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Democracy and Government

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EDITORIAL

The contributions to this issue propose some spotlights into the wide and complicated field of inquiry represented by the relationship between democracy and government. Although the papers mirror different – sometimes very different – approaches to the topic, what keeps them together is, at bottom, a critical consciousness and a sceptical attitude towards triumphalist readings of democracy.

Looking back at Greek democracy, in his introductory note Peter Schaefer suggests that it is not the first time in history that democracy faces a serious risk of failure. Unfortunately, he adds, none holds the recipe for success. Indeed, turning to contemporary situation, several major shortcomings of the dominant liberal model of democracy are outlined by Paul Blokker, who suggests to recognise a pluralist model of democratic legitimating ethics.

Examining empirical cases of political action by 'democratic governments', the articles by Michael Welch on state crimes on behalf of the US Government during the 'war on terror' and Alessandro De Giorgi on xenophobic expressions on behalf of the Italian government as a typical tool for the maintenance of hegemony in a stagnating society, focus on the worrying re-emergence of populist and authoritarian practices to legitimate problematic and incoherent structures of the post-fordist economy and the new world order. The issue of the power of the media in democracies is tackled by Leonidas Cheliotis, too, who stresses the distortions in the perception of marginalised groups such as prisoners. Even more radically, on the basis on a reconstruction of Toni Negri's work over the last thirty years, Hydra argue that democracy is ultimately an oversized unworkable concept and that it should be left aside.

More optimist contributions by Christopher Gohl and Claus Dierksmeier focus, respectively, on the promises of civil society and globality (as opposed to globalization) for new democratic developments. The issue of identity as a democratic enhancing tool is considered by three contributions. Patricia Chiantera-Stutte investigates the sense of European identity in the face of the failure of referenda to ratify the EU Constitution. On the other hand, using the Dutch case, Marc De Leeuw & Sonja Van Wichelen warn us about the many ways in which 'identity' can be instrumentalised. Thirdly, Kristina Stoeckl deals with the issue of religious identities and their relationship with secularism, arguing that the choice between religion and secularism is in fact a false dichotomy.

The final contribution by Mubi provides an effort to cut across the dichotomy democracy/government looking at the constitution of the political domain as shaped by contiguous power technologies. The guest artist is the media collective Ogino Knauss, that kindly provided us with images from their ongoing research on capitalism and contemporary urban space.

AMB, PB, PS

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Ogino Knauss, *Doble Forza*

EDITORIALE

I contributi a questo numero cercano di gettare alcuni flash in quel vasto e complicato campo di ricerca che è la relazione tra democrazia e governo. Sebbene gli articoli rispecchino posizioni differenti — in qualche caso anche molto differenti — il loro minimo comun denominatore è una consapevolezza critica e un'attitudine scettica nei confronti delle letture trionfalistiche della democrazia contemporanea.

Nella sua nota introduttiva, guardando al caso storico della democrazia greca, Peter Schaefer suggerisce che non è la prima volta nella storia che la democrazia si trova di fronte a un serio rischio di fallimento. Sfortunatamente, aggiunge, in questo campo nessuno detiene una ricetta per il successo. Rivolgendosi alla situazione contemporanea, Paul Blokker delinea i limiti principali del modello liberale dominante della democrazia, suggerendo un tipo di analisi che individua la pluralità delle etiche di legittimazione democratica.

Esaminando casi empirici di azione politica da parte di 'governi democratici', gli articoli di Michael Welch sui crimini commessi dal governo degli Stati Uniti nella loro 'guerra al terrore' e di Alessandro De Giorgi sulle espressioni xenofobe del governo italiano come strumento per il mantenimento di un'egemonia consensuale in una situazione di crisi, esaminano il ritorno di preoccupanti pratiche populiste e autoritarie come strumenti di legittimazione di strutture problematiche e incoerenti dell'economia post-fordista nel nuovo ordine mondiale. La questione del potere dei media nelle democrazie è affrontata anche da Leonidas Cheliotis, il quale sottolinea le distorsioni nella percezione dei gruppi marginali come i carcerati. Ancora più radicalmente, sulla base di una ricostruzione dell'opera di Toni Negri nel corso degli ultimi trent'anni, Hydra conclude che "democrazia" è un termine ipertrofico ed inutile, che dovrebbe essere abbandonato.

I contributi più ottimisti di Christopher Gohl e Claus Dierksmeier si concentrano rispettivamente sulla potenzialità della società civile e della globalità (contrapposta alla globalizzazione) per nuovi sviluppi democratici.

La questione dell'identità come strumento per sostenere la dimensione democratica è analizzata da tre autori. Patricia Chiantera-Stutte si concentra su quale sia il nucleo dell'identità europea di fronte al fallimento dei referendum di ratificazione della Costituzione europea. In riferimento al caso olandese, Marc De Leeuw e Sonja Van Wichelen ci mettono in guardia sui molti modi in cui l'identità può venire strumentalizzata. Kristina Stoeckl poi si occupa delle identità religiose e della loro relazione con il secolarismo, sostenendo che la contrapposizione tra religione e secolarismo è di fatto una falsa dicotomia.

Il contributo finale di Mubi cerca di leggere trasversalmente la dicotomia democrazia/governo, rilevando la costituzione del campo politico come formato da diverse tecnologie del potere contigue tra loro. Artista ospite di questo numero è il collettivo Ogino Knauss, che ci ha inviato alcuni frammenti visivi della sua continuativa ricerca su capitalismo e spazio urbano contemporaneo.

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Introductory note

Peter Schaefer



Almost a year ago I was travelling in Greece where one morning – in what can be by now considered an obligatory step for a western tourist – I stood on the Agora in Athens to witness what we regard the ancient roots of modern democracy. The day before I had explored the religious side of Athens – i.e. the Parthenon temple on the Acropolis and the hill where St. Paul preached to the citizens of the then already Roman empire. That morning I first had visited the *prnyx* – where on the *bema*, the speaker's stone, Perikles and Demosthenes had held their famous speeches to the assembly of the citizens. Demosthenes, who led an unsuccessful uprising of the Atheniens against the Macedonian king Alexander the Great can classified clearly as a defender of the vanishing democratic institutions. Perikles, however, who was a successor of Themistokles, stood already for a problematic transformation of the still young democracy. The wars against the Persians had transformed the Athenian leader from *primus inter pares* to a venerated figure who ruled with populist methods and thereby questioned the reforms of Cleisthenes who had inaugurated democratic rule in Attica.

