely attached to the legal framework and better able to fulfill their functions in institutional life and are more open to cultural differences existing between small cultural minorities as well as between the big ones.

The next aspect of the process of positive transformation of tradition and identity can be called rationalization. Many components of traditional identity, always accepted as given and sacred, are intentionally called in question as too inclusive, too particular. This is a process of exchanging components of tradition (and not only giving them up): spontaneity in behavior is replaced by calculation; emotional by rational reactions; friendship to foreigners by kindness; naivety by cautiousness; and more and more attention is paid to material prosperity.

The tradition is becoming more and more universal and open. The changes concern not only the substance (content) of the tradition but the form and structure of it too. It is going to be more abstract and more thin. Individuals and societies are conscious that the thick components of different traditions have only relative value and cannot be imposed on other societies. The universal elements of tradition are embracing the freedom, toleration, openness, solidarity, justice, equality.

The tradition is accepted as something susceptible of free personal and communities' change. Individuals and all groups have greater possibility to choose new components of traditions from a new context and are more independent from native traditional groups. They use this opportunity to create the new personalities – more elastic, more ready to adapt to the global situation than the traditionalists.

These considerations show that all the speculation concerning the danger of nationalism in Central Europe – so popular in the last years in West- are unproductive and unjustified. The mentality, traditions and identity of the nations are changing faster than anybody expected. Joining the European Union may be more difficult for the countries which once were Republics of the Soviet Union because they highly value the sovereignty of their national state. They fought for sovereignty for a long time and want to keep it. Therefore the nationalism is a strong component of their tradition. Perhaps another reason for this strong national feeling and attitude is that nationalism is needed by these societies in transformation as successor states of the old empire. Nationalism plays the role of background and glue for the needed high degree of fellow feeling and community solidarity.

3. The difficult unification of two traditions

These considerations do not mean that the differences between the nations joining the European Union are disappearing. For this process hides a lot of conflicts; especially the talks between the West-European governments and representatives of the postcommunist countries have given risen to many new problems. Inequalities increase between capital income and wage income and there is growing unemployment. The gap between the winner and losers of regionalization and globalization is widening in all countries, but it seems, that the gap in wealth between particular European countries as wholes is diminishing in recent years.

Some parts of the population see in expanding West European ways of thinking and being their danger to the tradition, national culture, religion or spiritual life. They are against the globalization and Europeanization or try to influence and change the European identity, adding to it the new elements or components from the Central and Eastern Europe. For example the Polish bishops and politicians wanted to mention in the European constitution the common Christian inheritance of Europe and social solidarity as a common value. But the Western societies and elites are more indifferent to religious tradition and oppose the suggestions. The values and ideals may still be different between nations and communities, despite the convergence of many norms and rules.

The trend toward a common Europe is pushed forward by elites acting as entrepreneurs, administrators, managers, politicians, intellectuals, and youth. They create transnational networks, institutions and cooperation. Peasant and workers counter with economic arguments, traditionalists with cultural and nationalistic arguments. The opponents treat the processes as responsible for increasing unemployment and differences in the material prosperity of social classes, as well as weakening the tradition.

The process of unification will take a long time. The national elites of different countries suggest the specific national definitions of Europe and the variety of positions and opinions concerning common problems increases in the nations. But as long as the discursive process takes place there is hope to keep the Union vital after extending it to Central and Eastern Europe in May 2004. The confrontation of national perspectives tends to produce a nationally specified European view as well as a national view of the world enriched with European aspects. In the future Europe will probably have one government with many nations.

The possible outlook on the spiritual level is the reconciliation of the two types of traditions, either through synthesizing a single brand of tradition or else through demarcating the complementary limits of the application of the two. In the latter case, the life of the community (families, religious groups or friends) would fashion and enhance the traditional identity, while in the context

of economics and politics, individuals would function efficiently in the present international circumstances, and the traditional values would not generate excessive moral obligations. Perhaps it would also bring about a curbing of the clique –mafia-like patterns of economy and politics, and the development of a rational system of law and sound rules of efficient action. Obviously the traditional communities' value cannot be eliminated from the political – and-economic system entirely. What is important is that they do not interfere with industry and decision- making procedures. This kind of separation between the two traditions seems yet arbitrary and not efficient.

The most pertinent problem is in what way and in what direction to change the traditional identity and ensure it further positive evolution, which make easier the modernization of the entire society in the period of globalization. Western Europe had undergone a long process of the modernization, which lasted several centuries and consisted in the people's internalizing, with respect to both their private lives (attitudes and patterns of conduct and of thinking) and the activity of the communities (the institutions, laws and coping procedures), of the modern standards of honesty, integrity, justice, impartiality, the equality of all citizens in the context of public activity, and the observance of the law, on the one hand, and of the planning in terms of long –range individual interests and profits conforming with collective profits, on the other hand. It was the blending of these two attitudes (the deontological and the utilitarian) that produced the bourgeois ethos and the bourgeois tradition replacing the old communitarian one. This ethos permeated the life of societies with characteristic modern-age bourgeois morality and mentality, whose distinguishing features are honesty in business, dependability in matters of finances, frugality, industriousness, love of order, foresight, planning in terms of long-range usefulness, and moderation in expressing one's emotions, aspirations and goals. This morality of moderate individual egoism compatible with the egoism of an entire community is an essential part of the Western tradition and is still inherent in the attitudes and patterns of conduct and thinking of the citizens of Western Europe

and North American countries providing an axiological foundation for democratic and free-market activity.⁹

At the same time, Central and Eastern Europe cannot boast an internalized bourgeois morality and tradition. Both in Poland and in other East European countries, the traditional (premodern) community life is still more extensive than in Western countries, and cannot be dismissed as a mere personal pastime. As it is called into question, an axiological and normative vacuum appears. Societies and their institutions are actually being depraved, which threatens the social order, as mafias, the black market, nepotism and violence flourish. Therefore the local and regional tradition must be recognized as an element of the public life. The standards of the latter variety of tradition, construed in a somehow “modern” and more “global” or “European” manner, may turn out to promote the democratic system. Obviously, the reconciliation of the community with the global system, and consequently of the Eastern and Western tradition, are not always easy. Both individuals and entire groups are affected by internal conflicts and tension. Different principles and different moralities prevail in many families at home and in the public actions of politicians and businesspeople. But there is mutual infiltration of the principles and rules of the old and new (West-European) tradition. Nevertheless, in the present circumstances the only rational solution of the problem seems to be the reconciliation of the two types of tradition, it means in practice to transform and modernize the premodern tradition. Yet, if this tradition is used in the process of developing a contemporary political and economic order in this region, we must expect that a peculiar form of the social system may appear in Central and Eastern Europe, peculiar in its explicit traditionalism and ritualism in the realm of public activity, that many West Europeans and American liberals are currently still so diligently eradicating from the public and political domain.¹⁰

⁹ M. Ossowska, *Moralność mieszczańska* [*The Bourgeois Morality*], Łódź 1956.

¹⁰ T. Buksinski, *Morality and Politics in the Postcommunist Countries*, in: P. Kampits, K. Kokai, A. Weiberg (eds.), *Applied Ethics, Papers of the 21st International Symposium*, Kirchberg am Wechsel 1998, Austrian Ludwig Wittgenstein Society.

Chapter VII

Churches in Central and Eastern Europe

1. Some history

A lot has been written about the role of religion and the church in the political transformations of Central and Eastern Europe. Different points of view have been presented. In this chapter I will not discuss all the dimensions of the problem; rather the specific status of churches in the communist system and their specific role in the new era will be described. An attempt will be made to explain the change of the status and the role of churches after the fall of communism.

First some remarks on history. There was no reformation or religious wars in the western style in countries of Central and Eastern Europe (apart from the Czech Republic and Estonia). At the turn of the modern age Christian religion was not deeply rooted in people's conscience and did not have any strong political position in the region. Introduced in the 10th and 11th centuries, it gained state status and recognition in societies as an indication of belonging to the civilized world. However, its implementation and adoption by the society was rather superficial and there was considerable tolerance of people with different beliefs as well as tolerance of non-believers. There were many reasons for this – first of all pagan customs continued to be widely spread, the Orthodox religion was just next door and finally contacts with followers of Judaism and Islam were made. This does not mean that reformation did not affect countries of that region. New religions found many followers. For

example, in the 17th c. 20% of Polish noblemen and magnates were Lutherans.

In countries in this region monarchs and rulers never decided about the religion of its inhabitants – as was the case in western Europe after the Augsburg Treaty (1555) and confirmed in the Peace of Westphalia (1648). In 1568 the Parliament of Transvaal adopted a treaty on tolerance, which was observed in the southern part of Central and Eastern Europe (Hungary, Slovakia, Carpathian Ukraine, Romania, Vojvodina)¹. In the northern part, dominated by the Kingdom of Poland, religious tolerance was prevalent. Polish King Sigismund August (1520-1572) claimed that he was the king of citizens and not the king of conscience. His predecessors and followers continued the policy of tolerance and Poland became the oasis of religious freedom. From the 15th c. to the 18th c. Poland was the country of settlement for Jews and infidels prosecuted in the countries of their origin. For example, in the second half of the 17th c. as many as 700,000-800,000 Jews lived in Poland. Religious tolerance was not the only feature of countries of Central and Eastern Europe – the nobility enjoyed lots of freedoms and state authority was very weak. No authoritarian monarchies were established. As a result of this, these countries lost their own statehood in the 18th c. They became part of great empires – the Ottoman, Russian, and Austro-Hungarian Empires (the latter also known as the Habsburg Empire). Therefore, they were not able to form modern political nations and political identity within their own states. Therefore they built modern national awareness on the basis of shared languages, cultures, mythologies, literatures, arts and religions. The role of these factors in the formation of collective identity was particularly evident in Romanticism. A national state functioned as a myth or a dream of the future. Foreign great empires were felt to be oppressive and depriving of nationhood. The ideology of nationalism was formed in opposition to them.

¹ M. Tomka, *Religion, Church, State and Civil Society in East-Central Europe*, in: I. Borowik (ed.), *Church-State Relations in Central and Eastern Europe*, Kraków 1999, Nomos, pp. 42-62.

The nationalism of the oppressed opposed to imperialism and dominance. In this situation religion started to play many roles, which in countries with own statehood are played by political governments or state structures. In a way, religion replaced the state. It became the basic factor of collective identity. This is the function that Catholic religion performed in Poland and in Lithuania as opposed to the religions of the invaders: the Russian Orthodox church and the German Lutheranism. This function was also performed by the Greek Catholic church in Western Ukraine, Orthodox church in Bulgaria as opposed to the Islam of Turks, and by Hussites and other varieties of Protestantism in Bohemia opposing the Catholicism of the Habsburg monarchy. Religions and churches provided symbols and systems of meanings, which helped to interpret the world and one's own experiences by means of specific categories which were different than the categories used by imperial states. With their help members of communities could give meaning to their personal and collective lives, verbalize their interests, aspirations, and values. In this way they could raise their status with their most profound desires and aspirations. Collective and individual identities formed on the basis of religion and literature permitted integration of communities and gave them stability, independent of political power and even opposing state power. The position of churches was strengthened by their involvement in education, hospital care, orphan and elderly care. This charitable and educational activity has been initiated mainly by churches as early as the Middle Ages. In the past the situation of the churches in countries of Central and Eastern Europe was different than in the western countries specially in the sense that they have united with nations. It is even said that these were people's churches. They did not merge with political governments. They did not give to the temptation of Caesaropapism like churches in Western Europe of modern times². When countries of Central and Eastern Europe regained their

² J. Casanowa, *Religie publiczne w nowoczesnym świecie* [*Public religions in modern world*], Kraków 1994, Nomos; W. Piwowarski, *Socjologia religii* [*The sociology of religion*], Lublin 1996, KUL, p. 295 ff.

independence after the First World War, expression of religious and cultural identity of peoples in the political sphere became possible for twenty years. This process was broken by the Second World War and the forty five years of communism.

2. Religions and churches during communism

The situation of religion and churches in communism is well known. The attitude of communists to religion was the result of the Marxist doctrine. Religion was treated in philosophical categories as a form of false conscience and in political categories as opium for the people. Churches were the organizations of class enemies. In all communist countries religions were oppressed and churches were persecuted. In the legal sense there was separation of the state from the church. In fact, atheism became the official state ideology. All social and private life was considered to be political and was subject to the control of political government.

But the situation of churches and believers in different countries was different in different periods, sometimes even in the same country in the process of transformation of communism. The situation was most difficult in Russia and countries annexed to the Soviet Union after the revolution of 1917. The Orthodox church and other religions were deprived of ownership and hierarchs were subordinated to the communist government with threats, blackmail and imprisonment. Patriarch Tichon and Metropolitan Sergei of the Orthodox church were loyal to the communists. Repressions were particularly intensive between 1929-1934 and 1936-1939. People spoke of the five year periods of Stalinist atheization. Most religious associations and communities were made illegal, all monasteries were closed (there were 1000 monasteries in Russia in 1917), churches were destroyed or turned into warehouses and museums of atheism. Only about 200-300 Orthodox churches survived in all Russia. The Bolsheviks killed over 80,000 Orthodox and 30,000 Muslim monks. Repressions lessened during the Second World

War to win favour with people and encourage them to fight in the Great Patriotic War. They intensified again in 1956 when power was taken over by Khrushchev. They stopped in 1975 when the Helsinki Convention was signed and following pressure exerted by Western countries. The policy of perestroika meant the beginning of religious freedoms. In 1989 Gorbachev, prior to his visit to Vatican, ordered to release all prisoners kept in prisons for religious reasons³.

Churches in the countries of Central and Eastern Europe, which were subordinated to the Soviet rule after the Second World War but got formally the status of independent states (it means they were not Soviets republics) found it easier to survive. They were not affected of the five-year periods of atheization. Besides, churches in some countries were very strong. Communists used the different methods and strategies to subordinate them– sometimes they tried to suppress them, subject them to control, manipulate them and, when this proved futile, they tried to disintegrate them internally or set minority communities at variance with majority communities. Religion in schools was abolished, church property was nationalized, most religious journals and periodicals were closed, no permits were given to build new churches, metropolitans were arrested – cardinal Wyszyński in Poland, cardinal Tomašek in Czechoslovakia, and cardinal Stepinac in Yugoslavia. People, who openly professed their religion, could not be promoted as civil servants. Following the policy of atheization and intimidation, in the 45 years of the communist rule the number of people who openly admitted profession of a religion decreased by 15% in Hungary, 13% in Bulgaria⁴. The worst situation was in Albania, where,

³ Cf. J. Johnson, M. Stepaniants, B. Forest (eds.), *Religion and Identity in Modern Russia*, Aldershot, Burlington 2005, Ashgate, particularly the article by M. Stepaniants, *Ethno-Religious Identity in Modern Russia: Orthodoxy and Islam Compared*, pp. 26-38.

⁴ N. Zrinscak, *Church and State in New Social Circumstances. The Croation Story*, in: I. Borowik (ed.), *Church-State Relations in Central and Eastern Europe*, op.cit, pp. 119-135; D. Herbart, *Habermas, Christianity and Democracy in Central and Eastern Europe*, *ibidem??*, pp. 83-97.

like in the Soviet Union, religion and churches were completely destroyed. The Hungarian church started to cooperate with the communist government after 1956 and so did the Orthodox church in Bulgaria. In other countries (Poland, Czechoslovakia, Yugoslavia) Catholic clergy and the faithful, despite oppressions, resisted and opposed the communist rule⁵. Catholic churches in these countries remained the only institutions independent of the state. They opposed the totalitarian policy, culture, secularization of school and public life, and Sovietisation. They defended tradition, national identity and moral ideals in public life. They followed the policy of a besieged stronghold. However, in the last years of the communist rule they again became politically active, particularly when Karol Wojty³a of Poland was elected Pope in 1978. They provided space to the oppositionists, both believers and non-believers. Meetings of dissidents were held in churches and other buildings belonging to the church, people prayed for freedom. The church was the source of ideas, truths, meanings, symbols which made struggle against the communist ideology easier. The language of Marxist scientism was opposed to the language of moral ideals. Thanks to extensive institutional structures, the church established a network of effective influence centres appealing to masses. Without those niches, which were provided by the church, and without its institutional and ideological protection the dissident movement would never develop. Havel and Wa³êsa often emphasized the value of truth and the role of transcendence as the motives and reasons for the acts of the opposition. Churches were the embodiment of the struggle against communism for all the citizens, irrespective of their religiousness. And they became a great authority in the society. They were treated as a constituent part of the illegal democratic civil society, which was then being born in opposition to the official government⁶.

⁵ T. Buksinski, *Non possumus*, in: R. Kozłowski, P. Juchacz (eds.), *Freiheit und Verantwortung*, Peter Lang 2002, pp. 5-24.

⁶ P.M. Zulehner, M. Tomka, N. Tos (Hrsg.), *Religion und Kirchen in Ost(Mittel) Europa: Tschechien, Kroatien, Polen*, Ostfoldren 2001, Schabenverlag.

The war between the communist state and churches affected the character of churches and their teaching. Isolated from the world, aiming to survive and preserve what was left of the past, in the course of years they became more and more conservative and traditional. They found it difficult to accept the changes introduced by the Second Vatican Council (1962-1965). The oppression of churches by political authorities did not favour internal reforms or critical self-reflection. The churches fighting the totalitarian system were becoming more and more authoritarian and centralized.⁷

3. Old and new functions of religion in the than Soviets republics and other post-communist countries

We want to stress the fact that the different political status during communism is of particular importance for the problem at hand. The situation of religion and churches in the countries, which belonged to the Union of Soviet Socialist Republics from its establishment in 1920, and that of countries annexed to it in 1945, is different today. Eastern Ukraine and eastern Belarus were part of the Soviet Union since 1920. They gained their independence in 1991, after the collapse of the Soviet Union. As mentioned before, the processes of atheization in Russia went very far, and also in countries belonging to the Soviet Union (particularly those belonging to it since 1920) atheization made considerable progress. As a result of perestroika and system transformation the process of religious awakening and religious revival in the individual, social, institutional, public, political and cultural dimensions has started. People returned to the roots, i.e. to the times from before communism and aspired to give

⁷ I. Borowik, *Introduction. Religion in Post-Communist Societies – Confronting the Frozen Past and the Peculiarities of the transformation*, in: I. Borowik, G. Babinski (eds.), *New Religious Phenomena in Central and Eastern Europe*, Kraków 1997, Nomos, pp. 7-24.

religion its former status and former functions. Some countries incorporated into the Soviet Union in 1945 and transformed into Soviet republics – Lithuania, Latvia, Estonia, Moldova, western Ukraine, and western Belarus avoided the most brutal processes of atheization.

The best was the situation in the countries, which retained their autonomy even if they had to introduce communism and were under the control of the Soviet Union. The latter formed the hard core of the Central and East European region (Poland, Czech Republic, Slovakia, Hungary, Romania, Bulgaria, Yugoslavia). Religion was marginalized but it did not collapse (except Albania). Churches were persecuted and isolated but they maintained the support from the peoples in the country. Therefore today two-sided or bi-directional processes are observed there – on the one hand there is a desire to restore the position of churches and their status from before communism, and on the other they are influenced by the processes originating in the West – privatization, religious individualization and even secularization.

Let us begin with a short description of the situation of religion in Russia and the former Soviet republics. The increase in the number of the faithful is one of the striking features of the post-communist period. All statistical data based on questionnaires and observations corroborate this fact. In 1991 (five years after the introduction of perestroika) 40% Russians said they believed in God and 10% said that they are profound believers. In 1998 these figures were, respectively, 60% and 20%. In 2004 as many as 75% Russians considered themselves believers in God. Among them 83% Russians belong to the Orthodox church. But only 2% of them are regular church goers and about 50% have never been to the Orthodox church. Among the nations, which live in Russia and which traditionally belonged to the Muslim culture (Tartars, Chechens) 30-40% declared themselves as religious people.⁸ Religious knowledge is

⁸ M. Stepaniants, *Ethno-Religious Identity in Modern Russia: Orthodoxy and Islam Compared*, in: J. Johnson, M. Stepaniants, B. Forest (eds.), *Religion and Identity in Modern Russia*, Aldershot, Burlington 2005, Ashgate, pp. 26-38, p. 13.

low, spiritual and moral life is poor and generally believers do not live by the religious doctrine. Consequently, religion performs the traditional function of the source of meaning in personal life and the source of collective identity. After the collapse of Marxism an ideological and axiological vacuum was created. People needed some orientation in their lives; satisfaction of material needs was not sufficient. Moreover, the fall of the Soviet Union created a new political situation for Russians and for their identity. The Soviet Union was a communist, class, supranational state by definition. When it collapsed, Russia came into being. It is composed of many nations, but Russians remain the titular nation. It is the state of the Russians. Questions arise about the collective identity of Russians. What makes them different from others? And the Orthodox Church helps to answer this question. Even non-believing Russians consider themselves Orthodox. Religion performs identity functions and helps to identify national and cultural membership. Identification with religion means declaration of membership to a specific tradition and specific history. Faith or specifically religious practices (participation in church services or sacraments) are not really important. What is important is acceptance of some tradition, some official rites, the place of religion in public and political sphere, and a positive attitude to them. Orthodox church is the church of tradition; it is the soul of Russia, the essence of the Russian people, the bastion of resistance against western expansion, against democracy, which is alien to the Russian culture, against social disintegration. Politicians are aware of these functions of religion and seek the support of the Orthodox church. President Medvedev, prime minister Putin (and earlier President Yeltsin) regularly attend services in the Orthodox church and meet the metropolitans. The natural death of the metropolitan in 2008 was given the rank of a fundamental state event. All political groupings, from communists to nationalists, support the Orthodox church. The Orthodox church aspires to acquire a monopolistic position. Traditionally conservative and authoritarian, it did not change its face under the influence of the communist experience. It is against the freedom of speech, against human rights, against democracy and western culture.

It opposes other churches in Russia, particularly Catholic and Protestant ones. It honours any political government in Russia and demands its support and acceptance of its aspirations to the monopolistic representation of the soul of Russia.⁹

A similar situation is observed in Belarus. The law on the freedom of religion and religious organizations (1992, as amended in 1995) is the guarantee of religious freedom, although religions are evaluated with respect to their influence exerted on the development of spiritual and cultural life and the national tradition. In 1989 22% Belarusians considered themselves believers in God and 65% described themselves as non-believers. In 1997 these figures increased to, respectively, 43% and 35%, in 2004 65% Belarusians declared their religious affiliation. Two churches compete for the dominant position in Belarus: the Orthodox church (in eastern Belarus) and the Catholic church (in western Belarus). President Lukashenko is seen in the Catholic church and in the Orthodox church at Christmas and Easter. Both religions are present in the public life, they offer education, are present in the media and are active in business. They regain their former social functions such as continuation of the national heritage, cultural tradition, customs, national identity and social integration. In the individual dimension the church gives meaning in life and defines life orientation. Apart from the traditional religions many new religious congregations are established in Belarus, although their social role is negligible.¹⁰

In Ukraine, a major part of which belonged to the Union of Soviet Socialist Republics since 1920, sociologists and observers have noticed a rapid increase in religiousness after the collapse of communism. In 1985 there were about 30% believers, in 1997 – 64% Ukrainians declared that they believed in God. In the legislation introduced in 1991 (amended in 1993) the religious relations are modelled on the American pattern – religion is equal in the face of law and there is separation of the state from the church. What

⁹ G. Chistiakov, *In Search of the „Russian Idea“; A view from inside the Russian Orthodox Church*, *ibidem??*, pp. 53-64.

¹⁰ E. Babosow, *The revival of religiosity in Belarus*, in: I. Borowik, G. Babinski (eds.), *New Religious Phenomena*, op.cit, pp. 151-162.

makes the religious relations in Ukraine specific is the great number of religions and churches. There are two Orthodox churches – one is subordinated to the patriarch of Moscow (and has 38% believers) and the other is subordinated to the patriarch of Kiev (and has 12% believers). Apart from them, there is the Greek Catholic church (which was particularly persecuted during communism) with about 20% believers. About 20% believers belong to different Protestant congregations, about 2% are Catholics and about 5% are Muslims. Religious congregations compete for believers and oppose each other. Churches, particularly the Orthodox and Greek Catholic ones, seek dominance in expressing Ukrainian identity and cherishing national tradition. They are involved in nationalist propaganda and not very keen on promoting moral principles and deepening the knowledge of the principles of religious faith among the faithful. Political authorities take advantage of this situation and try to manipulate the churches.¹¹

The situation of churches in the countries, which never belonged to the Union of Soviet Socialist Republics, is different in many respects. In these countries, directly after the fall of communism, laws were passed, which guaranteed religious freedoms and equality of all religions. Religious education is offered, religion is present in the mass media, some previously confiscated property was returned to the church. The number of believers has gone up by a few or a few dozen percent (in Bulgaria even by 47%). Increased political significance of religion and its presence in public life were also noted. Churches made attempts at regaining the social status from before communism. They aspired to make religious identity a constituent part of the national identity of the entire nation. However, unlike in Russia and the former Soviet republics, more emphasis is put by the churches on the moral ideals in public and political life. They accept the democratic political and social

¹¹ V. Yelensky, *The Ukraine Church and State in the Post-Communist Era*, in: I. Borowik (ed.), *Church-State Relations*, op.cit., pp. 136-152; A. Sagan, *Orthodoxy in Ukraine: Twelve Years of Transformation (1990-2002)*, in: I. Borowik (ed.), *Religions, Churches and the Scientific Studies of Religion: Poland and Ukraine*, Kraków 2003, Nomos, pp. 9-28.

system and contribute to its strengthening. And, which is even more important, there are phenomena, which weaken the traditional religions and their social and political position. In recent years the growth of the number of believers was stopped (in the Czech Republic that number dropped), the number of clerics studying in seminaries is decreasing and the same is true of the number of priestly vocations. There are processes of differentiation – religious, national and civil identities begin to go their own ways. Public and personal morality is detached from religious morality. A growth of tolerance of other religions is observed, particularly tolerance of new religions, and the relativization of the truths of the country's own religion. These processes affect mainly the traditional religions (the Catholic religion in Poland, Slovakia, Croatia, Lithuania and Hungary), Orthodox religions (in Bulgaria, Romania and Serbia), Protestant religions (Estonia, Czech Republic), whose followers constituted a majority in the individual countries.¹² The religious life of the societies in this region starts to resemble the religious life of western societies. Political democratization and liberalization forces traditional churches to implement internal democratization; however, they are not always ready for this process.

Religion is most important in Poland, which is mainly owing to the Catholic church. About 90% of Poles admit to be Catholic. Catholic church played the most fundamental role in the fight against communism. Researchers agree that the election of Cardinal Wojty³a as Pope in 1978 and his pilgrimages to Poland boosted the spirit of opposition to communism. Although the main political dissidents were lay people, they were supported by the church. The clergy also played the role of mediator in the establishment of contacts between dissidents, protesters and communists in power. After the fall of communism the legislation passed in 1993 guaranteed freedom of conscience and faith, equality of all religions in

¹² A. Kvasnickova, *Religious Changes in Slovakia and the Czech Republic after the "Velvet Divorce"*, in: I. Borowik (ed.), *Religious Churches and Religiosity in Post-communist Europe*, Kraków 2006, Nomos, pp. 103-118, J. Misovic, *Religion in Czech Republic of the 1990s in View of Sociological Research*, in: I. Borowik, G. Babinski (eds.), *New Religious Phenomena*, op.cit., pp. 187-202, p. 310.

law, separation of religion from churches, internal autonomy of churches, public involvement by churches and religious education (since 1990 religion has been taught in public schools but attendance is voluntary). Churches were given legal personality and their former property was gradually returned to them. The church, aware of its social power and authority, started public activity and aimed at the introduction of the standards of religious morality in public and political life.

4. Dilemmas of churches after communism

The situation of churches and religions in Central and Eastern Europe after the collapse of communism is paradoxical. On the one hand religions became the basic social force, capable of exerting influence upon the society, governments, and politics. It is a force institutionalized in the form of churches, based on traditions, customs and beliefs of people as well as on the doctrine and fidelity to principles. On the other hand they have been weakened by communism. In many countries many prejudices from the communist times still prevail, concerning supposing irrationality of religion or reactionary stand of clergy. But what is most important for churches are the new challenges which they have to face. Some of them are external and come from the western world, others are internal. The former are in the sphere of public relations (external with respect to religious communities). Generally, there are two groups of them, which can be described as, respectively, politicization and pluralisation. The latter are internal in the church and they are described as, respectively, privatization and individualization.

As was mentioned above in the legal terms the status of religion in the post-communist countries is not different from that in western countries. There is legislation, which guarantees the freedom of conscience and religion, freedom of religious practices, the right to express one's opinions publicly, and the right to convert to another faith. The equality of all religions, neutrality of state towards religion

has been guaranteed. Political governments do not interfere with the internal jurisdiction of the church, religious education and charity work carried out by the church have been permitted. The rights of religious people have been treated on a par with human rights because, in fact, they are a constituent part of human and civil rights. At the same time, the strong position of churches in the societies is a temptation to use them for political purposes. At the time of crisis the church is asked to support political and economic reforms, such as political and economic liberalization and privatization of state enterprises. Churches use this situation to strengthen their position in the public and political spheres. They want to exert influence on legislation and politics. Therefore they started campaigns in which they advocated that legislation, politics and public life should be based on Christian morality. In this spirit they campaigned against abortion, homosexual marriages, euthanasia, capital punishment, pornography, in vitro fertilization etc. This campaign was partly successful- e. g. in Poland the relevant legislation was passed by the parliament on the protection of human embryo in 1996 and on the protection of families in 1993. As a result of such campaigns churches started to regain their public position of which they were deprived during communism, although it must be emphasized that churches do not establish their own political parties and they do not support the political parties set up by lay people. They distance themselves from direct government too. Churches regained their influence on private and (partly) state education as regards teaching religion and morality, they are present in the mass media, culture, in charity and in social care.¹³

This phenomenon is accompanied by phenomenon of religious pluralism. Liberal and democratic legislation is used by both traditionally large and small religions and by new religious movements. And this situation is more favourable for small and new religions, churches and sects. In the legal sense there are no state churches

¹³ J. Mariański, op.cit. E. Pace, *Globalization and the Conflict of Values in Middle-Eastern Societies*, in: P. Beyer, L. Beaman (eds.), *Religion, Globalization and Culture*, op.cit, pp. 503-526.

in Central and East European states, there is no 'obligatory' religion. But, traditionally, in some states some religions have had a dominant position because of their influence, number of believers, tradition, merits, relations with culture and collective identity. For example, before the communist period the Catholic religion played the dominant role in Poland, Lithuania, Slovakia and Croatia, and, to some extent, in Hungary, whereas Orthodox religion dominated in Russia, Ukraine, Belarus, Bulgaria, Serbia and Monte Negro. After the fall of communism these religions and the churches which represented them naturally assumed the function of representatives of spiritual and moral interests of entire nations. They aspired to regain their dominant position from before communism. However, they encountered competitors. The situation changed – the liberal legislation in each of the post-communist countries permitted registration of a few dozen of new religions, churches and sects. These are mainly different Protestant churches and eastern religions. Most active among them include evangelical congregations, Jehovah's witnesses, Pentecostal church, different types of Buddhism and Muslims. Traditional churches must come to terms, not only legally but also practically, with the reduction of their dominant position.

Privatization, in turn, is a process, which is taking place within churches and concerns all churches. Privatization is a process opposed to politicization. It entails treatment of faith as a personal or family experience. Church religion based on institutional practices, observance of rites, cult, norms of ecclesiastical life ceases to play the exclusive role and is often replaced with one's own religion, which is practiced outside church walls and in accordance with one's own principles. People meditate, pray or contemplate or practice religion in a different way. Even if believers take part in church services, they treat them as their private experience. Any outsiders have no right to interfere with their life. They are also against the involvement of churches in political life. Privatization of religion is part of a wider project of self-affirmation, characteristic of modern people in the West. The ideals of self-affirmation begin to spread in Central and Eastern Europe.

The processes of religious individualization are closely connected with the processes of privatization. Differentiation between them is a matter of convention. Believers now often reject not only church practices but also part of the church doctrine. They profess their faith when it is identical with their own views and their own beliefs and accept only some dogmas of faith. For example, they believe in God but they do not believe in Hell and Satan. They make the effort of choosing their own life style. They take part in some religious practices only; moreover, this participation is not systematic. They become indifferent to the traditional cult and traditional rites. Personal morality, and particularly sex life, is the sphere with most individualization. They engage in premarital sex, use contraceptives and even do abortions, a great number of Catholics live in partner relations, the number of divorces is rising (only 30% of Catholics believe it important to observe the standards of religious morality, others resort to their own conscience as the decisive instance), their involvement in church services is falling down (only about 35% Catholics regularly attend Sunday services), they selectively adopt of the dogmas of faith. The more and more young seem to be religiously indifferent, have weak links with their parish community, neglect the role of prayer.¹⁴

There are many other phenomena, which are unfavourable for the church. Despite efforts, after the fall of communism the church has never been able to influence the way Catholics voted in parliamentary or presidential elections. Catholics support the presence of the church in broadly understood public sphere, but not in the political sphere. The church is supposed to be with people, not with the political government.¹⁵

The processes described above have the face of Janus. On the one hand there is weakening of the institutional dimension of traditionally great religions. Faith is detached from churches. The influence of churches on believers and on the entire society is diminishing.

¹⁴ E. Jarmoch, *Individuelle Religiosität von Polen*, in: M. Zulehren, M. Tomka, N. Tos, *Religion und Kirchen*, op.cit., pp. 286-309.

¹⁵ J. Marianski, *The Religiosity of Polish Society from the Perspective of Secularized Europe*, in: I. Borowik (ed.), *Religions Churches and Religiosity*, op.cit., pp. 81-91, p. 313.

On the other hand, individualization and privatization are accompanied by processes of faith strengthening. The religion of external cult is changed for the religion of internal spirituality, the religion of tradition and customs is changed for the religion of beliefs, inherited religion is substituted for conscious religion. There is deepening of faith. Some become indifferent, but others develop their religious spirituality.¹⁶ Profound believers are the solid foundation for the functioning of churches. They are educated people, conscious of their spirituality and able to justify it intellectually. Such individuals and groups are the centres of religious revival. It is through them that the processes of desecularization of societies take place. The latter are, on the one hand, a threat to churches because they trigger changes of some practices, but on the other they are hope for churches because they exert influence on the religiously indifferent and by setting an example with their attitude they trigger religious zeal and help deepen faith.¹⁷

The phenomena, which the church considers negative, are usually connected with the influence of the secularized, morally liberal, anti-church western Europe. The processes of secularization in western countries have been very extensive in the post-war period and the post-communist societies simply imitate them in an accelerated way. The attitude to western Europe of the churches and believers in post-communist countries are ambiguous. The initial enthusiasm for liberal freedoms gave way to criticism. Criticism included the 'amoralization' of private and public life and excessive attachment to material welfare as well as lack of solidarity with those whose financial situation was worse. In 1997 Polish bishops supported Poland's accession to the European Union, although they formulated a number of reservations, which conservative parties

¹⁶ T. Luckman, *Niewidzialna religia. Problem religii we współczesnym społeczeństwie* [*Invisible religion. The problem of religion in modern society*], Kraków 1996; Nomos; P. Norris, R. Inglehard, *Sacrum i profanum. Religia i polityka na świecie* [*Sacrum and profanum. Religion and politics in the World*], Kraków 2006; Nomos. Ch. Taylor, *The Secular Age*, Cambridge MA 2007, The Belknap Press of Harvard UP.

¹⁷ E. Pace, *Globalization and the Conflict of Values in Middle-Eastern Societies*, in: P. Beyer, L. Beaman (eds.), *Religion, Globalization and Culture*, op.cit, pp. 503-526.

transformed into items of their political platforms – reference to God and Christian tradition in the European constitution, fidelity to tradition, law based on principles of Christian morality. Extraordinary ideas were born – the Polish church should go on a mission to ‘re-Christianize’ western Europe. The church wants Europe to base its public life on dignity, truth, love, family values. The reversal of the secularization processes and the revival of religion observed in western Europe and in the world somehow softened this criticism. It seems that western and central European societies are getting closer to each other. In Central and Eastern Europe religious liberalization, increased tolerance and pluralism are observed while in Western Europe there is religious revival and increased importance of religion in personal and public life, mainly under the influence of immigrants from Central and Eastern Europe and from the Muslim countries.¹⁸

¹⁸ Cf. P. Beyer, L. Beaman (eds.), *Religion, Globalization, and Culture*, Leiden, Boston 2007, Brill; J.E. Fassum, Ph. Schlesinger, *The European Union and the Public Sphere*, London, New York 2007, Routledge, pp. 1-20.

Chapter VIII

What Poland Brings to Europe?

1. Introductory Remarks

I will limit the considerations in this chapter to the case study of Poland. However, the contribution of other post-communist countries included into the European Union on the first of May, 2004 can be characterized in a similar manner. Poland is a country with the biggest area and population in Central and Eastern Europe and probably typical of this region. In general, we can say that the above-mentioned countries contribute both positive values and characteristics, which will enrich Europe, as well as negative values and features, which pose problems that require solutions for the European Union.

My answer to the issue mentioned in the title will be presented in points in a summary way. I will start with the most down-to-earth and material questions. I will enumerate four advantages or positive characteristics of the material dimension and four negative features (characteristics), and then will proceed to enumerating four specific features of culture of the new member countries of the European Union. The assessment concerning the value and influence of culture is more difficult and more ambiguous than the assessment of material resources. I will point to the various opportunities of taking advantage of the cultural heritage of Central and Eastern Europe in the European Union.

2. Positive and Negative Material Resources

1. Poland brings to Europe geographical regions which are considered as the ecologically cleanest and which offers the most beautiful wildlife in Europe. These are first of all the Masuria – a north-eastern district of lakes and forests, as well as an area at the eastern border. This makes an ideal recreational area and a place for different kinds of tourism (agro-tourism, forest tourism, mushroom collecting, wild birds and animals watching, water sports, hunting). Tourists from Germany and lovers of agro-tourism from other countries have already appreciated these areas. Recreational and tourist facilities should be constructed in such a way that the landscape and the wildlife of these areas may remain intact in the future.

At the same time, however, the southwestern parts of Poland (Upper Silesia) belong to the most ecologically destroyed areas, polluted with smoke and dirty. These are the areas of coalmines and heavy, especially metallurgical, industry. The process of regeneration of brownfields from coalmines has begun and factories especially harmful for the environment are being closed down. This work should continue.

2. Polish agricultural products are one of the most healthy and ecological in Europe. Agricultural production is dispersed among small farmers. In the year 2004, 27% of the population continued to find employment in and live off agriculture. Due to their impoverishment resulting from the reforms that transformed the economy from a centrally planned one to a free market one, farmers use to a smaller extent artificial mineral fertilizers than in the western countries. The majority of food products have an ecological character and are of full value. No one grows crops or raises animals which would be genetically modified. Such agriculture is also a chance for Europe. Regrettably, Western experts and the governments of Western Europe cannot realize the worth of the fact that bathe small is beautifully They make Polish authorities do away

with small farmers. They accuse farmers from Eastern Europe of producing not in conformity with the EU standards. Left to themselves, farmers abandon their farms. Large Western firms and corporations such as Danone, Unilever, Nestle, and United Biscuits buy out land and promote large commercial agricultural farms at the expense of smaller ones. Production in large farms is cheaper. They may also use stricter hygienic regulations which aim at the elimination of unnatural dirt/contamination/. However, the regulations on the use of chemical products are very liberal. And they contribute to artificial dirt/contamination/, which is far more hazardous to health and life. Suffice it to mention that according to the data from 2004, around 80% of the population of Germany are allergic. The low quality of agricultural products (especially meat) in Western Europe and their health hazard are commonly recognized facts.

3. In the sphere of economy and technology, it is interesting to note the still large number of small and medium handicraft workshops and firms. These are repairs, construction and production shops. They employ highly qualified work power. Traditional occupational skills are combined with the knowledge of new technologies. The qualified work force is the result, on the one hand, of a long tradition of handicrafts, and on the other hand of vocational training which used to be quite extensive. These workshops, however, find it ever harder to compete with large firms. They are nevertheless needed by the local population and are connected with local policy. A proper taxation policy that would support their activity might ensure many workplaces. Unfortunately, in the face of a pursuit of cheap goods in large quantities, there is no understanding of their importance. These workshops are being eliminated by large companies, both domestic and foreign.

4. Another resource which is essential for the further development of Europe is the level of education of the society. Nearly 90% of the population of Poland between the ages of 20 and 24 have graduated from at least a secondary school. For each thousand people

in the age group 20-29, over 75 are graduates of universities and schools of tertiary education, which gives Poland the first place in Europe as far as education is concerned. It is worth mentioning also that the participation of women in university education amounts to over 67%.

Poles value the right to education as the greatest of rights. The following table presents Poles' opinions on the subject of civil rights and liberties.

	Very important (%)	Rather important (%)	Difficult to say (%)	Rather unimportant (%)	Totally unimportant (%)
right to education	89.2	9.2	1.3	0.3	
right to work	87.9	1	1.1	0.3	
right to life in security	86.2	12.5	0.3		
right to protection of health and recreation	85.6	12.5	1.3		
right to equality before the law	85.6	11.5	2.3		
right to social insurance	85.2	13.4	0.7	0.3	
right to personal dignity and inviolability	82.0	16.7	0.7	0.3	
right to possession of property	80.7	15.7	2.3	0.7	0.3
right to a trial before an impartial court	76.7	17.4	4.9	0.3	
right to a free expression of one's beliefs	74.8	22.6	2.0	0.3	
right to exercise obligations of state	72.5	17.7	6.6	2.3	

administration freedom of speech	70.8	24.9	4.3		
freedom of religion	88,2	6.7	5,1		
right to the protec- tion of one's indi- vidual interests	68.9	23.6	5.6	1.3	0.3
right to a celebra- tion of holidays and a free	68.5	23.3	4.9	2.3	0.7
exercise of relig- ious practices free- dom of beliefs	67.2	25.2	3.3	3.6	
right to elect and be elected	67.2	20.3	9.8	2.0	
right to creation of self-governments (territorial) occu- pational, etc.)	63.9	23.9	9.5	1.6	0.3
freedom of con- science	61.6	27.9	4.9	4.9	0.3
right to the protec- tion of group inter- ests	60.7	31.1	5.6	1.6	0.7
right to free asso- ciations	52.1	28.5	16.1	2.3	
right to assembly	51.1	31.8	13.4	2.3	1.0
other	35.1	8.9	23.9	0.3	2.0

Table 1. Source: "Opinions of Poles on Poland and Europe" survey; N = 1206.