Now I stood here on the remainders of old Athens and learned about the strives of the privileged to show their wealth with luxurious graves, that Athens was splendid, but intellectually dead under the Romans and how Leonidas and Themistokles had saved Greek culture from Persian rule in the battles of Thermopylae and Salamis. Here, on several *stoa* many of the streams of Greek philosophy were developed and diffused – be it Cynicism, Platonism, Stoicism, Epicureanism or Skepticism. And obviously, the different ways of thinking reflected the political and cultural developments of attic culture.

I was thrilled not only by the apparent fragility of Athenian democracy but also how similar the pressures it had to stand up to are to those we have to face today. More precisely, it is striking that – after the collapse of the communist block, i.e. after the vanishing of the external threat – modern democracies have to come to terms with internal threats – be it populism, economic transformation or diminishing legitimacy.

In this issue we have collected a number of contributions that revolve around these topics. Contrary to official celebrations, the pieces seem to suggest that keeping the democratic spirit alive is an arduous task which entails the reshaping of existing institutions and in which we, like our Greek ancestors, may also not succeed.

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The Democratic Turn

Democracy Between Closure and Indeterminacy

Paul Blokker



Since the disappearance of most of 'really existing socialism' with the regime changes in the Soviet world, one can often hear the argument that now liberal democracy is the only viable form the polity can take in modernity (the most obvious and well-known - but surely not only - thesis in this regard is Francis Fukuyama's *The End of History*, 1989: 'The triumph of the West, of the Western idea, is evident first of all in the total exhaustion of viable systematic alternatives to Western liberalism').

At the same time, paradoxically coinciding with the global triumph of democracy, one can witness the increasing discontent with the traditional Western model. As Pierre Rosanvallon formulates it: 'the turning point of the 1990s... strangely saw the disenchantment with the life of democracies grow at the very moment that the fall of communism seemed to vindicate their supremacy' (Rosanvallon 2006: 189).

In this, it seems that the notion of the triumph of liberal democracy underestimates or plainly ignores the increasing visibility of a number of profound mutations and tensions in modern democracy. It is, in this regard, possible to show that the 'triumphalist' reading of modern democracy works with a number of rather problematic assumptions, that are mostly unrecognized as such (at least within the self-proclaimed pro-democratic, liberal 'discursive community').

I will relate here to only two – but nevertheless key – assumptions of the triumphalist reading. A first assumption implies that no other form of modern polity can be justified, or can enjoy similar levels of justification as liberal democracy. In other words, the specific interpretation of democracy as liberal, rights-based democracy is taken as the only viable and justifiable one, whereas all other possible forms, often with a stronger emphasis on substantive aims, are deemed susceptible to potential authoritarian or even totalitarian tendencies. And a second, related, assumption is the idea that democracy is ultimately an uncontested signifier, can be defined in normative, ideal-typical terms, and as such can be reduced to a monist and unambiguous understanding of its meaning.

The idea that liberal democracy is the only justifiable form takes a one-dimensional and almost absolutist guise in that today, as Marcel Gauchet has put it, 'no longer does there exist any source of alternative legitimacy that justifies the sacrifice of individual liberty, not even in the name of religion, tradition, or history' (Gauchet 2006: 15). Democracy is primarily justified by its protection of individual liberty against

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any form of infringement. In a second step, democracy as a normative idea is then rather unproblematically translated into a distinct set of institutions that comprises a national community, governed by a modern state whose elected representatives (the government, parliament, the courts) ultimately justify their rule by reference to the idea of sovereignty grounded in the people (understood as the aggregation of individuals). The upshot is that one can predefine an ideal-typical form of democracy and an ultimate set of democratic rights on which the constitutional state is based and the guarantee of which, as is increasingly in fashion (see Bellamy 2007), is in the ultimate instance to be safeguarded by a non-political institution, the constitutional court. Democracy takes in this reading a mostly negative guise in that its main purpose is the protection of the individual from politics.

Now, if we subsequently observe the predicament of national democracy in contemporary Europe – mutated from above by such phenomena as globalisation and the European integration project, and by societal fragmentation and differentiation, but also civic action as well as forms of Europeanization and transnational interaction from below – it is not difficult to see that the standard liberal model of an identifiable demos, elected representation, and a well-defined territoriality and jurisdiction is in some form of trouble, to say the least.

The increasingly closed imaginary of a rights-based democratic regime seems not to have much on offer to confront these deep mutations of democracy, and shows fairly little interest in alternative ways of imagining and institutionalizing democracy (for instance, on the supranational or global levels). What is more, the dimension of democratic politics seems to increasingly take a backseat in the primarily rights-based conception. It is rather grounded in the idea that the ultimate form of democracy has already been discovered through the French and American revolutions, and that ameliorations can consist of forms of fine-tuning, but not much more than that. In this way, democracy loses its political dimension and its relation to its citizens, and is reduced to a technique or form of regulation.

But even the pretence of a technocratic politics that 'delivers', emphasising the regulative function, is increasingly problematic. Politics is increasingly less situated within the confines of the democratic state, and more and more 'overflows' the level of the nation-state. Good examples here are the internationalization of law, the increasing significance of the EU as a polity, but also the growing importance of non-political actors, such as multi-national corporations, transnational non-governmental organizations, as well as sub-national minority groups, often bypassing the state level. The state has lost its singular responsibility for its citizens, while politics has become more dispersed. Therefore, also the corresponding political model of representative politics is under increasing pressure. If democratic sovereignty is not anymore exclusively situated in the state, elections lose their primary function of legitimation. Instead, sovereignty is more dispersed and democratic politics pluralised.

This brings us to a second assumption that is often unreflected upon, that is, the idea that democracy as an idea, as an imagination of the modern polity, is ultimately deemed an uncontested notion. In other words, the idea is that one is either a democrat or one is not. Democracy is then not understood as subject to different interpretations, but rather, since reality is more messy than the theoretical ideal, democratic regimes as well as citizens are deemed to embody to a more or lesser extent the ideal

of democracy. As Fukuyama argued in 1989: 'the victory of liberalism has occurred primarily in the realm of ideas or consciousness and is as yet incomplete in the real or material world'. The strong emphasis on this pragmatic dimension of democracy, which can be seen as having its roots in an anti-absolutist (as in ancient régime) as well as anti-totalitarian preoccupation, means, however, that a second, equally important dimension is mostly neglected, or, alternatively, even deemed dangerous for the realization of a 'genuine' democracy.

This second dimension can be called the emancipatory dimension or the dimension of collective autonomy. This dimension of democracy is about taking the meaning of democracy quite literally, as the rule of the demos. It

It seems, then, that the future of democracy is not necessarily to be found in the idea of a triumph of the liberal model, nor in the suggestion that there is no alternative to the liberal model. By acknowledging current mutations and continuous tensions, one cannot but recognize the indeterminacy and the impossibility of a final closure of the democratic quest.

concerns people setting their own rules (also ground rules) and their unrestrained participation in the political community they are members of. In contrast with the pragmatic dimension that often primarily cares for the protection of the individual, the emancipatory dimension invokes a public, collective aspect of democracy. It refers to the idea of the common good, and democracy as an ongoing project trying to realize that common good.

The continuous tension between these two dimensions – which in themselves are deeply grounded in the liberal and republican traditions – suggests that an ultimate form of democracy, or closure of the democratic quest, is hard, if not impossible, to achieve (contrary to the idea of any triumph). Rather, democracy is always open to contestation and subject to radical imagination (see Castoriadis 1997). When the emphasis is too much on the constitutional, pragmatic side, democracy is open to the critique of being emotionless, alienating, as a regime that does not respond to the needs and sentiments of the citizens (as in the current 'rights fetishism'). In case of a strong emphasis on the emancipatory side, the risk is that either the individual is suppressed by the overriding status of the common good (the 'tyranny of the majority'), or that too much is asked from the individual citizen in terms of participation (to paraphrase Oscar Wilde: democratic participation's trouble is that it requests 'too many evenings'). The quest for a durable balance between these two dimensions is clearly – and has historically proved to be – an arduous task.

What is more, if we try to further specify, or to better substantiate what justifications can, and are, offered for democratic regimes in political reality, we see that this reality does not adhere to one singular mode of justification), but that there are a variety of ways of imagining, justifying, and criticizing the rule of the demos (for the idea of democratic ethics, see Blokker 2008).

At least four such ethics can be distinguished regarding modern democracy. The first is evidently the 'ethic of rights'. This ethic is about the priority of rights and the rule of law, and an identification of democracy with the liberal model of constitutional democracy in its emphasis on natural rights, legal procedures, and the equality of citizens before the law. As such, it can be considered the dominant ethic in the contemporary period. But one can also identify alternative ethics. A second ethic, the

'ethic of identity', is concerned with a priority of identity or commonality to define group boundaries and membership and a related understanding of the common good. This ethic of identity is invoked when a shared 'thick' identity, and its continuous preservation and flourishing, is understood as the main aim of a democratic polity. A third ethic that can be found is the 'ethic of self-rule', which is based on a priority of the idea of substantive participation. In the active, substantive conception of participation, popular sovereignty or democratic self-rule does not mean the transfer of sovereignty to an administering state, but self-rule is rather grounded in society and seen as an end itself. Its expression can be found in demands for local self-rule and self-organizing civil society. Finally, a possible fourth ethic is the 'ethic of distributive justice', which understands substantive, socio-economic equality as a priority in democracy.

This list of ethics is obviously not exhaustive, and other ethics can clearly gain in prominence. One of these is the 'ethic of deliberation', which understands the open, unrestricted, and rational deliberation by citizens over matters of the common good as the essence of a democratic regime. But one can also think of the increasing importance of an 'ethic of distrust' (cf. Rosanvallon 2006), 'denunciation', or 'dissent' (Priban 2002), based on a politics of suspicion and scrutiny, and the emphasis on the need for transparency in democracy. A further ethic on the rise is a 'cosmopolitan ethic' that understands democracy as only really possible beyond the narrow confines of the nation-state.

It seems, then, that the future of democracy is not necessarily to be found in the idea of a triumph of the liberal model, nor in the suggestion that there is no alternative to the liberal model. By acknowledging current mutations and continuous tensions, one cannot but recognize the indeterminacy and the impossibility of a final closure of the democratic quest. As Cornelius Castoriadis (1997: 5) has argued, in the end, the crux to democracy is that it is a 'regime in which all questions can be raised'.

● References

- Bellamy, Richard (2007), *Political Constitutionalism: A Republican Defence of the Constitutionality of Democracy*, Cambridge University Press.
- Blokker, Paul (2008), 'Multiple Democracies: Political Culture and Democratic Variety in Post-Enlargement Europe', *Contemporary Politics*, 14(2).
- Castoriadis, Cornelius (1997), 'Democracy as procedure and democracy as regime', *Constellations*, 4(1), pp. 1-18.
- Fukuyama, Francis (1989), 'The End of History', *The National Interest*.
- Gauchet, Marcel (2005), *La democrazia contro se stessa*, Troina: Città Aperta Edizioni.
- Priban, Jiri (2002), *Dissidents of Law*, Aldershot: Dartmouth/Ashgate.
- Rosanvallon, Pierre (2006), *Democracy. Past and future*, New York: Columbia University Press.

Crimes of Power

in a Post-9/11 World: A Timely Look at State Crime and Impunity

Michael Welch



So, in response to the attacks on September 11th killing nearly 3,000 victims, what has happened during the past seven years? Here is a capsule:

- * President Bush moves to suspend existing criminal law so as to process terror suspects – termed unlawful enemy combatants – by way of military tribunals rather than by criminal courts.

- * A detention center in Guantanamo Bay, Cuba is opened, housing more than 400 terror suspects while others being shuttled to secret prisons run by the CIA. A select few detainees will undergo military tribunals but most will not, and none will receive what could be characterized under international law as a fair trial.

- * Considered a dormant problem in the US, torture and abuse of terror suspects re-emerges as policy and practice. Even more boldly, White House legal advisors go to great lengths to rewrite prohibitions on torture whereby those who order and carry out such acts would be immunized from prosecution, even in cases where there exists credible evidence of war crimes.

- * Key players in the Bush administration concoct a disinformation campaign linking Al-Qaeda to Saddam Hussein who is accused of possessing weapons of mass destruction (WMDs) and biological and chemical agents that threaten US national security, prompting the war in Iraq.