As can be observed in the above Table, Poles value highest the right to education, to work, and to live in security. Such high ratings stem from the concern about assuring actual (rather than only virtual) minimal living and work standards for all citizens. It is noteworthy that political liberties are at the bottom of the hierarchy of importance. This proves, on the one hand, that in the citizens'

opinion they are not endangered, and on the other hand that formal political rights without an adequate level of education and material well being of the citizens become purely formal, empty of content, and hard to be used in practice.

5. So much for the positive material values brought to Europe. In the subsequent four points, I will enumerate negative characteristics of the material life of the society, which pose problems to be solved and in this sense will be troublesome for Europe. Unemployment is Poland's biggest problem. It has the highest level from among the countries of the enlarged European Union. According to the official statistics, affects permanently over 12% of professionally active population, in comparison to the 8% average among the old EU member states. Although many unemployed people work unofficially, which means that they have not been struck off the register of the jobless, unemployment remains a great problem. It has been caused by ill- advised reforms of the economic and political system and by the opening of the borders to goods from abroad and their resultant competitiveness in a situation when domestic companies were unprepared for a competitive economy. Sometimes companies were brought to bankruptcy as a result of unfair competition or of the policy of power groups which took extra-economic factors into consideration (for instance, non-legal pressure of domestic or foreign lobbies).

6. Backward infrastructure is another problematic area. High-tech highways constitute an example of inefficiency in this respect. There are around 1000 kilometers of such highways in Poland as opposed to over 10,000 kilometers in Spain. Another example of negligence concerns the newest technologies. In 2004, Poland had 23 Internet users for every 100 residents, while in the fifteen boldly EU member states the figure was 36.

7. A weak legal system is a difficult problem for Poland. A new Penal Code and a Code of Criminal Proceedings entered into force in 1997. They replaced the codes from the communist period. The

new codes were patterned on Western European codes. As a consequence, their main objective was to protect civil liberties and rights. In practice, the new codes increased criminals' immunity to punishment. In a detailed way, the codes safeguard the rights of suspects as well as charged and convicted persons, but do not ensure the rights, security and justice of the victims, the injured and witnesses. Both in Poland and in other post-communist countries, the police and the prosecutors' offices are badly organized, have insufficient knowledge and weak technology and therefore are not able to ensure the delivery of incriminating evidence in conformity with the regulations envisioned by the new codes.

That is why court proceedings drag on for years. The detection rate of misdemeanours and crimes is small – only 20% of perpetrators of crimes are detected. In over 50% of cases where the perpetrator has not been found, proceedings are discontinued on account of insufficient evidence of guilt. A further 30% of cases are discontinued because of the insufficient social hazard of the act. Apart from the extension of procedures which privilege criminals, punishments for crimes were reduced by a 50% average in comparison with the old code. For instance, the punishment for trafficking in persons was reduced from three years to one year, and for armed robbery from five to one year.

The liberalization of the law and systemic transformations are the main causes of the quantitative increase in the number of crimes and their brutality. In the period 1990-2000, the number of crimes in Poland more than doubled. The increase in the number of crimes against property was especially visible; for instance, car thefts rose seven-fold. According to official statistics, the number of crimes in Poland in the years 1975-2005 increased from the figure of 427,217 to over one million, which is 2.5 times.

The liberal and permissive law was to bridge the gap between Poland and Western Europe. In reality, it proved to breed corruption and criminal activity, which as a result discourages foreign investors and tourists. Every law is efficient only when it is adequately adjusted to social morality, culture, customs, and to the sense of justice. Today's criminals are professionals and the law

should make their activities unprofitable, rather than foster the outmoded ideas of social reintegration.

8. Social pathologies are another problematic and cumbersome area in the post-communist countries. Public morality in the new EU member states is in general weaker than in the countries of the old Union. This situation is not only a holdover from the communist period, but also a result of unique ways of development of these societies in modern times. In the countries of Eastern Europe were created networks of unofficial relationships, acquaintances, mutual services, and mutual help whose character is non-legal or illegal. Their aim is to circumvent the law and act in defiance of the law in the hope of acquiring additional personal and group benefits. This activity takes on different forms: from mere nepotism, through bribery and corruption to the creation of standing, well-organized groups, whose members do mutual services to one another and support one another in order to gain and retain adequate positions in politics, business, and in the judicial system. Cliques permeate official organizations, institutions, the press, television, and political parties. They are also active in the Parliament and have influence over consecutive governments. Groups of gala type, in turn, also resort to methods of physical violence, and even commit crimes in order to secure their goals. The gala network is especially extensive in Russia. However, mobsters also manifest their presence through money extortions from businessmen, smuggling, drug trafficking and trafficking in human beings. Networks of parasitical organizations come into life at the intersection of private and public spheres. They are based on ties between criminals and public and political officers. Cliques and mafias not only debilitate democratic institutions, such as the state and legally elected authorities, but also undermine the implementation of human rights and the fundamental values of a democratic society. They replace democratic and free-market relations with illegal structures. They likewise destroy community life since they undermine the relations of mutual trust as well as moral beliefs and customs. They spread corruption.

3. Cultural Resources and Their Significance for Relations within Europe

9. We have so far described the unique characteristics of material (economic and institutional) life in Poland which may influence the policy and the condition of the European Union. Now we wish to present a few remarks on the sphere of culture. Characteristics in this area are more complex and it is more difficult to present a clear-cut evaluation. This is caused by the multiple meanings and aspects of cultural phenomena. The cultures of the new European Union member states have Christian roots. Still, in the course of particular ways of historical development, each nation and each state has worked out individual spiritual environments for their existence. In general, we consider these differences and unique features as positive values, since they enrich European culture. Nevertheless, it may happen in a situation of significant differences that they will become a source of obstacles for mutual understanding and cooperation.

In the relevant literature of the subject there are many definitions of culture and a number of different criteria of division of the sphere of culture are proposed. Below we will characterize four dimensions (aspects, kinds) of cultural life in Poland which seem significant for the processes of entry into the common organism of Europe, namely high (literary) culture, folk (community) culture, public (including economic and political) culture, and axiological (spiritual) one.

The high culture of a nation is composed of literary works, poems, paintings, sculptures, etc. Works of art and literature express the experience of the nations of a given region. These are often experiences of suffering, wars, struggle for independence, for the defence of religion, family and national values. They are a manifestation of attitudes of devotion and willingness to sacrifice one's life in defence of noble, spiritual values which are essential for the community and individuals. The works in question foster the spirit of resistance against evil, slavery and violence. High culture in the

countries of Central and Eastern Europe is rich. It has been an ideological binding agent and a spiritual environment of nations in difficult periods, at times of a loss of independence, the reign of totalitarianism, at times of crises. It has allowed them to survive and preserve national identity. It is impossible to enumerate the works and the authors worth promoting. I will only mention, for instance, that many works by Polish writers of Romanticism (A. Mickiewicz, J. Slowacki, C.K. Norwid), of modernism (A. Prus) or contemporary times (I. Witkacy, W. Gombrowicz, J. Conrad, Cz. Milosz, W. Szymborska) and many other writers, painters, film artists and musicians are known, translated and performed in all countries of the world. Unification with the European Union will allow a further promotion of this abundant heritage and will ensure its knowledge among a wider public. It will enrich the European heritage and contribute to an increase of mutual respect and understanding between nations.

10. The most striking characteristic of societies of Central and Eastern Europe is the intensity of community life. The nations of this part of Europe put much more emphasis than the inhabitants of Western Europe on family life, good neighbourly relations, and the cultivation of friendships. Patterns of behaviour and values which continue to be fostered are, for instance, disinterested help offered to relatives and friends in difficult situations, or the observance of inherited traditions and customs. Family events (baptisms, weddings, funerals) are still frequent and gather many people. The community tradition in Poland is closely connected with the tradition of religious holidays and church rites and finds its religious justification. Tradition ensures a disinterested cohesion of families as well as rural, urban, ethnic, national, and other communities. It creates a unique community ethos and imposes moral obligations on community members. These obligations substitute legal and institutional regulations. They also limit interested and egoist actions which could harm the unity of a community and lead to the state of anarchy in difficult economic and political situations.

Some may say that this kind of culture is outmoded and constitutes an obstacle for technological progress and for modernization as such. I disagree with this approach. The dynamic economic and civilizational growth of Japan and other countries of East Asia, where community life is equally extensive and strong indicates that vital values and joint actions may contribute to a quicker pace of modernization of countries.

It is vital that communities should be tolerant towards their members and open to new trends in politics, economy, and technology. It seems that we are now witnessing processes of transformation of East European communities into an openness to economic and technological innovations, as well as to a greater tolerance for different behaviours, especially among young people. It is hard to predict today how far these transformations will go and whether they will in general jeopardize the existence of communities, the strength of tradition and collective identity. Their collapse would lead to a significant cultural impoverishment of societies and a loss of an important source of values and norms, and as a consequence to a loss of a significant support for a collective identity.

Some features of a traditional collective culture appear to be indispensable for easing the too ruthless character of today's system of competition and struggle for power, and for fighting anomies, lack of life goals and a lack of meaning in life. Such features characteristic of a collective culture as kindness, patience, modesty, moderation, caution in actions and in judgements, a disinterested attitude, solidarity, forgiveness, compassion, hospitality, honesty, and the desire to preserve harmony in contacts with others soften the strict requirements of a free market system, ensure survival in times of trouble, and safeguard the material and spiritual assistance on the part of relatives and close friends. East European communities are characterized also by large measures of nudism, mockery, and irony. These features become especially visible when we compare collective life of the nations of Central and Eastern Europe with the neighbouring Nordic societies'. German, Swedish, and Norwegian. In the Nordic societies individuals and communities

are serious, poor in customs, indifferent, closed towards others. The communities of Central and Eastern Europe indicate that one can function well without excessive institutionalization, influence of politics, regulation from above, and formalization of social life. A rich collective culture may be conducive to the strengthening of conservative attitudes in politics. Nevertheless, in the face of the libertinism in economy and morals that can be observed for the past few years in Western Europe and on a global scale, a conservative trend may counterbalance and forestall leftist or rightist extremism in Europe.

11. There are also conspicuous differences between the old and the new members of the European Union when it comes to the culture of public life. I understand public culture very broadly. I include here first of all political culture, but not only this. I likewise take into consideration the local and regional tradition of self-government, the norms that obtain in mass media, and the customs in the sphere of economy.

The public culture, especially political one, of Poland and other countries of Central and Eastern Europe was shaped as a result of experiences of the Communist period and the 19th century, especially the time of a lack of national sovereignty. These experiences contributed to the shaping of critical attitudes within society towards the state, the law and official institutions which belong to the system, such as, for instance, administration and the police. The manifestations of the political and administrative systems are still treated as something external for communities and individuals, something that oppresses and restricts them. It may seem paradoxical, but in the sphere of politics and public life, Poles value highly personal freedom, independence of their own opinions, and their separate views. As a consequence, many political parties are created, they find it hard to reach agreement with other parties, and that's why many ever-new programmes are being put forward. These tendencies are only apparently at variance with the cult of collective life. In fact, they are a manifestation of the attitude of instrumentalisation of systemic forms of life, including institutional

and state life, vis-a-vis the needs and opinions of communities and individuals. It is not individuals and communities that are to subject themselves to the state and its organs, but the state and other institutions are to become instruments which safeguard the provision of individual and collective needs. What is frequently more important in political and public actions for people from this part of Europe is principles, norms, opinions, or emotions rather than rational calculations and interests. Spontaneity predominates over planning. Such an attitude has its both positive and negative aspects. On the one hand, it eliminates extremist tendencies from political life. There is no place here for fascism or revolutionary Marxism. Totalitarian political systems cannot become strong in such a society.

Extremist ideologies and systems have never been popular in Poland and in the majority of countries of Central and Eastern Europe. This attitude also contributes to getting spontaneously organised – from the bottom up – against oppressive systems, as can be witnessed by the various freedom movements in the 19 century and the anticommunist activities in the period of real socialism. It turned out that it is even conducive to compromises with the enemy and to peaceful transformations of systems, an example of which is the agreement reached between the Solidarity movement and the communists in Poland (the so-called Round Table talks in 1989) and similar agreements between dissidents and communists in other countries. On the other hand, such a culture facilitates the influence of cliques, groups of interest, and mafias on the democratic political and public life (as has been mentioned above) and leads to an alienation of institutions. Trust towards the government, court, parliament, police, army, and political parties is currently low, which has a negative influence on their possibilities of fulfilling their function; without social approval they are not in the position to efficiently fulfill their tasks. This can be witnessed in the following public opinion poll from 2003. Charity organizations and the Church enjoy the greatest degree of trust. Table 2.

Do you, in general, have or have no trust in: Wielka Orkiestra Ćwi- tecznej Pomocy charity initiative	I have trust* (in %)	I do not have trust* (in %)	It is difficult to say (in %)
	89 (48)	8 (2)	3
Polish Red Cross	85 (26)	6 (1)	9
Caritas	85 (35)	9 (3)	6
Roman Catholic Church	76 (34)	21 (6)	3
Army	76 (27)	16 (5)	8
Scouting organizations	74 (21)	8 (3)	18
UNO	63 (1 3)	15 (4)	21
NATO	63 (13)	18 (5)	19
Police	62 (1 0)	30 (7)	8
Television	57 (7)	34 (7)	9
European Union	49 (8)	30 (10)	21
Newspapers	47 (5)	43 (9)	10
Local authorities of your town / commune	43 (5)	4 1 (11)	17
Government	42 (6)	45 (12)	13
Courts	40 (6)	49 (14)	11
Clerks, public servants	31 (2)	52 (11)	17
Churches of other denominations	30 (5)	41 (22)	29
The Sejm and the Senate (parliament)	28 (3)	54 (12)	18
Big corporations	27 (3)	43 (11)	30
Trade unions	22 (3)	41 (13)	37
Political parties	(2)	65 (20)	19
* combined percentages of answers decidedly and rather. Brackets indicate the percentage of extreme answers			

Table 2. Source: CBOS, 2003.

The democratic parliamentary system and the fundamental political and socio- economic structures do not have their enemies; still there is criticism as to the implementation of democratic and

free-market principles. Citizens demand more justice and honesty in public and political life. Morality for them is more important than the observance of the law and institutionalized regulations. Such an attitude also shows especially acutely its specific character if we compare it against attitudes prevalent among Germanic nations. The latter are characterized by a cult of statehood, law and institutional order. There is a pressing need for strengthening legal culture among legislators, law executors and among societies of Eastern Europe. The pathologies of the transformation period led to a reinforcement of their traditional distance to institutions. Spontaneity and emotions frequently prevail over calculations. This is not a culture of subjugation or backwardness. Trade unions are strong and enforce political decisions that are beneficial for them. Nevertheless, citizens are certain that they have no influence on public and political life and that they cannot gain such influence. Criticism towards institutions weakens political and, in general, public engagement of citizens. That is why the participation of citizens in politics and in local self-government is low and frequently little rational. This state is reflected in Table 3 below.

Group social participation of Poles	II 1992 (N=1167)	XII 1999 (N=1522)	I 2002 (N=973)
	percentage		
Passive persons who do not work socially in any organization	77	76	79
Persons who work socially in at least one organization	23	24	21
including:			
in one organization	15	13	15
in two organizations	4	5	4
in three or more organizations	4	6	2

Table 3. Source: CBOS.

12. The axiology of culture comprises the most fundamental and at the same time the most general values of given communities. I use this term in order to emphasize these specific fundamental discrepancies which are not subsumed in the descriptions of particular areas of culture, and which permeate and frequently condition the specific character of these areas.

I will shortly enumerate some of these values which seem to characterize the societies of Eastern Europe; they are a love of personal freedom and national independence; resistance against domination and the power of the stronger; spontaneity of actions and acceptance of spontaneity as a way of life, as opposed to planned actions. There is a superiority of moral and customary principles and norms in life over interested activities and over principles of law. We should note the courage exhibited in difficult situations, but at the same time a lack of systematic actions and a lack of constructive criticism on a daily basis. Vivid imagination goes hand in hand with an inclination to utopian thinking. Peaceful coexistence and avoidance of aggression are valued highly, but at the same time we observe a tendency to risk taking and an acceptance of uncertainty as features of social life. The results matter more than the observance of procedures. Hierarchies are rejected. These societies are likewise characterized by a lack of an ability to promote their goods and values. Not everything is for sale here and they do not intend to sell everything. Feelings frequently dominate over interests and calculations.

Generalizing the aforementioned properties, one can say that the societies of Eastern Europe are characterized by spontaneity and utopian beliefs and actions to a greater extent than Western societies. This is more of an ad hoc culture, and to a smaller degree an organised and planned culture. It appears that these characteristics may reinvigorate the old Europe, over-regulated with laws and interests, and may stimulate its creativity. In order to support my thesis, I will refer to an example of cooperation of task groups in international corporations. Sociological studies have demonstrated that, for instance, groups composed of Germans and Poles exhibited a marked advantage in the efficiency

of their tasks than groups composed of representatives of only one European nation.

To sum up, the central property which is significant for Europe is the fact that East European societies and their lifestyles have a transitional character between those of the West and of the East. This means that certain features of the culture of Western Europe are present in them; these are individualism, attachment to democracy, tolerance. At the same time they share features of the societies of Middle and Far East; these are the strength of a community, attachment to tradition and to religion. That it why the cultures of Eastern Europe may function as a bridge facilitating understanding and cooperation between counties of Europe and Asia. They will lead to a better understanding in Western Europe of certain forms of collective life that have disappeared in the West and will point to the need for the adjustment of political and economic systems to these norms. In fact, Europe already possesses one bridge with Eastern societies in the form of immediate neighbourhood and good relations of some Romanesque countries with Arab countries. This second bridge, created in the Northeast, opens up Europe to new areas, which have so far been regarded as exotic and dangerous. Actually, some of these areas have for centuries been a part of European culture and only due to the birth of totalitarian regimes were they disconnected from Europe. In this sense, then, new opportunities for a cultural exchange and cooperation have now been opened. How will these opportunities be taken advantage of, will depend exclusively on the involvement of Europeans, old and new ones.

The existence of bridges and passages testifies to the fact that there are no clear-cut and unambiguous differences between cultures. Borders are a matter of convention. The theory of the war of cultures wishes to blur what is the most valuable, namely the common elements which unite nations, languages, and customs. We mean here not only common elements in the sense of their being "universal", omnipresent (since they also appear), but first and foremost common in the sense of bridging cultures, and thus present

in neighbouring or related cultures. Taking these elements into consideration presents a totally different picture of world culture. It becomes similar to a pattern of a network or a multicoloured chain in which individual loops or links (elements) are interconnected and create a whole, in spite of the fact that each link (or a loop in a net) is to a certain degree unique and contains elements which are absent in elements that are remote from it. Nevertheless, the neighbouring elements contain a number of common features. That is why transitions between cultures are gradual and soft rather than contrasting, and they do not need to breed hostility.

Part III

**CHALLENGES
OF GLOBALIZATION**

Chapter IX

Transnational vs. Global Democracy

1. Transnational democracy

In this chapter no attempt is made to report on the literature about democracy. It is impossible and unnecessary. Suffice it to say that recently three main research trends on democracy appeared. Firstly, researchers analyse intrastate democracies – their types, assumptions, on which they are based, conditions for their development, definition features, their inner structure, the criterion of the ideal democratic system, changes of democracy throughout history. Secondly, analysts discuss the specific features of transnational democratic structures. And thirdly, suggestions to establish a democratic political order on the global scale are put forward and trends, which either favour or hamper the establishment of such an order, are analysed. In the chapter we will not discuss problems of intrastate democracy. It is relatively well known and well researched.¹

¹ Authors writing about intrastate democracy include for example: R. Dahl, *O demokracji* [*On Democracy*], Kraków 2000, Znak; R. Dahl, *Demokracja i jej krytycy* [*Democracy and its critics*], Kraków 1989, Znak; R. Dahl, *Dilemmas of Pluralistic Democracy*, New Haven 1982, Yale UP; D. Held, *Models of Democracy*, Stanford 1996, Stanford UP; D. Held, *Global Democracy*, London 200, Routledge; B. Holden, *The Nature of Democracy*, New York 1974, Barnes & Nobles; G. Sartori, *Teoria demokracji* [*Theory of democracy*], Warszawa 1994, PWN; A. Hadenius, *Democracy and Development*, Cambridge 1992, Cambridge UP; Klaus von Beyme (et al.), *Politikwissenschaft*, vol. 1, Stuttgart 1987, Kohlhammer Verlag; Cf. L. Diamond, *The Spirit of Democracy*, New York 2008, Henry and Holt Company; Cf. also I. Shapiro, *Components of the democratic ideal*, in: A. Breton, G. Galeotti, P. Salmon, R. Wintrobe (eds.) *Democratic*

Our intention is to present, while referring to well-known concepts (those of R. Dahl, D. Held, S. Huntington, McCormick and other theoreticians), the possibilities of a supra-state (transnational and global) democracy and selected problems of its legal and political structure.