- * Under the strictures of international law, the invasion of Iraq is deemed illegal.

- * When inspectors fail to find WMDs, the overriding rationale for the occupation of Iraq shifts to the war on terror.

- * As of August 2008, more than 4,000 American military personnel have been died since the start of the Iraq war in 2003. Civilian deaths in Iraq are more difficult to ascertain but estimates suggest that more than 3,000 Iraqis are dying every month--roughly the total number of deaths in the September 11th attacks.

Of course, that's just a short list. As my forthcoming book, *Crimes of Power & States of Impunity* (2009), demonstrates in detail, there are other key developments in America's response to terror, many of which constitute state crimes committed on behalf of the US government. Such crimes of power are particularly distinct from ordinary street-level offenses and even other political, corporate, and organizational violations since they are perpetuated in large part to various forms of immunity from

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prosecution and penalties. It is because of those states of impunity, crimes of power appear to have few bounds (see also Agamben 2005).

With those concerns in mind, my project sets out to study state crime in America's war on terror with special focus on the nature of power. Indeed, it is the new configuration of power drafted since September 11th that has given rise to serious breaches of international law and abuses of human rights, including the invasion of Iraq, the unlawful enemy combatant designation and extraordinary renditions, as well as the mistreatment and torture of detainees (Welch 2006, 2007). In deciphering those crimes the approach transcends the straightforward legal – albeit important – arguments, reaching for a broader sociological interpretation for what can be viewed a post-9/11 world. Since the tragic events of September 11th, the US government, often with little or no resistance from its citizens, has trampled the rule of law. So that we may appreciate the meaning of those recent developments, it is fitting that we turn to a brief overview of an emerging field of scholarship that unveils elite crime.

Elite Crime, Political Economy & Human Rights

Over the past few decades, a growing number of criminologists have been committed to throwing light on illegal and unethical actions carried out by state, corporate, and organizational elites. Despite the significance of such critical scholarship, the field of criminology has generally neglected those forms of sophisticated criminality: for instance, a recent review of the leading criminology journals found that a mere three percent of published articles involved studies on state, economic, or political violations (Michalowski and Kramer 2006a). Nonetheless, crimes by the powerful have immense reach and consequence, as the following passage suggests:

Great power and great crime are inseparable. It is only those with great political and economic power who can, with the stroke of a pen, the utterance of an order, or even a knowing nod of the head send thousands to their deaths or consign millions to lives of unrelenting want and misery. When economic and political powers pursue common interests, the potential for harm is magnified further. (Michalowski and Kramer 2006b: 1)

Tracing the sources of elite crime ultimately brings us to the political economy. There we find a system whereby political and economic players synthesize their mutual interests, often with a shared vision of a desired social-global-order (Hardt and Negri 2004). Consider, for example, the exchange between elected leaders and defense contractors: an entity known as the military-industrial complex. Together those political and economic elites determine the path of foreign affairs and military intervention, including the 2003 invasion of Iraq. The war in Iraq serves as a timely subject for criminologists concerned with elite criminality in the form of state crime as well as the more nuanced state-corporate crime.

Hardt and Negri (2004: 12) observe that war has become the “organizing principle of society” and “what appears as civil peace . . . only puts an end to one form of war and opens the way for another.” While the cycle of mass violence offers opportunities for war profiteers, there remain concerns over other paradoxes of contemporary military aggression. Ruggiero (2007) recognizes that modern war is actually de-modernizing insofar as the military targets are bombed back to the Stone Age: destroying cities along with their infrastructures, electrical grids, sanitation devices, and related public health services. Similarly, food distribution and medical care is disrupted,

contributing to hunger and disease; hence, bomb now, die later. Concurrently, war is re-modernizing by way of enormous reconstruction contracts awarded by the state to its private partners; moreover, the political economy is revamped so as to accommodate external investment. "In this way, logical continuity is established between the space of war and the space of peace, between war actors and civilian groups, while inimical countries, now annihilated offer maximum predatory potential to industrial conglomerates" (Ruggiero 2007, 212; see Welch 2008).

To offset the conceits of nation-building in the aftermath of war, it is crucial to acknowledge that war is criminogenic: becoming a central source of crime beyond those committed by state and corporate actors. Dutch criminologist

Whereas the war in Iraq is simply too obvious to ignore, other antiterrorism measures are easily overlooked since they unfold secretly, such as extraordinary renditions and the mistreatment and torture of detainees. Crimes of Power intends to bring to the forefront of conversation important ethical matters surrounding crimes committed on behalf of government.

Willem Bongers (1916) put forth a roster of social problems stemming from war: families are separated, children orphaned, and basic social services cease to function properly. Rising unemployment, idleness, and desperation breed street crime, robbery, and looting. In the vacuum of war-torn regions, black markets emerge not only out of a sense of survival but propelled further by greed and exploitation. The underground economy also invites violence as a means of protecting commercial turf in pursuit of revenue. Those illicit activities occur when local criminal justice systems are at their weakest; therefore, those acting out of the criminogenics of war often go unpunished. More to the point of my analysis, war also is criminogenic in ways that contribute to various war crimes: namely, torture and the mistreatment of prisoners (e.g., Abu Graib). Likewise, many of those perpetrators have yet to be brought to justice, especially the government officials who ordered such brutality.

It is with those concerns in mind that we seek to broaden our understanding of state crime. Whereas much of the dialogue on the subject implies strong support for human rights, it is useful to go a step further. Borrowing from Green and Ward who insist that criminology should not be neutral between human rights violators and their victims, *Crimes of Power* adopts their definition of state crime as "state organisational deviance involving the violation of human rights" (2004). Indeed, state crimes embodied in the war on terror invite us to consider the conceptual and concrete aspects of the state, organizational deviance, and human rights abuses. Bridging those matters, we acknowledge the interplay between the political and economic elements of the social order, particularly since they also provide a foundation for elite crime committed within an array of antiterrorism maneuvers. In reference to more global notions of domination, Green and Ward (2004: 191) argue that the war on terror has "become the key strategic device through which the United States is enforcing its hegemony through a series of military incursions in some of the world's most unstable regions."