Ever since the European Union was established various questions have been posed about it: is the Union democratic? and if yes – to what extent is it democratic? what is the difference between supra-state and intrastate democracy? how can the Union be democratized? etc. This discussion has always started with democracy practiced in Western states. Assuming that this democracy is a point of reference for comparisons, a short list of weaknesses and possible strengths of the political system created on the European continent with respect to its democratic character can be made. Perhaps most researchers are more willing to list the weaknesses of the European Union than its positive features. It is voiced that this institution has a deficit of democracy. The adoption of the model of liberal majority democracy as an ideal reveals many transnational weaknesses of political relations. The European Parliament is the only institution whose members are elected in direct elections by citizens of EU member states. But the Parliament does not have an independent legislative power. It introduces amendments to draft

Understanding, Cambridge 1997, Cambridge UP, pp. 211-248; Cf. T. Buksinski, *Trzy demokracje [Three democracies]*, in: T. Buksinski (ed.), *Idee filozoficzne w polityce [Philosophical ideas in politics]*, Poznan 1998, pp. 55-86, WNIFUAM; M. Kowalska, *Demokracja w kole krytyki [Democracy in criticism]*, Białystok 2005, p. 125ff, UB; G. Kateb, *The Inner Ocean. Individualism and Democratic Culture*, New York 1992; J. Jakubowski, *Warunki wstępne demokracji [Preliminary conditions of democracy]*, in: T. Buksinski, K. Bondyra, J. Jakubowski (eds.), *Demokracja, samorządność, prawo [Democracy, autonomy, law]*, Poznan 2007, pp. 13-34, WNIFUAM; Cf. I. M. Young, *Inclusion and Democracy*, Oxford 2000, 3, 4, Oxford UP; J.A. Schumpeter, *Kapitalizm, socjalizm, demokracja [Capitalism, socialism, democracy]*, Warszawa 1995, p. 336ff PWN; Cf. also G. O'Donnell, J.V. Cullerell, O.M. Iazetta (eds.), *The Quality of Democracy*, Notre Dame, Indiana 2004, University of Notre Dame Press; P. Piępiwak (ed.), *Przyszłość demokracji [The future of democracy]*, Warszawa 2005, Aletheia; E. Krzywicka, E. Olszewski (eds.) *Christian Democracy in the modern World*, Lublin 2000, UMCS Press; Cf. P. Burnell (ed.), *Globalising Democracy. Party Politics in Emerging Democracies*, London, New York 2001, Routledge.

regulations of the Council of the European Union (Ministers' Council), passes laws jointly with the Council of the European Union and approves of the EU budget, supervises the European Commission. But it must always consult the Ministers' Council, which is composed of the ministers of member states. The most important decisions must be approved by the Council of Europe (European Council), which is composed of heads of states. The Council of Europe is a ponderous body. The European Commission seems to have the most extensive remit among EU bodies; it acts as the government of the European Union. It is composed of full-time commissioners (their ratio to the total number of member states is 2/3; there are plans to have one commissioner per each member states) delegated by state governments and approved by EC's president and the Parliament. Therefore it is not a body elected democratically as the Parliament does not elect this government. Taking general elections or control by citizens and their elected representative as a criterion, it has to be admitted that such bodies and the European Court of Justice and the European Central Bank are even more undemocratic. Therefore the European Union lacks legitimacy – it operates slowly, it is highly bureaucratic and inefficient.²

However, these “institutional” accusations can be weakened. Representatives to important bodies of the Union are delegated by state governments and all of them hold the mandate of electors (after all, all EU member states are democratic). Consequently, delegated representatives, e.g. commissioners, also have such a mandate, even if indirectly. Therefore we can speak of a second degree indirect democracy being specific of transnational systems, admitting that this is a weakened democracy as it is more distant from citizens and their direct influence. Besides, all the important decisions within the European Union are made after discussions, consultations, and joint agreement of positions. Therefore they express the opinions and interests of member states and their citizens. The

² Ch. Lord, *Democracy in the European Union*, Sheffield 1998, Sheffield Academic Press; G. Pridham, *Designing Democracy. EU Enlargement and Regime Change in Post-Communist Europe*, New York 2005, 1, Polgrave Macmillan.

accusation about the lack of legitimacy is not really justified. It is true that EU administration operates ponderously but redistribution of goods is relatively fair and serves the development of all the states. All member states benefit from membership in the European Union. And they are interested in membership in the European Union.

More serious accusations are also made. It is emphasized that there is no democracy without *demos*. And until today European *demos* understood as a community of people having the same understanding of the public sphere, able to organize, deliberate over common problems, recognize each other as political equals has not been established. *Demos* in democracy has real influence on rulers. Such shared political identity enabling the cooperation and the political influence has not been established yet. And there is no common public sphere in which *demos* could discuss and act. Each nation deals with its own problems and discusses them internally. It relates to its own government and not to EU administration. This accusation is partly true. However, it is too strong. After all Europe is a region with identity rooted in Christianity, common history, and awareness of the common cultural heritage.³ A political *demos* is created on this basis – people share political culture, discuss about the same problems, receive the same mass media, European parties are established. People are more and more aware of their common fate and mutual relations. “People” take part in the Europeanization of identity, also as a result of economic migration, tourism, and study at European universities. Elites join in the process more and more often because of their shared political views or membership in a party rather than in a nation. In the legal sense citizens of member states automatically become citizens of the European Union. A European public opinion has been created, which is composed of public national and local opinions. Research

³ B. Markiewicz, R. Wonicki (eds.), *Kryzys tożsamości politycznej a proces integracji europejskiej* [The crisis of political identity vs. the process of European integration], Warszawa 2006, Scholar; Z. Bauman, *Europa. Niedokończona przygoda* [Europe. An unfinished adventure], Warszawa 2005, Wydawnictwo Literackie.

shows that the European opinion supports the European Union, thus legitimizing it. However, this *demos* is weaker than the *demoses* based on historically formed nations. It is rather a collection of state *demoses*. Nevertheless, it can exert influence upon EU authorities through the mass media, through their own governments. Individual citizens also have access to EU bodies. Most often they resort to the decisions of the European Court of Justice, successfully prosecuting their own governments for the violation of their own rights, EU rights, human rights, principles of justice, etc. Most active groups (most often groups representing business) form lobbies and exert influence also upon the committees of EU bodies. There are a few thousand lobbying groups in Brussels.⁴ The role of national *demoses* in the transnational perspective changes – the majority in a given country can be a minority in the European dimension, for example in the case of parliamentary elections. In order to raise the status of small communities the European Union supports small local *demoses*, ethnoses and local governments. Consequently, the relations between the headquarters and local authorities, both from the point of view of individual states and that of the entire Euroregion, change.

In an attempt to make problems connected with transnational democracy more meaningful, let us first draw attention to the rules that were in force during the writing of the European constitution and to the text of some of the constitutional provisions, and then to problems connected with the ratification of the European constitution. In December 2001 member states decided to establish the Convention on the Future of Europe and made it responsible for the drafting a Treaty Establishing a Constitution for Europe. The constitution would give the European Union its legal personality and it would make it possible to have a common foreign policy. The Convention was headed by Valéry Giscard d'Estaing, the former president of France. The Convention was not a democratic institution in the same sense as a national parliament is, because it was not

⁴ Cf. Ch. Karlsson, *Democracy, Legitimacy and the European Union*, Uppsala 2001, Acta Universitatis Upsaliensis, p. 130ff.

elected in general elections and it did not make decisions by vote in compliance with the majority vote principle. It was an elite convention. Nevertheless, as one of its members emphasized, the Convention was democratic in the basic sense as people had influence upon its composition and its resolutions. It was a different kind of influence than that known in the case of national elections.

- (1) The Convention was a second degree representation because it was composed of representatives elected by the European Parliament (16) and those elected by national parliaments (26) and national governments (28); it also included representatives of states which at the time were candidates for EU membership. Other members included 2 members of the European Commission, 13 observers, delegates of the Committee of Regions, the European Economic and Social Committee, EU Secretary General, secretaries, assistants, advisors, diplomats, EU functionaries – in total 205 members;
- (2) Convention sessions were public and published on the Internet, i.e. they were accessible to all the citizens and thus they could be controlled by the citizens;
- (3) Civic organizations influenced the deliberations as they could voice their opinion on the draft text of the treaty;
- (4) Decisions were usually made following consultations and agreements reached between all the Convention members, less frequently by a majority vote. Consequently, the principle of unanimity was adopted, which was a feature of the Polish seym in the 17th century. This principle was considered to be more democratic than majority voting.⁵

The Treaty drafted by the Convention contained 447 articles plus protocols and annexes. The first 60 articles are of importance. Practically, it is a Constitution, which replaced former intergovernmental treaties of European communities (Maastricht, Nice). It defines the basic rights and duties of the EU members and the

⁵ N. MacCormick, *Questioning Sovereignty: Law, State and Nation in the European Union*, Oxford 1999, Oxford UP; N. MacCormick, *Who's Afraid of a European Constitution?*, Charlottesville, 2005, Imprint – academic.com; p. 22ff.

principles on which it bodies function. With the help of the Treaty its authors tried to make the European Union more democratic. The Treaty gave more powers to the European Parliament compared to those accorded to it in the previous documents. There was a heated debate on how to ensure democratic and efficient functioning of the Council of the European Union. It was agreed that decisions would be made by 55% of the states representing 65% of the citizens and that it would be possible to temporarily block any decision and even very small states could do this. Attempts were made to ensure a balance of power between the Council of the European Union, the European Parliament and the European Commission.

The Convention completed its work on 10 July 2003 and on 29 October 2004 in Rome heads of states and governments signed the "Treaty Establishing a Constitution for Europe". The Treaty had to be ratified by the signatory states. Some of its provisions restricted the sovereignty of states and forced amendments of state constitutions (e.g. the principles of direct validity of some EU laws with respect to citizens of members states). In order to give the Treaty the traditional democratic legitimization, governments of 10 states (out of 25 member states) decided to organize referenda on its adoption. In spring 2005 the French (55%) and Dutch public (61%) rejected the Constitution.

Following a political debate in January 2006 the European Parliament decided to prepare a new Constitutional Treaty and submit it to the public vote. Political elites of Europe came to the conclusion that referenda are not a good form of a democratic decision making process in which decisions are made about the most important transnational problems as two principles are applied at the same time: the principle of majority holding within the states and the principle of unanimity applied in the supra-state dimension. Besides internal problems of states affect the voting result. It was decided to adopt a new Treaty and have it approved by the governments and parliaments of member states. This is a much more democratic procedure as it permits submission of reservations and claims by member states and incorporate them into the final text.

The new Treaty was signed in Lisbon on 13 December 2007 by heads of states and governments. On 12 December 2007 member states (except for Poland and United Kingdom) signed the Charter of Fundamental Rights and Freedoms. The main provisions of the Charter have been incorporated into the text of the Treaty. Any breach of the Constitutional Treaty is prosecuted by the European Court of Justice in Luxembourg whereas any violation of human rights is prosecuted by the European Court of Human Rights in Strasbourg.

The European constitution was called the Constitutional Treaty to avoid a suggestion that it is a competition to national constitutions and therefore requires ratification and adoption in a referendum. Attempts were made to avoid expressions indicating restriction of member states' sovereignty. Only cosmetic amendments were made to the Treaty compared to its original text. Thanks to the Treaty the European Union has legal personality, ensures observance of human rights, citizenship of the European Union, and basic freedoms, and has a common foreign policy. However, social rights were not provided for. But the European Union has the right to pass laws.⁶

Governments of all the countries except for Ireland decided that the Treaty does not infringe upon their own constitutions and agreed to have it approved by the parliaments. In line with the requirements of its national constitution, the Irish government had to organize a referendum to adopt the Treaty. In June 2008 the Irish public rejected the Treaty and on 3th of October 2009 approved.

The history of both constitutional treaties makes us rethink the specific nature of transnational democracy. The results of this reflection are unambiguous. Firstly, political processes are not controlled by political elites – after all, the French and Dutch governments supported the Treaty. Secondly, reference to people indicates that political relations in the European Union are democratic – it appeared that the *demoses*, which were to decide about the most important

⁶ Ibidem.

issues, are difficult to manipulate. Referenda stirred a heated debate about the European Union and its economic policy and principles of integration. In this way a public sphere independent of politics was formed. And thirdly, results of the referenda contrary to the expectations of political elites, caused most governments to ratify the Lisbon Treaty by national parliaments rather than in referenda, which indicates that the political legitimization of the Treaty was weakened and that the influence of people on legislative and political process in the Union was also weakened since supporters of governments constitute a majority in the national parliaments. Fourthly, both treaties were established in the course of bargaining and compromises between representatives of democratically elected governments and their delegates and they were rejected by the people – the *demos* of some states. On the one hand this questions the credibility of the governments democratically elected in the states on the transnational forum as they do not reflect the opinions and interests of their electors. On the other hand, it transpired that one *demos*, even a small one, can block the will of reforms expressed by all the others, which is not a sign of a good democratic life. Others become hostages to it. This paradoxical situation results from the principle of unanimity between the *demoses*. It means that referenda continue to be held in national states, where the principle of majority applies, whereas at the supranational level the principle of unanimity of all the national “peoples” applies. The most democratic procedures applied at the transnational level (for example, the principle of unanimity of peoples) make compromises and consensuses impossible. Opinions and interests of national *demoses* are divided fundamentally.⁷ We learn that the principle of unanimity can be applied only in situations, in which positions were agreed in the course of deliberations and negotiations. However, masses (the whole of *demos*) hardly ever take part in deliberations, more often it

⁷ J. Melchior, *Democratic Paradoxes of Constitutional Politics in the European Union: From the Constitutional to the Lisbon Treaty*, in: T. Buksinski (ed.), *Democracy in Western and Post-Communist Countries*, Peter Lang Publishing House, 2009, pp. 67-110.

is the elites or representatives of the people. In each case the people must be convinced by the elites to take a specific position in the course of discussion. Consequently, deliberations and agreements are probably the best method of a democratic decision making process at the transnational level.

Creation of European constitutions, rights and their relation to national rights are among the most controversial problems for a supranational European democracy.⁸ The European Union is a legal institution of a new kind. It was established by member states of three communities (Euratom, the Community of Coal and Steel and the Economic Community) and today in its political and legislative endeavours it depends on member states. But not completely. To a certain extent it has emancipated from the member states and constituted itself as an independent body of regional legislation. However, the emancipation process has been completed only partially – (a) the so-called European laws are directly applied to all the citizens of EU member states, (b) framework laws are acts binding EU states but the states are free to choose the specific forms and methods of their implementation and in this way processes of the so-called indirect governance are created, (c) the guidelines and regulations of EU bodies are only recommendations and their implementation is advised but not made mandatory, (d) decisions addressed to specific natural or legal persons are differently applied. All these legal acts impose restrictions on the legislative, political and administrative activity at the national level. EU bodies have been given a mandate to independently make many decisions and pass many legal acts. States have been restricted in their legal and political sovereignty but not deprived of it completely. After all it is heads of governments who are members of the Council of Europe and representatives of states and communities are members of other EU institutions. The European Union as such is not a state. It does not have its own army, it does not levy taxes upon its citizens.

⁸ J.W.H. Weiler, *The Constitution of Europe: Do the Clothes Have an Emperor? and other Essays*, Cambridge 1999, Cambridge UP; S. Hix, *The Political System of the European Union*, London 1999, Macmillan Press Ltd.

But it is not sovereign either. It cannot define its competences nor its bodies. They are defined by member states. Consequently, we have a divided sovereignty.⁹

The political status of the European Union is not clear. Some treat it as the union of states or as a confederation of states, others – as a Commonwealth. It is an institution, which has its own legal and political structure, its own organization, and which cares for the common good and which establishes its own constitution. It is an experimental field to create democratic supra-state structures. As the European Union is continually in the process of making, its democratic character is not clear too. In any case it seems justified to say that it is a new type democracy. It combines in itself three forms of representation. On the one hand the European Parliament is its first tier of representation, on the other hand the European Commission and other bodies are its second tier of representation (indirect influence of the people through state representatives). And finally, there are also different committees, which agree decisions with both governments and experts and which are under the direct influence of citizens and their organized groups. We should not forget about the basic problem of deciding about the fundamental rights – in a democratic process at the first, second or third tier, preceded with negotiations and agreements. Enforcement of democratic governance in the individual member states is an important function of the European Union. It is true of both the old and the new members. The European Union attracts, it becomes attractive as a democratic structure and as a structure, which supports democracy. The free flow of goods, services and people, legally guaranteed by supra-state structures, creates a new atmosphere in the region. To a certain extent it is a guarantee of democracy and peace in Europe.¹⁰

⁹ N. Mac Cormick, *Questioning Sovereignty*, op.cit., pp. 130-132.

¹⁰ K. S³omczyński, G. Shabad, *Dynamics of Support for European integration in post-communist Poland*, "European Journal of Political Research", 2003, No. 42, pp. 503-540; M. Telo, *Europe: A Civilian Power? European Union, Global Governance, World Order*, New York 2007, Palgrave Macmillan.

2. The process of state democratization

“Democracy in the global dimension” is an expression with many meanings. On the one hand it is about the introduction of democratic systems in the emerging states of the world, on the other – it is about the creation of political (but also civic, cultural, economic) structures and institutions of a supra-state character all over the globe. It is also about the possibility of introducing democracy in countries with the authoritarian tradition (China, Russia) or where there is no clear distinction between the *sacrum* and *profanum* (some Islamic countries). The problems and processes mentioned above are mutually conditioned. Let us begin with drawing attention to some problems connected with the enlargement of democracy.

As proved by S. Huntington, democracy at the times of modernity lived through periods of ups and downs. Huntington has identified (in the same way as R. Dahl) three waves of ups. The first wave (1828-1926) had its roots in the American and French revolutions and its distinguishing feature was the appearance of national democratic institutions. After J. Sunshine, S. Huntington considers democratic those countries, in which at least 50% of adult men were granted the right to vote and in which there was a relevant executive power, which had the support of most of the elected members of parliament or simply the majority of electors in general elections. In 1828 these criteria were met by the United States of America and then by Switzerland, France, and Great Britain. Italy, Argentina and a few other states joined this group before the First World War, and after the First World War – the states, which were established after the fall of tsarist Russia, and the Habsburg monarchy joined it. In total, about 30 states met the criteria. The years 1922-1942 witnessed retreat from democracy in Europe and South America in favour of communist, fascist and militarist systems. The second wave of democratization took place between 1943-1962. Countries of Western Europe returned to democracy. Democracy was introduced also in Turkey, Japan, South Korea, in some

countries of South America (Argentina, Columbia, Peru, Venezuela) and in Nigeria, India and in the Philippines. The understanding of electoral democracy was widened – it was understood as extension of electoral rights to all the adult men and (gradually) to women. Between 1958-1975, as a result of military coups, authoritarian governments were reintroduced in most countries of Latin America and Asia. The third wave of democratization started in 1974 (a coup in Portugal) and it is continuing. At this time democratic systems were introduced in Central European states established after the collapse of the communist bloc, almost in all South America and in South Asia.¹¹ The process of democratization is well illustrated by numbers. In 1974, out of 150 countries of the world, 40 countries were democratic. In 1990, out of 165 countries of the world, 76 were democratic. In 2006, out of 194 countries of the world, 123 were democratic. However, a reservation has to be made that these numbers denote only democracies, which meet the minimum criteria of electoral democracy. According to the data of the Freedom House, in 2006 only in 90 states democracies were more than electoral in character, which means that they also met some other criteria of full democracy.¹² As is noticed by A. Sen, democracy has become a positive value in the opinion of global population. There is no alternative to it. Neither the ideological projects of Islamic fundamentalism nor the ideas of Asiatic values are attractive to the majority, but only to narrow cultural circles.¹³

A study of the third democratization wave is continued by L. Diamond and his associates writing for the “Journal of Democracy”. His views about the possibility to make all the states of the world democratic have evolved from those of an enthusiast to those of a moderate pessimist. L. Diamond argues that at the beginning of the 21st century development of democracy was halted, both in terms of quantity and quality. Countries of the world,

¹¹ S. Huntington, *Trzecia fala demokracji* [*The third democratization wave*], Warszawa 1995, PWN, p. 26.

¹² Freedom in the World Survey, 2007, <http://www.freedomhouse.org>.

¹³ A. Sen, *Democracy as a Universal Value*, “Journal of Democracy”, No. 10, 1999, pp. 3-17.

which were undemocratic, did not become democratic and there is no hope of them becoming democratic. In countries of electoral democracy, on the other hand, democracy is not deepened and there are no processes to make democracy fuller. Some societies abandon it more easily, others find it more difficult. There are many reasons for this, some depending on their mentality, culture, tradition, geopolitical position and many others. Firstly, for the majority of people in the world democracy is not an aim in itself, it is not an absolute value but a means to lead a good life. People hope that democracy will make them wealthy, will guarantee them peace, justice, observance of the law, self-accomplishment. If it does not meet their expectations, it is criticized or even rejected. Societies, for which it is a non-instrumental value (though not being the only value) are attached to democracy to a greater extent and even at the time of economic or political crises they are faithful to its principles. This is how democracy is treated by societies of Anglo-Saxon countries. Secondly, a coalition of non-democratic or seemingly democratic states is being established, which fight the democracy of the world, particularly the forms of supra-minimum democratization. This group includes mainly such states as China, Russia, Belarus, Venezuela, Zimbabwe, some Islamic states. Thirdly, the economic situation of some states does not favour democracy. In this case there are two types of situations. One has been described in the works of S. Lipset. His thesis saying that the chances for introducing and maintaining democracy increase with increased wealth of the country and the level of its development is well known. It is corroborated by research. According to a UN study, out of 50 most development countries 44 are liberal democracies and only Singapore and countries with abundant oil deposits are not democratic. The richer the society, the more tolerant it becomes for the pluralism of views and attitudes and the more critical it is about the authorities.¹⁴ It is true that in recent years attempts have been made to undermine this thesis – it was argued that democracy is faring well also in poor countries (India, Bangladesh, Mali). However, nobody

¹⁴ S.M. Lipset, *Political Man*, Baltimore 1981, Johns Hopkins UP.

undermines the thesis that democracy develops best in rich countries. The other situation has been described by L. Diamond. He showed that countries with abundant oil deposits, which base their economy on oil, are not democratic or seemingly democratic (Nigeria, Venezuela, Russia, seven countries of the Persian Gulf). This is due to many facts: citizens are dependant on the state or oil corporations, elites fight for access to proceeds from oil and the states also becomes dependant on proceeds from oil. On top of that there is the dependence of governments on Western countries and corporations, which buy oil and are interested in political stability, even stability, which is ensured by non-democratic regimes. As a result, authorities become independent of citizens and citizens become indifferent to the relations of authorities.¹⁵

It is interesting that the study of attitudes, views and values of people made by the World Value Survey and the so-called local barometers reveals that the attitude towards democracy is not dependant on religious denomination. It is not dependant on the place of residence and membership in the so-called community (Asiatic) groups. 92% of the population of the Western world, 88% of the population of Eastern Europe, 88% of Muslims in Asia Minor, 85% of the population of Asia and only 81% of the population of Russia were for democracy. The idea of a strong leader was supported by, respectively, 25%, 33%, 36% and 48% of the population of the regions named above. However, religion does exert a strong influence on moral positions (divorce, abortion) and is important for the extent and type of tolerance in political life (e.g. that related to pornography).¹⁶

Systems of the majority of Islamic countries have a specific character. In these countries there are many active groups of fundamentalist mentality. They pose a threat not only to democracy, but also

¹⁵ L. Diamond, *Developing Democracy: Toward Consolidation*, Baltimore 1999, Johns Hopkins UP; L. Diamond, *The Spirit of Democracy*, op.cit., pp. 74, 86.

¹⁶ Ibidem, pp. 32-33; M. Kaldor, M. Albrow, H. Anheier, M. Glasius, *Global Civil Society 2006/2007*, London 2007, Sage Publications. The book contains tables on democracy in the world, observance of human rights, non-government movements, religiousness and other problems.

to liberalism. In many of these countries authoritarian regimes have been established. They do not observe human rights, they are not legitimized by fully free elections but every now and then they exhibit features of electoral democracy organizing elections of political authorities. They ensure some civil liberties and elementary human rights. Some of them have done away with all forms of civil (liberal) liberties in the name of the religious fundamentalist system (Sudan), others have restricted the influence of fundamentalist groups aiming at the elimination of civil rights (Egypt, Algeria). In such countries introduction of full democracy would mean seizure of power by enemies of democracy and enemies of civil liberties. Therefore authoritarian regimes are tolerated and even supported by Western countries.¹⁷ However, it must be emphasized that not all Muslim countries have strong and active fundamentalist communities. In Morocco, Lebanon, Jordan, and Tunisia civil rights and many democratic rights of citizens are observed. The war in the Persian Gulf (1990-1991) and the overthrow of Saddam Hussein in Iraq (2002) strengthened democratic tendencies in the region. Observers have noticed the weakening of fundamentalism in Arab countries and the strengthening of moderate Islamism. In most of these countries there are democratic institutions introduced by colonial states – parliaments, elections, political parties.

3. Global democracy as a form of capital control

Most reservations and problems connected with democracy are about supra-state and supra-regional structures. On the one hand it is emphasized that there is a need to create global democratic political structures, which would make it possible to control processes of economic globalization and restrict its negative consequences, and on the other difficulties in the creation of such

¹⁷ Fared Zakaria, *The Rise of Illiberal Democracy*, „Foreign Affairs” No. 76, 1997, pp. 22-43.

structures or even the impossibility to create such structures are stressed. Economic globalization brings about ambiguous results – for some it is the source of wealth, cheap services, work and goods, for others it is the source of unemployment and poverty. Some of the negative features include the deepening of differences in the resources and wealth between the rich and poor states and social groups within individual states, degradation of the natural environment, the weakening of the traditional values that bond societies and give sense to the lives of their members, the lack of influence of citizens and governments of individual states on economic processes, market radicalism, reduction of people to the role of producers and consumers of goods and services, the lack of transparency in global operations of companies; the threat of global crises, the feeling of powerlessness and the fear of the future. Processes of economic globalization make economic entities (corporations, companies, stock exchanges) independent of national states and political institutions. Economic entities are not democratic internally and are not subordinated to democratic bodies. They are governed by their own laws. Moreover, they affect the political sphere and subordinate democratically elected state authorities by extorting favourable conditions of investment and operation. Besides, more and more centres of power and management in different fields and at different levels are created in the world, which operate independently of citizens and the democratically elected bodies. Some of them operate within the framework of the law (cultural societies, peace movements, defenders of human rights), others operate on the border of law (cliques, pressure groups) and others operate above the law (the mafia, criminal organizations). These subpolitical global entities affect democratic structures and bodies in individual countries and the legally operating supra-state institutions and organizations, both economic and political, civic, and humanitarian. They compete with them.¹⁸

Negative consequences of globalization force us to look for ways of creating an equitable order in the global dimension. Attempts are

¹⁸ More on this in T. Buksinski, *Modernoæ[Modernity]*, Poznan 2004, WNIFUAM, X.

made to determine and define the global norms of good life and globally shared values, which could serve as the basis for the normalization of global legislation or global political institutions or global politics. States alone are not able to cope with global challenges. One of the suggestions to solve this problems involves the creation of democratic structures of supra-state and supra-regional authorities. Maintenance of the world in a state that favours the life of human beings requires a joint effort and cooperation in the definition of aims, values, ideas of good life. Such an agreement is not possible without public deliberations, without political cooperation involving all the entities important in the global dimension.

However, it is not certain whether global democracy is possible. For example, J. M. Guehenno, Chantal Mouffe and many other theoreticians, who assume the importance of the features of intra-state democracies, think that global democracy cannot be built because there is no global citizenship, there is no political community of a global dimension. A community is characterized by shared ideas of good life, justice, duties, contribution of work to the good of all, influence on political decisions, separation of citizens from those who do not belong to the community, shaping public life according to the ideas agreed between citizens. In the global dimension citizens do not define their way of life and they do not rule over economy, finances, culture. Solidarity between citizens disappears. There are no shared ideas of good life, justice, rights, ethicality. There are no global political parties, although attempts at establishing them have been made.¹⁹ There are many centres of power, which are hardly recognizable and consequently an impression is created that non-personal and invisible authorities exist. It is not known who is responsible for decisions. Mechanisms of politics are concealed. Moreover, economic forces try to undermine democratic life at the national level. And they do it very effectively. Political freedom is changed into increased consumption. Citizens are changed into consumers. A political people striving for the

¹⁹ P. Burnell (ed.), *Globalising Democracy. Party Politics in Emerging Democracies*, London, New York 2006, Routledge.

achievement of the common cause disappears. In other words, *demos* disappears and there is no democracy without *demos*.²⁰

Despite these pessimistic arguments attempts are made to reformulate projects of global democracy and it is argued that they stand a chance of success. This belief is based on some contemporary trends, which favour introduction of democracy. They include, *inter alia*, (a) the processes of dissemination of intrastate democracy in the world. Democracy become trendy. It has the power of attraction. Even non-democratic regimes call themselves democratic; (b) The public opinion of almost all the countries supports democracy as a universal value. This could be an indication of the creation of some global homogeneity, i.e. global *demos*; (c) The number of international initiatives promoting democracy has grown. All global and regional political organizations are in favour of democracy – UN, Council of Europe, the Organization for Security and Co-operation in Europe (OSCE), the World Bank, African Union, the Organization of American States (OAS), the Association of Southeast Asian Nations (ASEAN). Democratic states financially support democratic initiatives of movements, institutions and organizations; (d) Politics of individual states is becoming more and more dependant on the politics of other states. And therefore states are forced to cooperate. And cooperation breeds reciprocal tolerance; (e) A wider area of global legislation is being created. More and more institutions take part in legislative work and more and more entities become subject to global legislation; (f) The increased exchange of goods, services and people opens borders to others and their views, attitudes and beliefs; (g) A network of organizations, institutions, formal relations is created, which makes it possible for elites to form global structures of an institutionalized supra-national management; (h) A global network of organizations and grass-roots relations is created (Greenpeace, Human Rights Organization, Doctors Without Barriers), which are less formalized and which affect

²⁰ J.M. Guehenno, *Das Ende der Demokratie*, Wien 1995, Atremis & Winkler; Ch. Mouffe, *On the Political*, London & New York 2005, Routledge.

the conduct of global political and economic entities. They create the ethos of global society.²¹

4. Cultural meta-identities

Although the need for global political structures results from the negative consequences of uncontrolled economic expansion it seems that agreement on the creation of democratic structures of global power meets mainly barriers in the form of different cultural meta-identities. Let us discuss them using Western and Islamic meta-identities as examples.

There are many assumptions or conditions necessary or favouring the implementation of democracy. Some of them play the leading role in the visions of normative democracies, others – in practical applications in democratic states. Some of them gained the status of norms, principles, values, rights important and mandatory for the entire culture, understood in Huntington's sense. They decide about the identity and the specific character. Nobody can change or undermine them. They are inalienable. They have been inherited and they were granted the status of absolute importance and therefore they restrict all the other laws established either in the form of a constitution or in the form of specific acts of parliament. They also restrict political activities, procedures, aims, desired goods. They are superior to all of them. Only within their framework, within their limits are differences, a multitude of opinion and interests permitted. Human rights and civil rights belong to such an axiological and legal framework in the Western culture. They mandate provision of basic rights to all individuals, i.e. civil liberties – the right of movement, work, speech, ownership, freedom from arbitrary imprisonment; political freedoms – the right of

²¹ H. Kersting, *Recht, Gerechtigkeit und demokratische Tugend*, Frankfurt/Main 1997, Suhrkamp, pp. 206-209; O. Hoffe, *Demokratie im Zeitalter der Globalisierung*, Munchen 1999, Beck.

association, involvement in power; cultural freedoms – the right to use one’s own mother tongue, the right to express one’s own religious beliefs. They are supra-state sanctities, independent of the form of authority and political systems. Their different interpretations, different concretizations are possible, but they must principally be observed. The democratic systems of the West permit different statutory laws, differences, conflicts and disputes among parties and factions, but only on condition that human and civic rights are observed. These rights are rooted in the natural law. In the Middle Ages they were considered to be religious laws inscribed by God in human consciousness (St. Thomas). At the beginning of modern times they were treated as moral laws (Hobbes’ reason right) and during the Enlightenment they were ascribed the status of legal principles and incorporated in the Declaration of the Rights of Man and of the Citizen of 1789. In the 20th century they were given the status of universally binding statutory laws (1945).

In modern times in the Western culture the idea of the rights of man assumed the form of human rights (the right to life, ownership, movement, freedom from arbitrary imprisonment), civil rights (the right to work, speak, establish family) and the rights of the citizen (political rights to take part in elections, hold offices, associate in political parties). And new and new rights are added to this portfolio. In recent decades social rights were added (the right to decent pay, to decent working conditions, etc.) and cultural rights (the right to speak one’s own mother tongue, the right to education, the right to express one’s own religious beliefs in the public sphere). They are like a framework for the expression of particular identities, existential and other interests and values of -community members. This framework restricts rights, which are dangerous for others and it restricts ways of their manifestation, which are harmful to community members. They assume the form of statutory laws. These meta-restrictions have become obvious for members of Western culture. They perform all the functions of cultural meta-identity and profound existential values of the entire culture. And they restrict democracy understood as the power of people, i.e. decisions made by the majority of votes

by people or their representatives. This framework decides, which problems are excluded from this procedure.

The meta-identity and existential values of the West are composed not only of human and civil, social or cultural rights. Existential values are understood as such conditions and goods, on which existence, survival, financial and civilizational conditions of individuals and groups depend. Meta-identity and existential values include different restrictions and assumptions: political ones pertaining to how justice, democracy, freedom, equality, solidarity and constitutional methods of their implementation are understood, as well as to the treatment of nations and the basic political entities; moral ones connected with the relation to authorities, with the understanding of participation in public life, with relations between individuals; cultural ones, which define social customs and traditions, equal treatment of minorities, etc. These are consensuses pertaining to the foundations of the society and its functioning. Sometimes we do not even realize the existence of some of them.²² Recognition of the rights of man and citizen and other basic values denotes the creation of new forms of individual and social existence because it denotes separation of rights from power. Political authorities must submit themselves to the laws, there is no control over them, they are not at the disposal of political authorities, they are beyond their reach. But the laws are not at the disposal of people either. They are above its authority to establish law. They are not immanent. Resolutions of people are made by the majority of votes or unanimously and they cannot undermine the rights of man and citizen. Decision and actions of the majority must take into account, to some extent, the rights of the minority. In this way they acquire their non-instrumental status. They become conditions of the existence of societies of a given culture.²³

²² Cf. M. Welan, *Drei Weise aus dem alten Ostereich: Friedrich August von Hayek, Karl Raimund Popper, Hans Kelsen. Unwissenheit als Grund von Freiheit und Toleranz*, in: E. Czerwińska-Schupp (ed.) *Values and Norms in the age of Globalization*, Frankfurt/Main 2007, Peter Lang Verlag, pp. 95-108.

²³ Cf. M. Piechowiak, *Filozofia praw człowieka [The philosophy of human rights]*, Lublin 1999, TKKUL; B. Banaszak (ed.), *Prawa człowieka. Geneza, koncepcje, ochrona [Human rights. Genesis, concepts, protection]*, Wrocław 1999, WUW.

Meta-identities, like particular identities, are given and they constitute political communities. They provide for extra-rational integration, beyond the interest of communities. Their breach by external factors can lead to the disintegration of the community or to its change. Their importance for the community was recognized as early as in ancient times.

In recent years the number of different international charters of rights, accords, and declarations supporting human and civic rights, cultural rights, etc. has grown.

In other (non-Western) societies and cultures there are other meta-identities. In African countries each election, each activity is restricted by local customs and traditions, religious beliefs, rituals and inherited moral norms. They are the indisputable sanctities.

The Islamic culture is most clearly different from Western culture. In the Islamic culture *sharia* is the main component of meta-identity. It is a religious, spiritual and moral body of law and, at the same time, a body of juristic law. It defines the framework for legal and political action. It was codified in the Koran and supplemented with hadiths, i.e. traditions relating to the words and deeds of the Islamic prophet Muhammad, *sunnahs*, i.e. the way and the manners of the prophet, developed out of norms practically observed by the first generation of Muslims, interpretations of the scholars-jurists, governments, judges. In the belief of radical Muslims *sharia* has been given by God, not by man. *Sharia* restricts particular identities and interests much more and differently than the rights of man and citizen. It is a philosophy of life. It consists of rights and duties. But the latter are more expanded. If we assume that each right of one man corresponds to a duty of another man (for example my freedom corresponds to the ban on its violation by another man), it is impossible not to notice that what dominates in the Western culture is the language of rights whereas in the Islamic culture it is the language of duties, imperatives and prohibitions. *Sharia* makes it imperative to look for the good, which comprises respect for and protection of religion, life, offspring, ownership, intellect, life in social harmony, fight for social justice, and the

common good.²⁴ Duties serve as borders for the action of spiritual, legislative and political authorities and for the conduct of the faithful. They are considered to be universal. No agreement can change them. Each legal decision (fatwa) must be based on sharia and applied to a specific life situation.²⁵ Political pluralism is restricted by them more than is the case in the Western culture it is done by human and civil rights since sharia (a) regulates human conduct more precisely than human and civic rights and requires that they be more strictly observed, (b) provides for more severe punishment for its non-observance (e.g. an adulterous woman can be stoned or a thief's hand can be cut off), (c) it pertains to the whole of human life, i.e. to religious, private, political and economic life, (d) it unequally treats women and men, (e) it restricts individual freedoms in favour of community values (for example, capital punishment when the Islamic religion is abandoned). Within the framework decided by sharia political parties can represent different economic, political and symbolic interests. Different economies are permitted (free market economy, command economy), different political systems are permitted (authoritarian, socialism, kingdom, democracy). But authorities, which do not apply sharia in the country in which Muslims are in majority, are not possible. In the Islamic culture religious rights and values are most important. Activity of many political parties are permitted (in Algeria or Yemen there are a few dozen of them, there several parties in other Islamic countries) but none of them can negate sharia. In practice, political authorities can differently interpret sharia but they cannot undermine or negate it. Different parties usually are in favour of different interpretations of sharia and Islam – some are in favour of its strict version, others are in favour of a more tolerant version. For example, in Malaysia there are two parties: the Pan-Malaysian Islamic Party or the Islamic Party of Malaysia, commonly known as PAS, the Islamic radicals, and the United Malays National Organisation,

²⁴ Ozlem Denli, *An Islamic Quest for a Pluralistic Political Model: A Turkish Perspective*, in: M.A. Muqtedar Khan (ed.), *Islamic Democratic Discourse*, op.cit., p. 96.

²⁵ Tariq Ramadan, *Ijtihad and Maslaha: The Foundations of Governance*, in: M.A. Muqtedar Khan, *Islamic Democratic Discourse*, op.cit., p. 4.

or UMNO, the moderate right-wingers. Both are based on the political dominance of Islam. In this sense they are religious parties. The first aspires for the introduction of strict sharia, the other – liberal sharia. All important problems of the country are interpreted in a religious or ethnic language. But sharia in Malaysia is only partially prevalent. Although Islam is the official religion, followers of other religions are tolerated although politically they are not equal to Muslims. The parties compete for the votes of non-Islamists and ethnic minorities.²⁶ In Egypt, on the other hand, which is considered to be a non-democratic country as a state of emergency has been in force there since 1981 (when fundamentalists killed President Sadat), basic civil liberties are ensured. Moreover, there is also some semblance of political freedoms – elections are organized to the National Assembly (parliament), which nominates the president, and to the Consultative Assembly (which interprets sharia and applies it to modern problems). Religious minorities are tolerated but fundamentalists are not. Different political factions can be active, although they cannot seize power from the National Democratic Party of Egypt as both electors and elections were always manipulated by the government.²⁷ After the last revolution in 2010 the situation in Egypt is not clear, the military power decides about the future of the country. Even in Iran, which is considered a non-democratic country, there are some elements of electoral democracy. Referenda, general presidential elections and general elections to the Majlis of Iran, i.e. to the Islamic Consultative Assembly (the Iranian Parliament), are held. Religious minorities (Christians, Jews, Zoroastrians) have one or two seats in the Parliament. In Iran, like in other Islamic countries, the Council of Guardians, composed of Islamic jurists specializing in different aspects of Koranic law, controls the parliament, supervises elections and approves of can-

²⁶ Osman Balzer, *Islam, Ethnicity, Pluralism and Democracy. Malaysia's Unique Experience*, in: W. A. Muqtedar Khan (ed.), *Islamic Democratic Discourse*, *op.cit.*, pp. 64-81. Cf. also other articles in this volume.

²⁷ Muhammad Said al-Ashmawy, *Islam and the Political Order*, Washington 1993, CRVP. This is the author's interpretation of the liberal sharia and relations in Egypt.

didates for president and members of parliament. In its assessment of the candidates the council interprets how the views and actions of the candidates are in line with their interpretation of sharia as the moral and religious law.²⁸ In most Islamic states such legal guardians are dependant on the political authorities in a given state or even are its members.

In most Muslim countries we observe a strange situation – their constitutions and rights guarantee equality in law irrespective of religion, race, language, and beliefs and guarantee human freedom, including the freedom of religious practices, but at the same time make Islam state religion and sharia the source of state legislation and impose on the government to educate citizens in the religious spirit. In these countries the church is not separated from the state because there is no separate church as an institution. In practice political authorities (with the legal guardians and other jurists, experts of Koran) decide about the law. Religious minorities are tolerated. They enjoy civil rights but they are denied political rights. Politically they are not equal to the Muslims. In practice in countries with a moderate political Islam, in which Muslims constitute a majority, limited sharia must be observed by everybody active in public life and only the Muslims enjoy full political rights (passive electoral rights). Religion does not belong to the private sphere, it is part of the public sphere. Elements of the private sphere include science, economy, education, and family life. In states of radical political Islam other religions are tolerated only in private life (Iran), whereas in states of the so-called lay Islam (Turkey, Lebanon, Jordan, Iraq) religions other than Islam, although legally having the same rights as Islam, are only tolerated.

In disputes in Islamic societies symbolic interests dominate over material interests. That is why democracies in Islam are of identity character. Even other interests (political, economic) are expressed

²⁸ P. Lewicka, *Demokratyzacja w świecie islamu na przykładzie wyborów parlamentarnych* [*Democratization in the world of Islam illustrated by parliamentary election*], in: A. Mrozek-Dumanowska (ed.), *Islam a demokracja* [*Islam vs. democracy*], Warszawa 1999, Askon, pp. 125-158.

in a religious and normative language. All disputes take the form of disputes about identity. And they are particularly fierce because they relate to profound axiological structures of the communities. And can be settled by force or in a consensus, agreement or persuasion.