In closing

Crimes of Power & States of Impunity builds on a previous study of governmental crime contained in *Scapegoats of September 11th* (Welch 2006). Since 9/11 there have been continued acts of wrongdoing against US citizens. Consider, for example,

recent revelations of the illegal surveillance program: compounded by the government's eagerness to grant immunity to telephone and internet providers from consumer lawsuits citing violations of privacy. Shifting attention beyond US borders, my current project explores the war on terror as it expands globally, leaving a long trail of deaths, injuries, and various harms to people elsewhere. The analysis delves deep into the historical, economic, and political forces that shape current responses to political violence. The book, however, also issues a call for activism against human rights abuses in the war on terror. Whereas the war in Iraq is simply too obvious to ignore, other antiterrorism measures are easily overlooked since they unfold secretly, such as extraordinary renditions and the mistreatment and torture of detainees. *Crimes of Power* intends to bring to the forefront of conversation important ethical matters surrounding crimes committed on behalf of government. In an effort to dismantle states of impunity the book echoes Stan Cohen who reminds us that the human rights movement aspires to promote a general awareness: "We must make it difficult for people to say that they 'don't know'" (2001: 11).

● References / Riferimenti

- Agamben, G. 2005. *State of exception*. Translated by Kevin Attell. Chicago: University of Chicago Press.
- Bonger, W. 1916. *Criminality and economic conditions*. Boston: Little, Brown.
- Cohen, S. 2001. *States of denial: Knowing about atrocities and suffering*. Cambridge, UK: Polity.
- Green, P. and T. Ward. 2004. *State crime: Governments, violence and corruption*. London: Pluto.
- Hardt, M. and A. Negri. 2004. *Multitude: War and democracy in the age of empire*. New York: Penguin Putnam.
- Michalowski, R. and R. Kramer. 2006a. *State-corporate crime: Wrongdoing at the intersection of business and government*. New Brunswick, NJ & London: Rutgers University Press.
- Michalowski, R. and R. Kramer. 2006b. *The critique of power*. In *State-corporate crime: Wrongdoing at the intersection of business and government*, edited by R. Michalowski and R. Kramer. New Brunswick, NJ & London: Rutgers University Press.
- Ruggiero, V. 2007. War, crime, empire and cosmopolitanism. *Critical Criminology* 15(3): 211-221
- Welch, M. 2006. *Scapegoats of September 11th: Hate crimes & state crimes in the war on terror*. New Brunswick, New Jersey & London: Rutgers University Press.
- Welch, M. 2007. Fare l'impensabile. Genealogia della tortura moderna (Doing the unthinkable: A genealogy of modern torture) *Studi Sulla Questione Criminale*, II (n.3):41-64.
- Welch, M. 2008. Ordering Iraq: Reflections on power, discourse, & neocolonialism. *Critical Criminology*, 16(4): In press.
- Welch, M. 2009. *Crimes of power & states of impunity: The U.S. response to terror*. New Brunswick, New Jersey & London: Rutgers University Press.

Crimini del potere in un mondo post-11 settembre: uno sguardo puntuale a crimini e impunità di Stato

Dunque, in risposta agli attacchi dell'11 settembre 2001 che hanno ucciso circa 3.000 persone, cosa è successo negli ultimi sette anni? Ecco una sintesi dei principali fatti:

* Il presidente Bush ha proposto di sospendere le leggi penali in modo tale da processare i sospetti terroristi — definiti illeciti combattenti nemici — attraverso tribunali militari invece di corti di giustizia penale.

* È stato aperto un centro di detenzione nella baia di Guantanamo (Cuba) che ospita più di 400 sospetti terroristi mentre altri vengono trasportati nelle prigioni segrete gestite dalla CIA. Pochi e selezionati detenuti saranno sottoposti a tribunali militari ma la maggior parte no, e nessuno riceverà quello che secondo il diritto internazionale si può definire un trattamento imparziale.

* Considerato un problema quasi inesistente negli Stati Uniti, la tortura e l'abuso del sospetto di terrorismo riemergono come politica e come pratica. Ancora più sfacciatamente, i consulenti legali della Casa Bianca fanno di tutto per abolire la proibizione della tortura, così che coloro che ordinano ed eseguono tali atti possano essere immuni da processi, anche nei casi in cui ci sia dimostrata esistenza di crimini di guerra.

* Personaggi chiave dell'amministrazione Bush architettano una campagna di disinformazione che mette in relazione Al-Qaeda a Saddam Hussein, accusato di essere in possesso di armi di distruzione di massa e di agenti chimici e biologici che minacciano la sicurezza nazionale degli Stati Uniti, incitando la guerra in Iraq.

* Secondo le regole del diritto internazionale, l'invasione dell'Iraq del 2003 è illegale.

* Quando gli ispettori non hanno trovato armi di distruzione di massa in Iraq, la motivazione ufficiale dell'occupazione dell'Iraq si è trasformata nella guerra al terrorismo.

* Fino all'agosto 2008, più di 4.000 soldati americani sono morti dall'inizio della guerra in Iraq nel 2003. Le morti civili in Iraq sono più difficili da accertare,

ma le stime suggeriscono che più di 3.000 iracheni muoiono ogni mese (circa quanti ne sono morti in totale negli attacchi dell'11 settembre).

Ovviamente, questa è solo una piccola lista. Come il mio libro in uscita *Crimes of Power & States of Impunity: The U.S. Response to Terror* (2009) dimostra in dettaglio, esistono altre conseguenze della risposta dell'America al terrorismo, molte delle quali costituiscono crimini di stato commessi nell'interesse del governo degli Stati Uniti. Tali crimini di potere sono specificatamente distinti dai comuni reati ordinari e addirittura dalle altre violazioni politiche ed economiche organizzate, poiché essi sono perpetrati in una gran parte sotto protezione di varie forme di immunità da accuse e pene. E proprio per questo stato di impunità, i crimini di potere sembrano avere pochi limiti (si veda anche Agamben 2005).

A partire da queste considerazioni, il mio progetto sviluppa lo studio dei crimini di stato nella guerra americana al terrorismo, con un'attenzione speciale alla natura del potere. In verità, è proprio la nuova configurazione del potere definita a partire dall'11 settembre che ha dato origine ad una seria rottura del diritto internazionale e ad abusi dei diritti umani, ivi compresa l'invasione dell'Iraq, la definizione dei nemici "illegittimi" e relative interpretazioni stra-ordinarie, come pure i maltrattamenti e le torture dei detenuti (Welch 2006, 2007). Nella disamina di questi crimini la mia analisi trascende le semplici — sebbene importanti — questioni di legalità, per arrivare ad una più ampia interpretazione sociologica, attraverso cui analizzare il mondo dopo l'11 settembre.