5. Consensual democracy

If we accept the argument about the possibility of forming global democratic structures a question arises about the shape they can and should assume. After all such democracy must be different from intrastate democracy. Many proposals of such a system have been prepared, but this is not a place to elaborate on them.²⁹ Let us focus on those proposals, which in our opinion are most realistic and which seriously treat the multitude of cultures and identities as a factor significant for processes of democratization.

As pointed out many times,³⁰ wherever divisions between social groups are profound, the supreme power constituted by the majority method is not adequate because it is not capable of representing the whole society/community. It would be too unjust for the minority. Some people would not be able to accept its policy and would revolt. We are witnessing this situation in the case of ethnically, nationally, and religiously pluralistic societies. Their values and norms are intensive and therefore they unite these groups and make them active. And then, in order to preserve the social integration of the whole consensual methods are applied to the creation of the supreme power and to the establishment of principles of cooperation inside the entire community. Such methods are applied, *inter alia*, when parliamentary mandates are distributed in Switzerland and Belgium. Negotiations prevented force solutions when

²⁹ Some of them have been discussed in: T. Buksinski, *Współczesne filozofie polityki* [Modern philosophies of politics], Poznan 2004, WNIFUAM.

³⁰ N. Lijphart, *Democracies*, New Haven 1984, Yale UP, pp. 285-288; M. Young, *Inclusion and Democracy*, Oxford 2000, Oxford UP, p. 119ff.

political systems were changed in Central and Eastern Europe. They were known as “round tables”. Negotiations cannot be identified with compromises or consensuses. The former indicate reciprocal concessions and resignation from claims to accomplish one’s interests (in line with the “something for something” principle) and depend on the bargaining power of the parties involved. The latter are the result of rational argumentation and indicate admission of beliefs, truths, principles and norms. In negotiations an important role is played by important group interests (financial, political) as well as important values, principles and norms of cooperation. During negotiations both rational arguments, persuasion and appeals to the interests are used.

Negotiations are not only a method aimed to help peacefully solve profound conflicts. It is a certain model of democracy, juxtaposed with the majority model. Negotiations are not aimed at finding solutions to specific problems. They are a kind of standardization, decisions on norms, according to which aims can be achieved. Therefore they pertain to fundamental things. Supreme authorities are appointed and the most important resolutions are adopted, laws are enacted and institutions are established on their basis. They define the bases for the regulation of relations between groups: they regulate cooperation, ways of solving conflicts and methods of electing the supreme authorities and deciding about their remit, as well as rules governing their functioning. In such models usually the competence of the supreme power (authorities) is very limited. It is reduced to the rights of regulating by means of laws and, in line with the agreed procedure, deciding about the basic mutual relations between groups and settling conflicts. Any settlements pertaining to the group are left to the group and must be agreed internally, provided that the decisions do not infringe upon the agreed and adopted norms, values and laws.³¹

Generally speaking, this model can be extended to include international relations. As mentioned above, this model is applied to

³¹ R. Rich, *Bringing Democracy into International Law*, „Journal of Democracy”, 12, 2001, pp. 18-31.

a large extent in the European Union. After all, in the European Union basic rights are agreed between member states whereas the headquarters usually issue basic regulations to be implemented by member states (framework laws, criteria on which goods can be launched on the market, regulations of cooperation, etc.). Specification of many laws is left to the bodies of member states, and so is solution of internal problems, which member states are capable of solving themselves. It is said that such authorities are regulatory and not governing in the traditional sense, i.e. in the sense of management of processes. Rules replace military power and fight between states. And we cannot forget about the growing role of regions and regional and local authorities. They serve as the basis for civic self-government. Local democracy is also closer to the consensual model than democracy exercised at the level of states (people know each other and agree on problems that pertain to all of them). The authority of the EU headquarters is divided between different advisory bodies, expert groups, institutes, discussion groups, which prepare draft regulations of all kinds. It is delegated to them.³² In this way, on the one hand a legal community is established, which follows the principle of justice and expresses some ideas of solidarity between member states and nations. It is becoming the beginning of the creation of a new political community. On the other hand in this way a new collective, common sovereignty is created, shared by member states. It is the foundation of a new political identity of Europe.

It seems that this model of democracy can be applied also to the creation of global political structures. In this case we are dealing primarily with cultures of different meta-identities (and existential values). Achievement of agreement between them is the main difficulty in the achievement of the condition of effective cooperation at the political plane. In this understanding basic principles and rights of citizens are agreed on the one hand and, on the other, basic

³² G. Majone, *Regulating Europe*, London 1996, Routledge; G. Majone, *The Regulatory State and its Legitimacy*, "Political Science Series", No. 56, July 1998, Wien, p. 1-22.

regulations concerning the relations between the cultures and social and political systems are created. The problems of good life, aims accomplished by individual governments is left for settlement inside the individual cultural, state and religious communities.

It seems that an agreement on the principles of reciprocal cooperation, given the tolerance of internal differences on the norms of good individual and community life and forms of political system is possible. It is much more difficult to come to an agreement on the assumption that not every form of government and not every concept of good life (religious, moral, ethnic, economic, political) can be tolerated. Then it is necessary to identify borders for these non-tolerated norms. If we assume that democracy is the criterion of intrastate tolerance of political systems, we must define what democracy is meant – is it a minimal electoral democracy or a minimal legal democracy or a consensual democracy or maybe another democracy of a higher quality. It seems that shared axiological and normative meanings, if and when found in meta-assumptions or meta-identities, are the key to the solution of the problem. If they do not exist, they must be formulated.

Agreements at the level of great cultures are difficult because at the same time many dimensions of claims, attitudes, many types of interests, values and identities have to be taken into account. It is difficult to make comparisons between them. Consequently, work must start with the agreement on the principles of talks on cooperation and common norms of social and political life. Subsequently, the importance and role of individual, more specific and detailed norms, rights, goods and interests must be agreed. This at least assumes the readiness of the parties to abandon imposition of their views on others and to abandon claims about an absolute universal importance of their meta-identities as well as to be open to some common values, rights and principles of cooperation and reciprocal tolerance. Is such an agreement possible? It seems that it is possible. There are some common interests in the global dimension: assurance of peace, increase of welfare, protection of nature, elimination of diseases, security, and education. Representatives of cultures are

able to convince members of cultures that supporting cooperation between cultures and creation of legal and political structures in order to achieve shared values and goals is good for everybody. In this way certain attitudes and opinions, important for the unity and cooperation, are made universal and unified. It is more difficult to agree on more specific and yet fundamental values and norms pertaining to intrastate democracy and on the border between particular collective identities and the rights and autonomy of individuals.

For example, in the case of agreements between the culture of the West and the culture of Islam it is about reinterpretation of human and civil, cultural and social rights on the one hand and, on the other, about reinterpretation of sharia so that it is accepted by both sides. Radical Muslims (fundamentalists) reject democracy because it leads to laicization, democratization, corruption, wars, brutalization of sex, destruction of traditions. Probably it is difficult to agree with them on the need of applying democratic principles of cooperation and democratic governments in states. On the other hand democratically thinking Muslims say that the contract concluded in 622 in Medina between Muslims, Jews and pagan Arabs is a model of relations between different religious. Through consensus equal rights for all groups to profess religion were guaranteed and a peaceful solution of conflicts was mandated in it.³³ They also relate to the idea of surah-consultation, contained in the Koran, which contains recommendation on the need to exercise power democratically or agree decisions with representatives of the community. Muslims are masters of mediation. And even non-democratic rulers (in Kuwait, Bahrain) seek support of clan and tribe leaders, consult their decisions with them, negotiate problems of the country, and in exchange for their support offering them involvement in power and wealth. All authorities require support of the majority of the society. Without this support, they cannot prevail. All authorities must care for the interests, values and the good of the societies in which they have been established. Obviously

³³ Ozlem Dendi, *An Islam Quest for a Pluralistic Political Model. A Turkish Perspective*, in: W. A. Muqtedar Khan (ed.), *Islamic Democratic Discourse*, op. cit., p. 86ff.

authorities in Muslim societies cannot be indifferent to religious and community interests as they are valuable in the society. All Muslims (radical and moderate) agree that any authorities (including democratic authorities) should care for religious and moral goals (it is a means to achieve them) and that the foundations of social systems and rights are divine and not human. Therefore in democracy people are not sovereign (autonomous) but only trustees of one sovereign – God.³⁴ This view on the role of religion, provided it relates only to Muslim societies and provided it does not negate the minimum legal democracy, which does not discriminate against other religions, is acceptable to representatives of Western culture.

It appears that the laws of sharia and human and civic rights are similar in many respects. Suffice it to say that as early as 1981 in London representatives of Islamic states signed the Islamic Universal Declaration of Human Rights. It speaks of the equality of people, prohibits persecution and discrimination, mandates assurance of the right to asylum and social welfare. In the following years leaders of Muslim states signed similar declarations in Cairo, Bangkok, and Vienna. In modern mass media emphasis is put on what divides, i.e. on the Koranic ideas of women being dependant on men, citizens being obedient to authorities, on the primacy of family and community rights over individual rights, the non-democratic character of power of the guardians of sharia. These differences are the basic obstacle to an understanding between cultures, but only if understood literally. On the one hand it can be proved that the legislation of democratic Muslim states is similar to that of Western states – in today's Muslim states nobody is stoned and nobody's hands are cut off and lawyers justify the liberal interpretation of legislation pointing out that sharia would justify such punishment in extreme cases only: when the entire Muslim community was moral, when there was no doubt about the guilt, when the guilty

³⁴ Abdelwahab El-Affendi, *Democracy and its (Muslim) Critics: An Islamic Alternative to Democracy?*, in: M.A. Muqtedar Khan, *Islamic Democratic Discourse*, op. cit, p. 230.

did not show remorse for his actions. In practice these conditions are never satisfied.³⁵ On the other hand many institutional solutions of the West are surprisingly similar to those in the culture of Islam. Even such an institution as the guardians of sharia has its functional counterpart in the West – the European Court of Human Rights. Besides, in the Western culture apart from human and civil rights there are many other sanctities of Christian origin (similar to those valued in Islamic communities), which no democratic government would be bold enough to violate, e.g. celebration of Sunday, prohibition of polygamy, respect for parents, duties to grow up the children etc. Each person living in the Christian culture and identifying with it tacitly accepts its fundamental values and norms and takes them for granted and never publicly questions them. Even if tolerance of the criticism of religious values and norms is greater in the West than in Islamic countries.³⁶

In light of the above discussion the views of Habermas, Rorty and other liberals, who voice arguments about the universality of human and civil rights in their liberal understanding and liberal justification, seem to be wrong.³⁷ Contrary to Habermas, in our opinion there are many cultural identities, many ways and paths to modernization. We also believe that modernization is not associated with the liberal understanding of freedoms and with liberal individualism. Each culture has its own “human rights” and its own sources and ways of legitimizing them. And they affect democracies created in such cultures. They give them their own image. And this does not exclude agreement, mutual tolerance and cooperation between different cultures. In all cultures there are some common values, norms, goods. They belong to basic or elementary values and norms (the value of life, health, survival,

³⁵ M. S.al-Asmawy, *Islam and the Political Order*, op. cit. p. 99ff.

³⁶ Cf. J.L. Esposito, O.J. Voll, *Islam and Democracy*, New York, Oxford 1996, Oxford UP; G. Salame (ed.) *Democracy without Democrats? The Renewal of Politics in the Muslim World*, London, New York 1996; T.D. Sisk, *Islam and Democracy, Religion and Power in the Middle East*, Washington 1994, Institute of Peace.

³⁷ Cf. J. Habermas, *Zur Legitimation durch Menschenrechte*, in: J. Habermas, *Die postnationale Konstellationen*, Frankfurt/Main 1998, Suhrkamp, pp. 170-193.

minimum subsistence, freedom from enslavement, tolerance for community identity).³⁸

6. Final remarks

Meta-identities, identities and existential values are the basis of existence and social integration of human communities. They provide for the unity of communities, nations, states, organizations, systems and cultures. All these social structures petrify some goods, values, norms, properties as significant, important for the community as a spiritual, moral, cultural or political being. Usually some of them are given, i.e. created unconsciously, handed over by tradition, existing in the form of moral or cultural norms, religious rituals, and subsequently verbalized, improved, specified in the form of declarations or legal norms, which are mandatory as statutory laws. And these verbalizations and establishments are made by elites, by elected representatives or self-appointed lawmakers, revolutionaries, reformers or are created in the course of negotiations between representatives of different groups. Therefore they are not established democratically by general vote or by vote of representatives elected in free elections. And despite this they are most important for the community. And in the present times such agreements between elite groups – committees, institutions, or global organizations are a more and more common practice of establishing laws, regulations, norms and procedures.³⁹ Obviously agreements between representatives of the interests and identities of particular (state) groups are different from those made between representatives of great cultures. Representatives of the former are usually elected by communities and so people have influence upon them. People also have an indirect influence on institutional representatives of regions organized in a political group, e.g. the

³⁸ Cf. H. Shue, *Basic Rights: Subsistence, Affluence, and U.S. Foreign Policy*, Princeton UP, Princeton 1996.

³⁹ Cf. T. Buksiński, *Prawo a władza polityczna [Law vs. political power]*, Poznan 2009, WNIFUAM.

European Union. On the other hand representatives of all other great cultures and large regions do not have even such indirect electoral legitimacy. It seems that in such cases participants in negotiations can be considered representatives of cultures on the basis of their authority, popularity, typicality or embodiment of cultural norms and values. After all, negotiations and agreements between cultures should be about assumptions and circumstances in which cooperation should be pursued and a whole composed of different cultures should function democratically. Such assumptions are of spiritual (religious, cultural) and social and political character. Consequently, authorise from outside politics and statutory law can, and even should take part in such negotiations and agreements.

Such forms of the establishment of norms, principles and laws can be accused of being undemocratic or elitist. However, it should be pointed out that all forms of democracy must be based on assumptions, condition or circumstances, which have been adopted undemocratically. The assumptions of a democratic system must be verbalized, designed, prepared by somebody. Somebody must organize their recognition as valid assumptions and then implement them. None of these activities require the involvement of people. People can only accept the constitution of the system in a referendum. However, somebody must have prepared it in one or another form. And besides people do not vote in a referendum or some other form of plebiscite to accept political principles. Even if they voted on them, they would not be able to give them legal validity because any voting assumes prior legal validity of this form of opinion expression, i.e. voting. In completely new situations (e.g. negotiations and agreements between cultures) conditions of cooperation and democratic functioning at the global level are created and formalized. Therefore they must contain extra-formal elements, going beyond the traditional forms of majority democracy.

People can have an influence upon the result of agreements – by gaining the possibility to exert pressure. But some conditions must be met first – openness to disputes with people, transparency of disputes and actions, sensitivity to public opinion, to the needs, aspirations and desires of people.

Chapter X

Problems of Global Justice

1. Kinds of global justice

Interest in issues related to global justice has been consistently on the increase since the early 1970s. Starting with the 1990s, however, the focus of reflection has shifted more and more towards problems connected with the idea of international and global justice. Global justice is contrasted with the traditional political realism, i.e. the idea of pursuing in politics only and unconditionally the interest of a national state (the so-called *Realpolitik*).

Justice is a normative idea. It requires, under a certain important condition, an equitable (impartial, neutral, and just) treatment of subjects, in spite of their actually unequal status. Individuals and social groups are treated in an equitable way provided they are all granted the same value, the same status and the same amount of attention. This is a postulate, a norm of social behaviour and institutional mechanisms. At the same time, however, an analysis of this norm cannot disregard concrete facts connected with the implementation of the principles of justice, since it is in practical use that the strength and weakness of axiological and normative premises becomes fully evident.¹

Interest in global justice indicates that we have relinquished the naïve faith that the market itself equally (i.e. justly) distributes

¹ See B. Barry, *Theories of Justice*, Berkeley, Los Angeles 1989, University of California Press; J. Rawls, *Teoria sprawiedliwości* [*Theory of Justice*], Warszawa 1994, PWN.

opportunities and goods among nations and individuals and at the same time imposes conditions for its own functioning in the form of observance of human rights and institutions that safeguard freedoms and order. The experience of post-communist countries shows that the economy itself does not regulate social relations in an equitable way. Rather than that, it creates a state of chaos or permits lawlessness, violence as well as the rule of the strongest and the most demoralised.

One cannot reduce justice to charity or humanitarian aid, either. To contend that individuals or institutions have only humanitarian obligations, namely they, of their good will, are to aid others who have been afflicted with misery, we assume that the fundamental social and political principles and mechanism are right and proper. There is only a temporary inefficiency of their functioning. However, in today's world the moral principles in international relations cannot be limited solely to norms directed at one's good will and intention of people acting in their private or public capacities. Assistance to the miserable, poor and persecuted is not an act of supererogation but a duty arising out of the principles of justice. It cannot be conditioned politically. The morality of justice is stricter than the morality of charity. It triggers social (restrictions in the moral sphere), legal and physical coercion to specified activities. Charity has a private dimension and belongs to the realm of personal virtues, while justice requires institutional, indispensable actions.

Justice does not have to shun individual or group interests. It does not allow, however, for the primacy of personal, individual interests over those of others. It calls for a neutral consideration of all interests. It requires neutral actions even when others do not reciprocate them. Benefits and drawbacks, coercion and freedoms are to be distributed evenly and the interests of all are to be taken into account. In his sense, the understanding of justice today is more comprehensive than the traditional one. As is widely known, ancients and Christians conceived of justice as a set of virtues and obligations towards others. For Aristotle and Thomas Aquinas, justice in people's lives meant disinterested principles regulating

behaviour in accordance with eternal goods and principles, i.e. in line with the cosmic order. In modern times, Hobbes, Locke, or Hume treated justice as a set of prerogatives of an individual, or as an instrument of good individual and social life on earth. It was to protect life and limb, to help multiply benefits, comfort, and security of individuals. At the same time the "I" was granted moral priority over "others". In this sense it became a principle of safeguarding one's own interests. Others were to be tolerated only in as much as it was in the interests of the "I". The justices of modern-day philosophers was, then, conditional and mutable. It called upon the observance of certain norms on condition they were observed by others (e.g. I abide by the norm of saving other people's lives provided they do not pose a threat to my life). The earthly values connected with life and interests, are realised in time (including the future) and that is why their preservation is contingent on the behaviour of others.

The aforementioned policy of the *Realpolitik*, dominant in relations between modern states, was an outward expression of the justice of interests. In individual states there were different internal kinds of justice. These provided, to a greater or lesser degree, for a different treatment of "ours" (e.g. citizens) than "others" (immigrants or nationals of other countries).

This modern perception of justice is undergoing a change today. One can hear more and more vociferous opinions that justice is a moral minimum in relations between people, irrespective of their nationality or origin, and in relations between institutions and states. This is the indispensable, required minimum, and that is why it is legally and institutionally sanctioned. Just judgements are different from judgements about needs, about people's suffering, or simply about inequalities. They determine whether or not social relations are correct and specify accountability for those relations. Justice grants authority and imposes on all sane subjects duties of observing equal and equitable rights, principles of exchange, redress of damage, and distribution of goods. Justice posits a certain hierarchy of values and goods and imposes the necessity to abide by this hierarchy in action. It makes it possible for the owners of

rights to place demands on those who are bound by obligations. And actions stemming from duties and rights are right and proper.

Justice, then, creates conditions for the dignity of individuals and the minimum conditions and standards for the adequate functioning of public, political, economic, governmental and non-governmental institutions. By the same token, it legitimises domestic and international social relations. It provides a framework for and delineates the limits of acceptable, legitimate activities and relations. For instance, individual rights limit the negative effects of the action of the state and of the political authority, while the principles of re-distribution curb the detrimental effects of the market. Those who do not comply with them have no legitimacy for action. Particular duties between individuals, members of communities, or culture groups are acceptable only as secondary and subject to the principles of global justice. Injustice, in turn, is wrong in itself and because of its consequences, such as suffering, backwardness, disrespect for human dignity, instilling the sense of inferiority and of being wronged, degradation of individuals and communities, restriction of freedoms, autonomy, and activities of some by (the privileged) others.

We will not discuss here the theory of global justice in a systematic way. First and foremost, we attempt to bring out the problems and difficulties the principles of global justice face. Such problems arise both at the purely theoretical level, i.e. at the level of relations between particular values and norms that are the component parts of the principles of justice, and at the empirical level, because of the application of those principles in actual social and political contexts.

There are probably no principles, either, which would be regarded as unquestionable by all the people on the Earth. Nevertheless, ethicists, philosophers, and sociologists are relentless in their attempts at drawing up a list of principles and values and their attendant rights and moral norms, which should be observed all around the globe and which should be accepted by all subjects capable of reasonable reflection on themselves and on interpersonal relations, irrespective of their national, religious, or cultural background and individual conditions.

Various thinkers enumerate different principles of justice and different norms as globally (or universally) binding. One can mention here at least three most important theories of global justice which are currently being fervently discussed in philosophic literature worldwide. We will describe these theories in brief.

First of all, we will mention the theory of minimal (of basic, elementary) justice. According to this theory, there are a number of fundamental values which are unconditionally binding to all individuals and institutions. They must be respected, and people should do everything in their power to comply with them as in relation to themselves and to others. These values are: individual experience, provision of shelter, security, avoidance of suffering, freedom from arbitrary arrest, as well as community, national and religious identity. The minimal values imply a list of prohibitions, or norms which do not allow for their breach. These are: prohibition of murder, fraud, torture, physical restraint, prohibition of depriving one of basic life necessities, prohibition of religious or national coercion. The list of prohibitions may be supplemented with a list of positive norms, i.e. those that impose actions directed at the implementation of fundamental values where they are violated: assistance to the poor, care over the suffering, protection of the persecuted, fight with those who murder, rape, torture, cheat, or coerce others to change their denomination or nationality.²

The aforementioned norms are treated as primarily moral rather than legal or political ones. They appeal to the good will of people but do not have the power of physical coercion. Nevertheless, they can be implemented also in the form of laws and institutions, as they can, through a normative power, trigger such actions on the part of individuals and communities that directly put those values in life. They can also trigger such actions that aim at creating institutions and organisations that implement those values and norms. And, in fact, we can frequently observe behaviour that is in accordance with

² H. Shue, *Basic Rights: Subsistence, Affluence, and U.S. Foreign Policy*, Princeton 1996, Princeton UP; J. Rawls, *The Law of Peoples*, Cambridge, MA 1999, pp. 65ff, Harvard UP.

minimal justice. Provision of minimal justice costs little; for instance, according to the United Nations Development Programme, 9 billion USD a year would suffice for the provision of potable water and basic sanitation facilities in the world, while in Europe alone 50 billion dollars is spent on cigarettes and 11 billion on ice-cream. Many theoretician stress the fact that the provision of basic necessities and avoidance of aggression towards others cannot be identified with full justice, as they can exist hand in hand with such evidently unjust socio-political relations as apartheid, racism, feudalism, or patrimonism.³

Another kind of global justice consists in the justice of rights. It considers as just those societies, systems, and states where not only minimal norms, but also human rights are observed. Human rights can be understood in broad or narrow terms. Today we speak about as many as three generations of human rights: civic (18th c.), political and social (19th c.), and cultural ones (20th c.). Starting from the 1940s, some of these rights have been legally binding internationally as covenants of human rights. Formally, they are observed by all the United Nations Member States. Human rights are most often identified with the fundamental negative freedoms, such as the freedom of speech, creed, movement of persons, association, political participation (election rights), equality of sexes, religions, and nationalities. There are also a number of positive freedoms, to education, development of one's culture, equal access to public offices, etc. All of these freedoms are to guarantee individuals ethical autonomy in their private life and political autonomy in the political sphere. All countries and all individuals must respect human autonomy and human rights. However, in the political sphere, autonomy is limited by the political idea of cooperation. Such justice is sometimes referred to as the theory of formal equalization of opportunities.⁴

³ T.W. Pogge, "Priorities of Global Justice", in: T. Pogge (ed.), *Global Justice*, Oxford 2001, Blackwell, pp. 6-23.

⁴ S. Caney, *Cosmopolitan Justice and Equalizing Opportunities*, in: ibidem, p. 126; S. Caney, *Cosmopolitanism and the Law of Peoples*, "The Journal of Political Philosophy", 2002, vol. 10, no. 1, pp. 95-120; C. Flinterman, *Three Generations of Human*

A third kind of justice to be mentioned here is the theory of distributive justice. This is an ambiguous theory. In a minimalist understanding, it only calls forth a relatively equal distribution of resources (justice at the source) or manufactured material goods (justice of results) among individuals and societies of the entire globe.⁵ Taken in its broadest understanding, it calls for an equal distribution of all major goods, including power, social status, or prestige. This maximalist freedom often takes the form of a norm that requires equalizing opportunities for all individuals.⁶ This kind of justice stipulates, for instance, an unequal distribution of manufactured goods in order to offer equal opportunities for those underprivileged today or afflicted in the past on account of their race, religion, or class background. It is, in other words, a special kind of equalizing justice, known from Aristotle's theory. It pays attention to the social and cultural context important from the point of view of equal opportunities in life, such as the role of language or social background for obtaining work, power, education, or social prestige. Within the global theory of distributive justice are considered also issues discussed by Aristotle as problems of reciprocal justice. For instance, we talk here about the imbalance in trade relations between industrial countries and economically backward ones, which are exploited. As a result, one fifth of the world's population consumes four fifths of the globe's resources and uses over 80% of manufactured goods. It is those inequalities, rather than the lack of goods, that are a source of poverty. As early as the 1960s, poor countries demanded that the wealthy ones abide by the principles of distributive and reciprocal justice in their political and economic activity. In the literature of the subject we can also encounter its negativistic form, which

Rights, in: J. Berting (ed.), *Human Rights in a Pluralistic World*, London 1990, pp. 75-82; see also Ch. Taylor, *Negative Freiheit?*, Frankfurt/Main 1995, Suhrkamp, pp. 145-187.

⁵ Ch. Beitz, *Political Theory and International Relations*, Princeton 1979, pp. 125ff, Princeton UP; T. Pogge, *Realizing Rawls*, Ithaca, New York 1989, Cornell UP.

⁶ See S. Caney, *Cosmopolitan Justice and Equalizing the Opportunities*, op.cit., p. 124.

primarily requires an equal liability of individuals and societies for the costs, negative phenomena, shortages, poverty, and the evil of the world.⁷

The principles of global justice are justified in a variety of ways. Sometimes it is done through a reference to their self-evident character or to moral intuitions. Sometimes a certain concept of man is invoked; for instance, justice is conceived of as a guarantee of the fundamental interests or needs of the human being.⁸ On other occasions global justice is treated as a precondition of such constitutive properties of the human being as dignity and autonomy⁹. Still other times, it is justified on the basis of norms and conditions of rational argumentation, or an interested argumentation that brings benefits to all.¹⁰

2. Theoretical dilemmas of global justice

First and foremost, all the above dimensions of global justice are supported by representatives of cosmopolitanism, who put forth an idea of equal rights for all people, irrespective of their nationality or culture (T. Pogge, Ch. Beitz, Ch. Jones, O. O'Neil). This is the stance of individualistic egalitarianism. We can distinguish between moral and political cosmopolitanism. The former assumes that each man has a global status as the ultimate subject of moral considerations. It formulates the norms of global justice, the objects of which are individuals regarded as having equal value. The latter type of cosmopolitanism adds theories of global institutions and tries to construct global institutions, such as a global state, whose aim is to implement the principles of moral cosmopolitanism. The

⁷ J. Shklar, *The Faces of Injustice*, New Haven 1990, Yale UP.

⁸ Ch. Jones, *Global Justice*, op.cit., pp. 9ff.

⁹ O. O'Neil, *Agents of Justice*, in: T. Pogge (ed.), *Global Justice*, op.cit., pp. 188-203.

¹⁰ R. Frost, *Towards a Critical Theory of Transnational Justice*, ibidem, pp. 169-187; G. Elfstrom, *Ethics for a Shrinking World*, London 1990, Macmillan; B. Barry, *Justice as Impartiality*, Oxford 1995, Clarendon Press.

former does not unequivocally define the institutional structure of global order.¹¹

A number of objections are levelled vis-à-vis the theory of global justice. Some concern all forms of global justice, while others only touch upon selected issues. Objections are primarily raised by representatives of the particularistic trend. They stress the relation between the understanding of justice and the implementation of its principles on the one hand, and concrete circumstances and political relations on the other. Contrary to cosmopolitans, they maintain that it is communities and relations between them rather than individuals and their mutual relations that are the subject of global justice. As a consequence, one cannot base the principles of global justice on qualities of people, such as their moral dignity, but must derive them from certain features of communities or agreements between them. Within this trend, we can distinguish at least two groups. For one thing, there is the communitarian movement (M. Walzer, A. McIntyre, Ch. Taylor, D. Miller), which stresses the fact that justice has value only within particular cultures, communities, traditions, and nations.¹² Secondly, there is state control (or legal and state corporationism), which bases the validity of principles of justice in use on socio-political systems and states in which citizens live (J. Rawls, W. Kersting).¹³ Both particularistic theories represent, then, a pluralism of justice and both limit international justice. They identify this justice first of all with relations of mutual tolerance and peace between states or nations, or between other communities. The ultimate goal of justice is the guarantee of sovereignty to communities and peace between them.

In principle all theoreticians of justice, both cosmopolitans and particularists, are inclined to agree that minimal justice has a global

¹¹ Ch. Jones, *Global Justice, Defending Cosmopolitanism*, Oxford 2000. Oxford UP, pp. 9ff; T. Pogge, *Realizing Rawls*, op.cit.

¹² M. Walzer, *Thick and Thin: Moral Argument at Home and Abroad*, Notre Dame and London, 1994, p. 33, University of Notre Dame Press; see also: D. Miller, M. Walzer (eds.), *Pluralism, Justice and Equality*, Oxford 1995, Oxford UP; A. MacIntyre, *Whose Justice? Which Rationality?*, Notre Dame 1988, Notre Dame UP.

¹³ J. Rawls, *The Law of Peoples*, op.cit., pp. 35ff.

character;¹⁴ it is binding for all people and institutions. Still, one of them derive from this postulate of a duty to help the afflicted, poor, persecuted and abused, a duty politically binding individuals and institutions (Pogge, Beitz), while others see it as only an urge to charity and voluntary action.¹⁵

There are also differences as to which values are comprised by minimal justice. Among the basic rights of individuals mentioned by J. Rawls there are the right to life, freedom from slavery and serfdom, freedom of conscience, religion, and property. In relations between liberal and non-liberal, authoritative states, he reduces justice to principles that safeguard peace between them. States which respect the aforementioned basic rights and do not show aggression should be tolerated; this applies even to those states that do not guarantee political rights to their citizens, and those that are racist and persecute cultural minorities. Cosmopolitans include among minimal rights also the right to a just remuneration for work, cultural tolerance, equality between the sexes, and absence of racism.¹⁶

Major problems occur in the area of the justice of rights. In this case there is no consensus even at the level of theoretical considerations as to the universality of this justice and its role in international relations. Representatives of Asian and Islam countries talk about particular Asian or Islamic human rights. Their specificity lies primarily in attaching more importance to the family, community, tradition, or religion. They condemn Western countries for their attempts at establishing the particular freedoms prevalent in the Western societies of the 20th century as universally binding human rights. These are not globally significant and thus cannot form the basis for international relations. Even in Western countries they acquired value only in modern times, i.e. from the 18th c.¹⁷

¹⁴ See M. Waltzer, *Thick and Thin*, op.cit., pp. 41ff; D. Miller, *Distributing Responsibilities*, "The Journal of Political Philosophy", 2001, vol. 9, no. 4, pp. 453-471.

¹⁵ T. Pogge, *Priorities of Global Justice*, in: T. Pogge, *Global Justice*, op.cit., pp. 6-23.

¹⁶ S. Caney, *Cosmopolitanism and the Law of Peoples*, op. cit.

¹⁷ H. Shue, *Menschenrechte und kulturelle Differenz*, in: S. Gosepath, G. Lohmann (eds.), *Philosophie der Menschenrechte*, Frankfurt/Main 1998, pp. 343-377, Suhrkamp;

Also, there is no consensus among theoreticians and decision-makers in Western countries as to how to understand human rights, which rights should be included in this group and whether they are universally binding or not. Social and cultural rights arouse special controversy. The level of implementation of the former rights depends, among others, on the level of economic development of individual societies and states and on their legal system; for instance, in some states there is a system of compulsory healthcare, old age and disability pensions, which is non-existent in others. Is the right to work one of human rights? Is the right to emigration in search of a better pay a human right? Still greater controversy exists in the area of cultural rights. In principle, all agree on tolerance in the sphere of religion and morality. Problems arise, however, when it comes to the limits of tolerance and to the equal status of religious and national minorities within states. Can we allow minorities that profess disrespect for tolerance voice their views in public? Can we grant equal cultural and political rights to immigrant minorities which pose a threat to the culture of the indigenous majority?

Some particularists (similarly to the proponents of the *Realpolitik*) also stress the fact that human rights are conferred upon an individual as a citizen of a particular state and a member of a particular society, rather than upon an abstract individual living outside of social structures and institutions. Only a citizen within a particular state has got human rights. According to this approach, the implementation of individual rights remains often at variance with the principles of sovereignty of states. In international relations there are norms that preclude interference into internal affairs of other states and that demand respect for borders, autonomy, and integrity of other states. These norms limit the possibility of assistance to citizens of totalitarian regimes, or to those ravaged by internal crises or civil wars. The universal rights of an individual are juxtaposed with the universal rights of states. It is the observance

K. Booth, *Three Tyrannies*, in: T. Dunne, N. Wheeler (eds.), *Human Rights in Global Perspective*, Cambridge 2001, pp. 31-70, Cambridge UP.

of the latter, rather than the former, that is a token of a just course of action in international relations.¹⁸

Distributive justice has lately aroused the most controversy. Cosmopolitans defend it, while particularists reject it flatly and condemn as utopia. M. Walzer and D. Miller indicate that it is an expression of maximalist, thick morality, which is always conditioned culturally, as different communities conceive of justice in various ways. In different cultures different values are regarded as subject to distribution: satisfaction of material needs, achievement of social prestige, quick professional careers, wealth, power, longevity, freedom from suffering, entertainment, or salvation. Societies create their particular systems of evaluation, rights, and institutions with a view to guaranteeing a just distribution of the most desirable values and goods. There are no common global values and evaluative criteria. Neither can one attempt at creating a universally acceptable ranking of such values and criteria. Still, it is the consensus of those interested in the fundamental values that conditions justice. As a consequence, we are not capable of creating a single universal system of justice.¹⁹ Representatives of the communitarian movement argue also for ethnical patriotism. To them, individuals and groups are duty bound to show preference for those closest to them (parents, children, or neighbours) because of the fact that their individual identity is shaped thanks to participation in a group, especially a small one, and owing to the interdependence of individual actions and their effects within a group. People who are closest to us are subjected to our behaviour much more than strangers, and the effects of our actions depend on their cooperation. We are moral subjects as particular persons or as persons performing certain roles rather than as abstract universal individuals. Our responsibilities and our duties are likewise connected with particular

¹⁸ M. Frost, *Ethics in International Relations: A Constitutive Theory*, Cambridge 1996.

¹⁹ M. Walzer, *Thick and Thin*, op.cit., pp. 21ff. M. Walzer, *Interpretation and Social Criticism*, London 1987, p. 3, Harvard UP; D. Miller, *Justice and Inequality*, in: A. Hurrell, N. Woods (eds.), *Inequality, Globalization and World Politics*, Oxford 1989, pp. 150-186, Oxford UP.

persons. The “I” is neither ontologically nor morally prior to a group.²⁰ Even if a system of universal values were established, one would still not be able to distribute goods justly as globally there is no single cultural and moral community, nor is there a common citizenship, institutionalised cooperation, and a single set of mutual responsibilities since there exists no global state. Moreover, there is no possibility to create such a state. Various states and nations have their different system structures. There are no reasons why the same system should be imposed on other countries and why those countries themselves should be subject to forced uniformity.

If, however, we limit distributive justice to the principle of equal distribution of material goods, other doubts will arise. Namely, no one is able to distribute goods equally among countries of divergent levels of economy and civilisation, among peoples of different preferences, values, and needs. In addition, during the distribution of goods one must always take into consideration the contribution of subjects towards their manufacture. Consideration of merits has been a constituent element of distributive justice since Aristotle. That is why citizens of affluent countries rightly derive more benefits on account of the wealth produced by themselves and their ancestors. Other countries have to themselves take care about reaching a higher economic level by means of hard work, resourcefulness, and organisation.

3. The Global Reality

So far the processes of globalisation have been by their nature unjust and seem to bear out the position of particularists. Not all play a major role in those processes, while all want to acquire as much as they can for themselves. Still, it is the most significant subjects that derive the most benefits for themselves. Up till now

²⁰ D. Miller, *On Nationality*, Oxford 1995, Oxford UP; see also R. McKim, J. McMahan, *The Morality of Nationalism*, New York, Oxford 1997, Oxford UP.

the biggest role in these processes has been played by big and powerful countries, international organisations and institutions (the World Bank, the International Monetary Fund, the World Trade Organisation) as well as international economic and financial corporations. States compete for power with corporations. Each subject strives to self-preservation and to acquiring a monopoly for information, power, and wealth; each expands and subjects others to itself or rejects them. At present the understanding of human and civil rights as well as the distribution of resources and products depends on big and powerful corporations, organisations, and states and in their interest. It is they that force weaker subjects to lower taxes and tariffs, to introduce changes in occupational health and safety regulations and in principles of pay and employment. It is they that transfer profits to countries where they are exempt from taxes. The global liberal system makes poor countries provide rich ones with resources at a low price, as well as develop a single-crop agriculture and open up their markets to goods from developed countries. Western states defend this system. Inequalities between the poor and the rich are increasing and can be noticed not only in the area of material goods, but also in political influence, efficiency of institutional structures, state of security, levels of hygiene, education, and technology. Globalisation means the weakening of some states, institutions, and organisations and the increase of power and affluence of other, the strongest states. The strongest maintain order, impose their principles and norms of behaviour. They do not do what is right but what is in their own interests.

Politicians and institutional decision-makers in rich countries are inclined towards an extremely particularistic attitude. They still often use the *Realpolitik*. They do not even bother to guarantee minimal justice on a global scale. They do not translate moral norms into norms of political activity claiming that states and governments are under an obligation to guarantee minimal justice only for their own citizens.²¹ In reality, assistance to poor countries has

²¹ See D. McGowan, *Derailing Democracy. The America the Media don't Want You to See*, Monroe 2000, p. 38, passim, Common Courage Press.

decreased over the last decades. Poverty in the Third World countries is on the increase. 800 million people starve worldwide, including 160 million children by age five; 18 million people living in underdeveloped countries die of infections annually. By and large societies do not react to facts of genocide in Rwanda or other African countries. While international organisations such as FAO, the Red Cross, or charities try to help the poor and the persecuted, they cannot do much without a significant support of governments and societies of rich countries.

In the 1980s and the 1990s, political liberals in power in rich countries, such as R. Reagan, M. Thatcher, or H. Kohl rejected the idea of global distributive justice, whose implementation was postulated by representatives of the poorest countries. It was proclaimed that global distribution would destroy political autonomy of states, debilitate political and economic activity of citizens and would destroy moral ties that safeguard the cohesion of national societies.²² As a result of such attitudes, there are ever increasing inequalities between countries measured by purchasing power, life expectancy, state of nutrition, and level of health care. It is estimated that in the period 1960-2000 the distance in living standards between the 20 % of the richest world societies and the 20 % of the poorest ones went up from the ration of 1:30 to that of 1:70.

Less powerful and more backward countries and regions fight for survival. In order not to lag behind and become marginalized and relegated to the peripheries, they do their utmost to keep up with the most advanced countries. Still, reforms require financial outlays. Such states, then, compete with one another for favours with the strongest countries, for their economic, technological, financial, and political assistance. This, in turn, makes them even more vulnerable. Throughout modernity, the most powerful countries have stifled the development of the most backward one; this has not changed. So far there has not emerged a global community

²² See F. V. Krotowil, *Vergesst Kant! Reflexionen zur Debatte über Ethik und Internationale Politik*; in: Ch. Chwaszcza, W. Kersting (eds.), *Politische Philosophie der internationalen Beziehungen*, Frankfurt/Main 1998, pp. 96-150, Suhrkamp.

or a system of institutions that would guarantee justice on a global scale. The USA has toppled democratic systems that have led a policy independent from the American one: in Iran (ruled over by Massadegh), in Chile (Allende), Guatemala, Brazil, Indonesia, Guiana, Nicaragua, and Haiti. By deposing from power governments of other countries, the US had in mind its own interest rather than human rights or the interests of the citizens of the countries it intervened.²³

4. Possibility of Comprehensive Transnational Justice

Is global justice at all feasible? And if so, how can it be reached? Possibility is to be differentiated from actuality. Today actuality is considered unjust. It appears, however, that it is in actuality that a potential for changes lies; this potential provides hope for the establishment of just global political, social and economic relations. A network of institutions, organisations and transnational, international, and global regulations is increasingly regulating the activity of states and limits their sovereignty. While it is subject to influences and manipulations of the strongest subjects (states and organisations), with the increase in the number of organisations and institutions and an ever-growing number of globally binding laws, the freedom of action of the strongest is likewise limited. International relations are becoming more and more similar to internal relations. Economic integration and political cooperation between countries and regions is on the rise. Redistribution of riches takes place daily on a global scale; this occurs not in the form of charity or compulsory transfer of goods to the most needy, but as a transfer of money, securities, technologies, and investments. Transnational communities of joint interests and values appear on a regional and

²³ D. McGowan, *Derailing Democracy*, op.cit.; L. Brilmayer, *American Hegemony*, New Haven – London 1994, Yale UP.

global level. And the international community is logistically capable of establishing a stable system of global institutions that safeguard justice, a system which is based on the reciprocity of services and which takes into account the contribution and needs of all. The development of organisations and institutions independent from national states triggers the creation of new global subjects. Suffice it to mention the fact that the European Union is issuing legal regulations that bind all the Member States. These regulations shape relations between countries as well as internal relations within the EU Member States and in neighbouring states. They change beliefs, attitudes, norms of social behaviour, and the work of civil servants. They limit the sovereignty and scope of power of authorities of individual states. Such processes undermine arguments put forth by particularists directed against the possibility of global justice when it comes to rights and distribution. Rawls's theory, which assumes that the principle of sovereignty of states is the foundation of global relations, is applied to the previous era. It assumes the validity of the Westphalian order of 1648, which granted unlimited authority to superpowers in decisions relating to themselves and to subordinate countries, and where international peace was based on a balance of power. Globalisation processes are undermining this order more and more evidently.²⁴

An analysis of processes of transnationalisation on a regional and global scale suggests at the same time that both the theories of particularists and cosmopolitans take a one-sided approach to the issue of justice. We are witnesses to the establishment of organisational and institutional structures of a transnational character. Their proper management is a chance for a reasonable development of social life on the globe. Justice should form the underlying principle for global institutional order. This role, however, cannot be played by any of the aforementioned theories of justice, whether

²⁴ A. Buchanan, *Rawls's Law of Peoples: Rules for a Vanished Westphalian World*, "Ethics", vol. 110, no. 4, pp. 697-721; Ch. Brown, John Rawls, *"The Law of Peoples", and International Political Theory*, "Ethics and International Affairs", vol. 14, pp. 123-132.

we take them individually or when they are combined. A need arises for the application of a transnational comprehensive justice, namely such justice which will comprise all major areas of social life around the globe, take into consideration axiological problems, and first of all, will refer to the divergent hierarchies of values of different nations, states, regions, and other communities.