A partire da quei tragici eventi, il governo degli Stati Uniti, spesso con una piccola se non inesistente resistenza da parte dei suoi cittadini, ha calpestato il principio della legalità.

Di conseguenza, ciò che possiamo rivalutare come senso di questi recenti accadimenti è che ci conducono verso la necessità di una nuova disciplina che analizzi i "crimini d'élite".

Crimini d'élite, economia politica e diritti umani

Durante gli ultimi dieci anni, un numero sempre crescente di criminologi è stato impegnato nel far luce sulle azioni illegali e immorali compiute da elites di stato ed economiche. Nonostante il valore di tali studi critici, il campo della criminologia ha generalmente trascurato queste forme di criminalità sofisticata: una recente rassegna delle riviste di criminologia

all'avanguardia, per esempio, ha rivelato che solo il tre per cento degli articoli pubblicati riguarda studi sulla criminalità di stato, economica e politica (Michalowski and Kramer 2006a).

Eppure, i crimini del potere hanno immensa portata e conseguenze, come qui di seguito si sostiene.

Grande potere e grande crimine sono inseparabili. Solo coloro che hanno un gran potere politico ed economico possono, semplicemente con un tratto di penna, esprimere un ordine o addirittura, con un semplice cenno del capo, spedire migliaia di persone a morte o destinarne milioni a vivere di stenti e miseria. Quando il potere politico ed economico si rivolge contro gli interessi comuni, la potenzialità di fare danni aumenta ulteriormente. (Michalowski and Kramer 2006b: 1)

La ricostruzione delle origini dei crimini d'élite in definitiva ci riporta all'economia politica. Qui noi troviamo un sistema con cui gli attori politici ed economici sintetizzano i loro mutui interessi, spesso con una visione condivisa dell'auspicato ordine sociale globale (Hardt e Negri 2004).

Consideriamo, per esempio, gli scambi tra i leaders eletti e gli organismi di difesa: un'entità conosciuta come il complesso militare-industriale.

Insieme, queste élite politiche ed economiche determinano la direzione degli affari esteri e degli interventi militari, compresa l'invasione dell'Iraq del 2003. La guerra in Iraq funziona come un opportuno argomento per i criminologi che si occupano di criminalità d'élite, nella forma del crimine di stato, sebbene il più sfumato dei crimini di stato.

Hardt e Negri (2004: 12) osservano che la Guerra è diventato "il principio organizzatore della società" e "che ciò che appare come una pace civile . . . pone solo fine ad una forma di Guerra ed apre la strada ad un'altra".

Mentre il ciclo della violenza di massa offre opportunità per i profittatori della guerra, il resto riguarda gli altri paradossi delle aggressioni militari. Ruggiero (2007) riconosce che la Guerra moderna è realmente de-modernizzata nella misura in cui gli obiettivi militari sono stati bombardati come se si fosse tornati all'età della pietra: distruggendo le città insieme con le loro infrastrutture, le reti elettriche, le strutture sanitarie e gli altri servizi di salute pubblica. Analogamente, la distribuzione di cibo e le cure mediche vengono interrotte, contribuendo alla fame e alle malattie; per cui: bombe adesso, morte più tardi.

Simultaneamente, la guerra è stata rimodernizzata attraverso gli enormi contratti della ricostruzione concessi dagli Stati ai propri partner privati; inoltre, la politica economica è stata riorganizzata così da accogliere gli investimenti esteri.

In questo modo è stata stabilita una continuità logica tra lo spazio della guerra e lo spazio della pace, tra gli attori della guerra ed i gruppi civili, mentre i paesi nemici, una volta annientati, offrono il massimo dell'appetibilità per i gruppi industriali. (Ruggiero 2007, 212; vedi Welch 2008)

Per sfatare il mito della costruzione di una nazione come conseguenza della guerra, è fondamentale riconoscere che la guerra è criminogena: diventando una fonte principale di crimini attraverso questi compromessi tra lo Stato e gli attori corporativi. Nel suo libro *Criminality and Economic Conditions* (1916), il criminologo tedesco Willem Bongers indica una lista di problemi sociali provocati dalla guerra: le famiglie si disgregano, i bambini restano orfani ed i servizi sociali di base cessano di funzionare adeguatamente. La disoccupazione crescente, l'indigenza e la disperazione determinano i crimini nelle strade, i furti e gli atti di sciaccallaggio. Nel vuoto delle zone sospese dalla guerra i mercati neri emergono non solo per una questione di sopravvivenza, ma stimolati ulteriormente dall'avidità e dallo sfruttamento.

L'economia sotterranea inoltre esorta alla violenza con il significato di proteggere i territori commerciali alla caccia di facili guadagni. Queste attività illecite proliferano quando il sistema di giustizia criminale locale è al collasso; inoltre, questa rappresentazione della genesi della criminalità della guerra spesso resta impunita.

Al di là di questi punti, la guerra è criminogena nei termini in cui contribuisce a vari crimini, come torture e maltrattamento dei prigionieri (si veda Abu Ghabib). Allo stesso modo, molti di questi crimini perpetrati devono ancora essere portati davanti alla giustizia, soprattutto dei governi ufficiali che hanno ordinato tali brutalità.

È con questo ragionamento che cerchiamo di allargare la nostra comprensione dei crimini di stato. Laddove gran parte del dibattito sul tema contiene un forte supporto per i diritti umani, è necessario andare ancora più a fondo. Prendendo a prestito il pensiero di Green e Ward che insistono sul fatto che la criminologia non dovrebbe essere neutrale rispetto a chi viola i diritti umani e le loro vittime, *Crimes of Power* adotta una definizione di crimine di stato

come "devianza di stato organizzata che comprende la violazione dei diritti umani" (2004).