Can one do justice to all subjects and take into consideration their great numbers and axiological differences between them and within particular communities? A creation of such a theory for relations on a global scale is a painstaking and risky undertaking. The foregoing will only sketch out some major ideas of such a theory and indicate especially difficult problems to be solved and ways of formulating such a theory. The main objective of justice construed in this way is to guarantee equal subjectivity and dignity to all sane individual and group subjects through safeguarding them from the hegemony of one or several subject/s over others and one sphere of social life over others. The means that safeguard such an objective are, among others, observance of the principle that a criterion of distribution of goods in one area (e.g. financial profits in economy) should not be used in other areas (e.g. politics, culture, religion) as a dominant one, as this is conducive to pathologies, such as corruption. Secondly, what is necessary is abstention from the use of force and violence in the solution of conflicts and arguments between subjects. Global law and the system of institutions are to guard these principles, whereas politics plays distinct functions in the initiation and implementation of principles of justice.²⁵

Global phenomena are of a complex nature and they should be perceived comprehensively. Economic pressure is strictly tied with political one, economic inequalities are closely connected with political dominance. The kinds of justice mentioned at the beginning of the article, referred to most often by cosmopolitans, are but

²⁵ Similar ideas as to domestic justice have been formulated by M. Walzer and D. Miller. See: M. Walzer, *Spheres of Justice*, Oxford 1983, Martin Robertson; D. Miller, M. Walzer (eds.), *Pluralism, Justice and Equality*, Oxford 1993, Oxford UP; T. Buksinski, *Racjonalność współdziałań* [*Rationality of Cooperation*], Poznań 1996, pp. 186-190, WNIFUAM.

component parts of transnational justice. It comprises such phenomena as: equal status and social prestige, access to political participation, influence on legislative processes of those who are affected by the laws adopted, transparency of political and legal procedures, guarantee of cultural identity. Justice is multi-dimensional. It exists as a problem in all aspects of life, i.e. in economy, politics, culture, social and professional areas.²⁶ It consists in establishing such principles of economy, politics, and world culture which would guarantee that human rights are observed everywhere, that capital is invested also in the poorest countries and that the resources of those countries are not sold at a low price. The experience of the last decades in the countries of Central and Eastern Europe indicates inadequacies of external help in the provision of sections of justice: minimal justice or the justice of rights. In turn, this experience points to a major role played by transformations of entire socio-political systems in the implementation of transnational comprehensive justice and the importance of the participation of the countries interested in the transnational decision-making processes that apply to them directly.

For instance, in this approach justice in economy does not entail an equal division of riches in the course of re-distribution of manufactured goods, but first of all is concerned with a creation of such economic and political mechanisms that would prevent exploitation. In other words, at stake is the creation of a really free market of equal partners through the liquidation of monopolies and economic pressure on a global scale. The problem is how to lay down such economic rules that will make impossible the exploitation of the poor by the rich and will ensure actually equal opportunities of participation in the international process of production and division of goods. Global cooperation in the manufacturing of goods has already become fact. Still, poor countries continue to

²⁶ O. Hoffe, *Demokratie im Zeitalter der Globalisierung*, Munich 1999, pp. 13ff, C. H. Beck; A. Hurrell, *Global Inequality and International Institutions*, in: T. Pogge (ed.), *Global Justice*, op.cit., p. 42; R. Frost, *Towards a Critical Theory of Transnational Justice*, in: *ibidem*, pp. 169-187.

experience first and foremost negative effects of global development (destruction of the natural environment, agriculture, culture, social life). Equality of opportunities requires that those countries also benefit from this development. In other words, just conditions for underdeveloped countries have to be established. A simple distribution of goods (e.g. in the form of compensation, special taxation, or concessions) can also be applied in some cases because the wealth of the rich has been attained in the past, among others, through the exploitation of the resources of the poor countries.²⁷

Politics and economy are autonomous but interdependent. Deregulation of economy in the form of abolishing concessions, price limits on communal and indispensable services, abolition of tariffs or quotas are a political process. It brought about economic globalisation. And the functioning of economy depends on political decisions. As long as they are just, the economic system will function accordingly and will bring benefits to all. Otherwise, it will create and deepen inequalities. On the level of satisfaction of material needs and the level of economic life depends, among others, the observance of human and political rights. A higher economic standing is conducive to freedoms, tolerance, and political participation and helps to establish institutions that make economic and political systems more efficient.

5. Recognition of Identity

The biggest problem for a theoretical approach to and a practical implementation of global justice is the guarantee of equal recognition of cultural identities. Disagreements and conflicts between subjects and between different kinds of justice are especially evident when we take into consideration the cultural dimension of social life. More often than not, in the name of justice we demand

²⁷ S. Gosepath, *The Global Scope of Justice*, in: T. Pogge (ed.), *Global Justice*, op.cit., pp. 145ff.

well-being for all, equal access to technologies, fruit of civilisational development or equal power. In the sphere of culture, however, as well as in the areas of religion, morality, or spirituality, justice consists rather in the recognition of the unique and incomparable value of cultural differences. Unique elements of cultures can be preserved and developed on condition each of them is granted special conditions. A problem arises how to guarantee the equality of numerous divergent, incomparable philosophies of life, axiological systems, and spiritual identities that claim to be absolute. They cannot be brought to a common denominator (for instance to principles of equal distribution of material goods) since each culture adopts different values: religion, language, ethics, morality, history, or personality traits. Cultures are axiological signposts and provide individuals with their identity. And each small and weak culture requires privileges, i.e. special treatment, for itself. Without such a protection it will not survive. Justice, then, calls for the guarantee of greater rights and more extensive protection to less powerful cultural communities (e.g. in the form of guarantees of representation in public life or the use of a particular language).²⁸ Conflicts arise also between the principle of recognising the autonomous value of cultures and the human rights of the first and the second generations. Human rights stipulate that all people have a moral value and should be equally respected, while the theory of the autonomous unique value of cultures assumes that cultures (communities) as such are carriers of specific rights and values and that within those communities are made interpretations of the implementation of human rights. According to this approach, communities (cultures) possess a greater value than particular individuals. Different communities differently define the rights and duties of their members. To reconcile individual rights with the rights of a community is the most difficult problem of our times. This problem is especially evident in authoritarian, fundamentalist, or traditional

²⁸ R. Robertson, *Social Theory, Cultural Relativity and the Problem of Globality*, in: A.D. King (ed.), *Culture, Globalization and the World-System*, New York 1999, pp. 69-90, Macmillan.

communities, which aim at absolute rule and expansion with the use of physical and mental violence. A just treatment of all cultures requires their recognition, but at the same time calls for defending the weaker ones against the stronger. We should then recognise the sovereignty of some cultures in a particular territory of their dominance, but simultaneously we must not allow their discrimination against other cultures in this territory, nor their expansion by the use of force into the territories of other cultures. Accordingly, also a liberal culture must be subject to certain restrictions. One cannot allow it to impose liberal laws on the whole world, since it is tantamount to the destruction of non-liberal communities and the uniformisation of societies. Modernisation and economic globalisation are detrimental to the majority of communities and cultures. That is why they need to be defended through the recognition on a global scale of their freedoms, rights, and values.²⁹

6. Democracy and Justice

In political philosophy justice is frequently contrasted with democracy. A thesis has been put forward that liberals recognise the priority of justice (especially when it concerns rights) over the sovereignty of the people, while republicans grant priority to the sovereignty of the people. In such an approach law remains in conflict with the freedom and autonomy of the community; either we have a morally motivated priority of justice over subjects or an autonomy of subjects in establishing and justifying norms of justice. In the former case, morally justified global justice puts limits on democratic decisions, in the latter, consensus is a criterion legitimising collective decisions and is above justice.³⁰ This conflict poses

²⁹ D. Miller, *Justice and Inequality*, in: A. Hurrell, N. Woods, *Inequality, Globalization and World Politics*, Oxford 1999, pp. 187-210, Oxford UP; D. Miller, *Distributing Responsibilities*, "The Journal of Political Philosophy" 2001, vol. 9, no. 4, pp. 453-471.

³⁰ W. Kersting, *Recht, Gerechtigkeit und demokratische Tugend*, Frankfurt/Main 1997, pp. 397ff.

a significant problem for political philosophy and for legislative practice. On the one hand, we are certain that not all decisions or collective statutes are right, even those accepted unanimously, on the other hand we witness a variety of opinions on justice and universal values and norms.

Principles of global transnational justice can be established and accepted only when they are not imposed on subjects from outside, nor when they are derived from abstract principles, as was claimed by the thinkers of the Enlightenment and their followers. They need to be developed in a democratic way, or from within, from the bottom up, in the course of rational argumentation, persuasion, and setting examples. They need to be accepted by the subjects they relate to. Global subjects (states, institutions, organisations, or communities) cannot be deprived in this process of their integrity and identity. Only then can they accept and respect those principles. In other words, only in a discourse that is founded on an equality of partners can we establish just principles of regulating international and internal relations. This is a requirement of the present era. A world order based on a strategy of menace and scare used by all or some national states is fragile and dangerous. Proliferation of weapons of mass destruction and other means of mass killing triggers a suicide of such an order. Global discourse cannot exclude those who think in other ways, for example opponents of liberalism (as Rawls would claim it) or those deemed irrational (as was postulated by Habermas).³¹ On the contrary, it only makes sense when it would take place between different cultures, regions, states, organisations, and institutions in real (not ideal) conditions. The very fact of entering into such a dialogue requires that the parties accept the principles of equality, reciprocity, recognition of and tolerance for opposing views, as well as self-discipline. As a result, we deal with a certain rationalisation of subjects participating in the discourse and their assumption of a certain form of equitable relations as a norm of cooperation. Arbitrary exclusion of those who

³¹ J. Rawls, *The Law of Peoples*, op.cit.; Kok-Chor-Tan, *Tolerance, Diversity, and Global Justice*, Pennsylvania 2000, pp. 47ff, Pennsylvania UP.

think differently or represent other values is dangerous as it disrupts communication and obstructs democratisation of relations in the world. Dialogue with other societies enables Western ones to realise the particularity of their own interpretations of human rights and democracy. What is at stake, then, is a common creation of global laws and principles of co-existence rather than converting others to liberalism. The potential of rationality and justice is inherent in the beliefs of all communities, fundamentalists included. Particular countries of the world occupy different levels of economic and cultural development. They cannot be arbitrarily made to accept the liberal system, as some liberals would want to, as not everywhere are there conditions adequate for this, such as an appropriate political culture or level of economic development. And where such conditions are non-existent, introduction of liberalism will bring disastrous effects.³²

Establishment of a system of global democracy is a long process. Currently, we are at the stage of creating transnational regional systems. There appear systems that are sufficiently autonomous economically to create in a democratic way political structures that regulate economy in their territory and provide a sense of regionally transnational citizenship, for instance within Europe. Already today within such systems it is possible to have common public opinion on a particular issue, joint legislature, joint decision-making, common interests, and identities. New transnational political communities are emerging thanks to the political efforts of states (NAFTA – Mexico, USA, AFTA – countries of South-East Asia, NIE – Asiatic countries of the Pacific, the European Union). Within those communities are created laws that are both accepted by the participants and that guarantee them recognition. These regional systems also exhibit negative features. They become closed off and compete with one another. On the one hand, they enable internal changes and creativity as well as protect participants from

³² J. Habermas, *Die postnationale Konstellationen. Politische Essays*, Frankfurt/Main 1998, p. 191; J. Habermas, *The Inclusion of the Other*, Cambridge, MA 1998, p. 105.

negative effects of economic globalisation, but they also exclude others. In some of them we deal with paternalistic relations, bureaucracy, the rule of the strongest (as it happens, for instance, in the European Union). Their openness to one another and the creation on the basis of those systems of a comprehensive global system should be another stage of the process. Such a global system should be created in a democratic way in the course of a dialogue.

Thanks to the transnational regional systems as well as with the cooperation of states and other organisations, a global political agreement can be reached in the future as to a political world system which would constitute a federation of regional units, states, and global institutions and organisations. A network of relations and interdependencies between such subjects could create a global order without the need for a global state. In such a federation principles of justice would be worked out that would relate on the one hand to mutual relations between states and other collective subjects, and directly to citizens of the world on the other.³³ As can be observed, states, in spite of limitations on their sovereignty, are to play a significant role in globalisation processes. They are still indispensable as a link for the implementation of individual rights and security on the one hand, and local identity on the other. One has to bear in mind, however, that so far, mainly because of competition between states, the environment has been destroyed, the poor have been exploited, and the weak subdued. The limitation of the sovereignty of states by transnational laws and systems is to forestall such negative effects. The global system might be called the United States of the World.

There is always a risk that the more powerful will impose their ideas on the weaker ones. We assume, however, a certain moral minimum where actors on the global scene try to follow the principle

³³ E. Grande, *Postnationale Demokratie – Ein Ausweg aus der Globalisierungsfalle?*, in: W. Fricke, E. Fricke (Hrsg.), *Jahrbuch für Arbeit und Technik*, Bonn 1997, pp. 353-367; R. Frost, *Die Rechtfertigung der Gerechtigkeit, Rawls' Politischer Liberalismus und Habermas' Diskurstheorie in der Diskussion*, in: H. Brunkhorst, P. Niesen (Hrsg.), *Das Recht der Republik*, Frankfurt/Main 1999, pp. 105-168; T. Buksinski, *Modernoæ*, Poznan 2001, pp. 250-253, WNIFUAM.

of justice in their own, long-term interest. Also, above the various ideas of cultural or national justice, there will be created a global justice, worked out as a result of consensus and compromises. It is believed that in the era of global threats and global ties and interdependencies, the actors are more and more reasonable and are fully aware of the hazards latent in the *Realpolitik* as practised from the position of power. In this way, the political system may possess legal and moral legitimacy. And the binding norms shall be justified by the will of the subjects they relate to. While global justice should safeguard fundamental goods and values, particular norms of local justice should be in compliance with it.

7. Prospects for solidarity

The proper management of dialogue is a chance for the reasonable development of social life on the globe. Justice should form the underlying principle for global spiritual and institutional order. A need arises for the developing of a more and more sophisticated justice, namely such which will comprise all major areas of social life around the globe, take into consideration axiological problems, and first of all, will refer to the divergent hierarchies of values and norms of different societies, regions and communities.³⁴ At the end of development we can give up institutional justice and replace it by solidarity.

In the dimension of relations between the big and small cultures the main problem concerns the recognition of cultural identity. Besides the societies which do not observe the elementary norms of justice (the totalitarian and aggressive societies) all others are able to take part in the dialogue with the aim to constitute in the democratic way the global order. In this way the justice could be done to

³⁴ R. Robertson, *Social Theory, Cultural Relativity and Problems of Globality*, in: A.D. King (ed.), *Culture, Globalization and the World-System*, New York 1999, pp. 69-90, Macmillan.

all subjects, taking into consideration their great numbers and axiological differences between them. The main objective of justice construed in this way is to guarantee equal subjectivity and dignity to all groups subjects through safeguarding them from the arbitrary hegemony of one or several subjects over others and one sphere of social life over others. What is necessary is of course abstention from the use of force and violence in the solution of conflicts between subjects. This kind of justice creates the preconditions for solidarity, it means for the attitudes of social and cultural groups to help each other and cooperate without the compelling force of the laws or institutions or presence of particular egoistic interests.

The experience of the last decades in the countries of Central and Eastern Europe indicates inadequacies of external help in the provision of justice. In turn, this experience points to the importance of the participation of the countries interested in the transnational (in this case –European) decision-making process that apply to them directly and a major role played by domestic forces striving for dialogue and cooperation with other subjects (other nations). In democratic dialogue of real subjects situated in real conditions are created the rules and mechanisms of just cooperation in all fields of social life. In other words, at stake is the common creation of a really global order of equal partners through liquidation of monopolies , economic, political and cultural domination and pressure on a global scale.

The stability of the global order in turn, needs in the long period the global civil society and the feeling of solidarity with all people on the globe. Without this kind of attitude the global system will collapse. And only the democratic way of building it can evoke this kind of support for the society governing by the democratic principles and rules.³⁵

In political philosophy justice is frequently contrasted with democracy. A thesis has been put forward that liberals recognize the

³⁵ D. Miller, *Justice and Equality*, in: A. Hurrell, N. Woods (eds.), *Inequality, Globalization and World Politics*, Oxford 1999, pp. 187-210.

priority of justice (especially when it concerns rights) over the sovereignty of the people, while republicans grant priority to the sovereignty of the people. In such an approach law remains in conflict with the freedom and autonomy of the community; either we have a morally motivated priority of justice over subjects or an autonomy of subjects in establishing and justifying norms of justice and solidarity. In the former case, morally justified global justice puts limits on democratic decisions, in the latter, consensus is a creation legitimising collective decisions and is above justice. This conflict poses a significant problem for political philosophy and for legislative practice. On the one hand we are certain that not all decisions or collective statuses are right, even those accepted unanimously, on the other hand we witness a variety of opinions on justice and universal values and norms.

Principles of global justice and global solidarity can be established and accepted only when they are not imposed on subjects from outside. They need to be developed in democratic dialogue, or from within, from the bottom up, in the course of rational argumentation, persuasion, and setting examples. They need to be accepted by the subjects they relate to. Global subjects (states, cultures, communities, institutions) cannot be deprived in this process of their dignity and identity. Only then can they accept and respect those principles and rules. In other words only in dialogue that respects the cultural differences the partners can establish just principles of regulating the international and internal relations. This is requirement of the present era. A world order based on a strategy of menace and scare used by all or some national states or cultural groups is fragile and dangerous. Proliferation of weapons of mass destruction and other means of killing triggers a suicide of such an order. Global dialogue cannot exclude those who think in other ways, for example opponents of liberalism (as Rawls would claim) or those deemed irrational (as was postulated by Habermas). On the contrary, it only makes sense when it would take place between radically different cultures, regions, states, in the real (not ideal) conditions. Arbitrary exclusion of those who think differently or represent other values (but respect elementary justice) is dangerous

as it disrupts communication and obstructs democratisation of relations in the world. Dialogue with other societies enables Western ones to realize the particularity of their own interpretations of human rights, democracy, culture. What is at stake, then is a common creation of global laws and principles of coexistence and solidarity (and not converting others to liberalism). The potential of rationality and solidarity is inherent in the beliefs of all cultures. Establishment of a system of global solidarity by using the method of dialogue is a long process. We are at the beginning of it. But the philosophers have to try to create the axiological foundations for it.

8. The Crisis of Morality

The contemporary crisis is first of all moral crisis. The traditional values and norms are questioned and abandoned. The man leave beyond the evil and good, because he (she) got use to that somebody else decide for him and takes responsibility (state, social system, government, system of laws, institutions). The people present the poor morality. The moral norms and values are used in instrumental way to reach the egoistic aims and interests. The increasing of consumption became the main goal of private life and the activity of corporations, states, and other institutions.

All these phenomena have gave reasons to formulate the normative thesis that the contemporary man should exist without moral norms. The postmodernists declared that today everybody has its own norms and values, which are different from these observed by other people, and that the norms and values are arbitrary, and are changing permanently. It is so called situational ethics-ethics without stabile universal norms and values.

But we have to distinguish between the sociological facts, that means the crisis of traditional morality and the normative imperatives of our epoch. It is true, that the morality in the period of globalization should be more flexible, more open, because the situations are changing and there are rising every day the new kind

of phenomena. The fixed exact norms, traditional rules of behavior are difficult to applied . They show themselves as obsolete, not giving correct orientation in the variety of phenomena and problems. It does mean that we may give up the general principles of morality at all, as postmodernists suggest. The problems the contemporary man meets are global and need to develop the global norms and values as a orientation in approach to them. I suggest that for the global period we need the ethics of basic values and general principles of justice and solidarity. For example , the norms: be specially cautious in your activity, be just , take care for the human life, do not humiliate man dignity. The realization, concretization and application of the norms and values in particular situations depend on individuals and groups. In this morality the persons are creative in application of moral norms and values, but still it is assumed that there are some basic universal values, which should be protected. Therefore nobody may neglect them. In this way we avoid the relativism. This morality guards first of all the human life and human dignity. The other aims are subordinated to these values. And persons take the responsibility for application of the values and principles. They cannot resign from responsibility and put it on Churches, states, institutions.

In the context of the discussions about the dialog between the cultures I would emphasize the role of justice and solidarity as the leading principles, conditioned the mutual understanding and cooperation in peace.

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