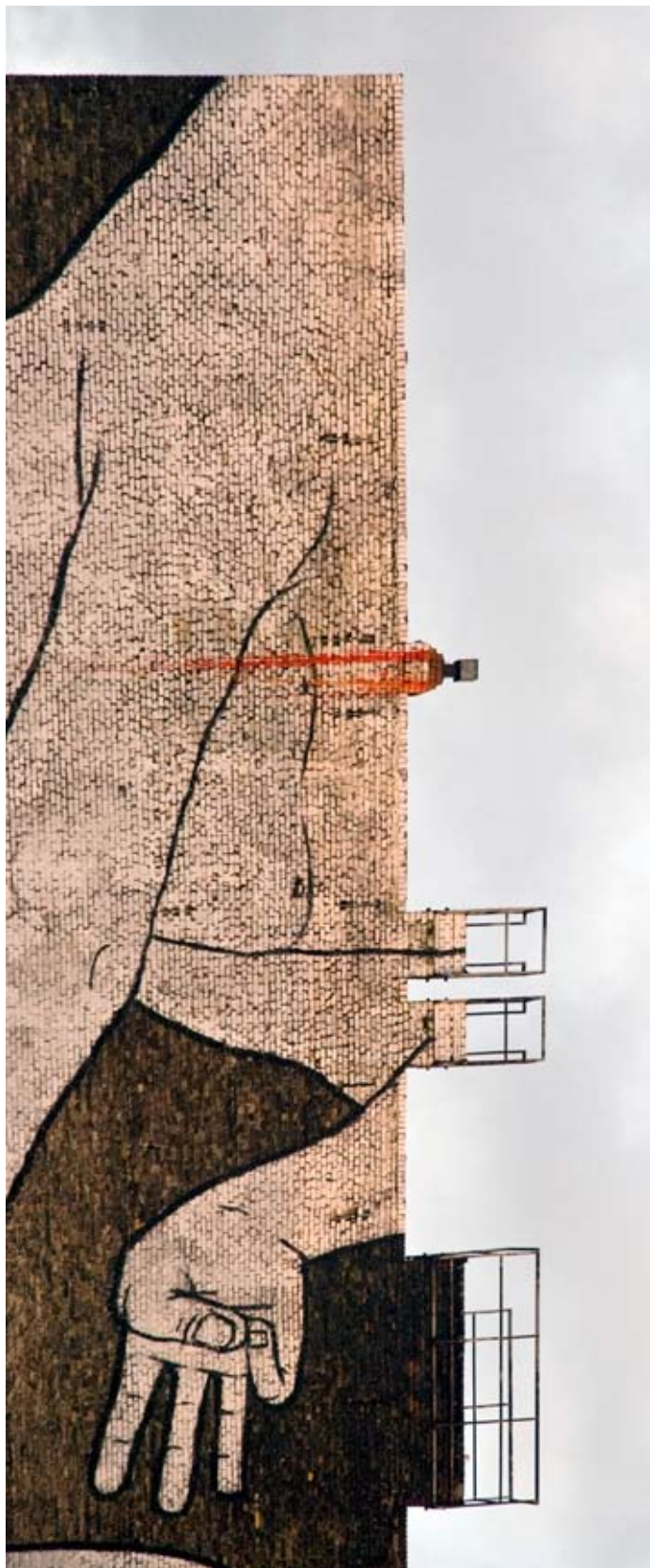
In verità, i crimini di stato perpetrati nella guerra al terrorismo ci invitano a considerare gli aspetti concettuali e concreti dello stato, la devianza organizzata e gli abusi dei diritti umani. Collegando questi argomenti, riconosciamo le interrelazioni tra gli elementi politici ed economici dell'ordine sociale, in particolare a partire dal fatto che esse forniscono un fondamento per i crimini di elite commessi all'interno delle operazioni antiterrorismo. Con riferimento alla più generale nozione di dominazione, Green e Ward (2004: 191) sostengono che la guerra al terrorismo "è diventata la chiave strategica attraverso cui gli Stati Uniti rafforzano la loro egemonia attraverso una serie di incursioni militari in alcune delle regioni più instabili del mondo.

In conclusione

Crimes of Power & States of Impunity si fonda su uno studio precedente dei crimini di stato contenuto in *Scapegoats of September 11th: Hate Crimes & State Crimes in the War on Terror* (Welch 2006). A partire dall'11 settembre sono stati perpetrati atti criminali contro i cittadini degli Stati Uniti. Consideriamo, per esempio, le recenti rivelazioni sull'illegalità dei programmi di sorveglianza: esse sono coperte dalle pressioni del governo per garantire l'impunità ai providers di telefonia ed internet dalle cause dei consumatori per la violazione della privacy.

Spostando l'attenzione al di là dei confini degli Stati uniti, il mio attuale progetto analizza la guerra al terrorismo così come si espande globalmente, lasciando dappertutto una lunga scia di morti, menzogne e varie offese alle persone. L'analisi indaga approfonditamente i gruppi storici economici e politici che hanno dato forma alle reazioni alla violenza politica.

Il libro, inoltre, costituisce un appello all'attivismo contro l'abuso dei diritti umani nella guerra al terrorismo. Se infatti la Guerra in Iraq è troppo gigantesca per ignorarla, altre misure antiterrorismo sono facilmente passate sotto silenzio poiché si articolano segretamente, come le interpretazioni straordinarie e i maltrattamenti e le torture dei detenuti. *Crimes of Power* intende affrontare in prima linea importanti questioni etiche che riguardano i crimini commessi nell'interesse dei governi. Nello sforzo di smantellare la condizione di impunità il libro fa eco a Stan Cohen il quale ci ricorda che il movimento per i diritti umani aspira a promuovere una generale consapevolezza: "Si tratta di rendere difficile per le persone dire che 'non sapevano'" (2001: 11).



Policing The Crisis – Italian Style

Alessandro
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Esiste la tentazione di leggere l'attuale svolta autoritaria italiana – soprattutto nelle sue espressioni più apertamente xenofobe (dalla schedatura etnica dei Rom alla clandestinità come aggravante per i reati commessi da stranieri) e punitive (dall'impiego dell'esercito per funzioni di ordine pubblico alla previsione dell'ergastolo per l'omicidio di "appartenenti alle forze dell'ordine"), attraverso le lenti del fascismo – al limite, di un "fascismo democratico". Non mi sembra questa, tuttavia, la chiave di lettura più efficace: più che enfatizzare quegli elementi che indubbiamente suggeriscono la persistenza di un'anomalia italiana – un *deficit democratico* di cui il berlusconismo offre un'illustrazione plastica – vorrei invece situare la "crisi italiana" sullo sfondo dei più estesi processi di involuzione punitiva che hanno caratterizzato negli ultimi decenni le strategie di governo della società postindustriale.

Sono passati esattamente trent'anni dalla pubblicazione di *Policing the Crisis* (1978), uno dei contributi più importanti consegnati alla critica sociologica e agli studi culturali da Stuart Hall e dai suoi collaboratori presso il Centre for Contemporary Cultural Studies di Birmingham. Un classico la cui indisponibilità al pubblico italiano appare ancor più singolare alla luce delle recenti vicende italiane, rispetto alle quali il lavoro di Hall e colleghi sull'Inghilterra dei primi anni Settanta ci sembra offrire non pochi spunti di analisi.

Attraverso una radicale decostruzione delle retoriche di *law & order* che avevano solcato l'Inghilterra a seguito di alcuni episodi di criminalità di strada, eletti dal discorso politico e mass-mediatico del tempo a simbolo di un generale sfaldamento della società inglese e dei suoi valori, *Policing the Crisis* tentava di cogliere un passaggio storico fondamentale: la transizione da un modello di governo sociale fondato su un compromesso tra capitale e lavoro che traeva legittimazione da un diffuso consenso di matrice socialdemocratica (in Europa) o *liberal* (negli Stati Uniti) e che trovava espressione in un welfare state tendenzialmente inclusivo, verso il progressivo consolidamento di un nuovo blocco egemonico intorno alle parole d'ordine – solo in apparenza contraddittorie – del liberismo economico e dello "stato forte" (Gamble, 1988).

Prendeva dunque forma lungo queste coordinate, soprattutto in Inghilterra e negli Stati Uniti, una *nuova destra* transatlantica le cui politiche di contenimento del welfare, di attacco al lavoro nelle sue forme organizzate (si pensi ai minatori inglesi o ai controllori di volo statunitensi) e di criminalizzazione della povertà, avrebbero

nei due decenni successivi ridisegnato significativamente la geografia sociale delle democrazie tardo-capitalistiche, alimentando quei processi di ristrutturazione produttiva e di nuova accumulazione che hanno segnato la transizione verso un sistema capitalistico variamente definito come post-industriale, post-fordista, di accumulazione flessibile, etc.

Ma l'interesse di *Policing the Crisis* – soprattutto dal punto di vista del caso italiano – risiede forse non tanto nella ricostruzione di questi processi “strutturali”, i quali rientrano ormai in una consolidata genealogia del neoliberalismo attuale e del complessivo ri-disciplinamento sociale che ne ha agevolato il consolidamento (Wacquant 2004), quanto piuttosto nella lucida enfasi posta da Hall e colleghi sulla dinamica essenzialmente *consensuale*, e dunque non puramente *coercitiva*, che ha caratterizzato questa transizione, soprattutto, ma non solo, nel contesto angloamericano. In altri termini, ciò che gli autori di *Policing the Crisis* intendevano illustrare – coerentemente con i temi gramsciani che ispiravano buona parte del loro lavoro – era la costruzione di una nuova *egemonia culturale* intorno a un'ipotesi di società certamente caratterizzata in senso *neo-autoritario*, ma capace di dispiegarsi interamente all'interno di un sistema di governo formalmente democratico:

La coercizione è uno degli aspetti necessari dell'“ordine dello stato”. Il diritto e le istituzioni giuridiche costituiscono la più chiara espressione istituzionale di questo “esercito di riserva” della disciplina sociale imposta. Ma la società funziona meglio quando gli individui imparano a disciplinare se stessi, o quando la disciplina appare come il risultato del consenso di ciascuno a un comune e necessario ordine sociale e politico; o quando, se non altro, la coercizione di riserva è posta in essere con il consenso di ciascuno (Hall, et al., 1978, p. 202).

Non sfuggiva dunque ai nostri autori il fatto che alcune fasi storiche sono testimoni di una visibile incrinatura delle ordinarie dinamiche di legittimazione sociale e politica dell'autorità e dell'ordine costituito. Questi momenti di “crisi” – una crisi che tende a svilupparsi su diversi livelli: crisi fiscale, di legittimazione, di accumulazione – possono far seguito a prolungati periodi di radicalizzazione dello scontro politico da parte delle classi subalterne (per esempio, le lotte sociali della fine degli anni Sessanta), a una riconfigurazione degli assetti capitalistici (la ristrutturazione capitalistica degli anni Settanta), o infine a più estesi processi di trasformazione economica e sociale (crisi della società industriale, globalizzazione capitalistica, migrazioni transnazionali) capaci di suscitare un senso generalizzato di insicurezza e precarietà, che a sua volta fa vacillare quelli che Kai Erikson (1966) definì i “confini morali” di una società.

In ciascun caso, quel che ne deriva è una crisi di egemonia che comporta, anche solo temporaneamente, una significativa revisione dell'equilibrio tra consenso e coercizione: in questi “momenti eccezionali della forma normale dello Stato” (Hall et al., 1978, p. 217) si registra allora un'intensificazione dell'arsenale punitivo, al quale una retorica politica improntata alla restaurazione dell'ordine e alla difesa sociale cerca (non di rado con successo) di assicurare un diffuso “consenso autoritario” (ibidem, p. 217). La proliferazione di discorsi pubblici su una criminalità sempre più “fuori controllo” – e dunque sulla presunta e irrimediabile *pericolosità sociale* di alcune fasce marginali di popolazione – costituisce un formidabile catalizzatore di questo consenso, come anche di quel *populismo autoritario* (Hall, 1979) che si propone come sua espressione politico-istituzionale più fedele.

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In questi “momenti eccezionali” – e dovrebbe essere chiaro a questo punto che proprio in uno di questi momenti ci sembra star precipitando la società italiana nell’attuale congiuntura storico-politica – il discorso pubblico sulla criminalità viene tendenzialmente declinato secondo le forme del “panico morale” efficacemente descritto da Stan Cohen in un altro classico della sociologia della devianza (purtroppo anche questo indisponibile al pubblico italiano), *Folk Devils and Moral Panics*:

Periodicamente, le società sembrano essere caratterizzate da periodi di panico morale. Una condizione, un episodio, una persona o un gruppo di persone viene a essere definito come minaccia ai valori e agli interessi della società; la sua natura viene presentata in modo stilizzato e stereotipato dai mass-media; barricate morali vengono erette da editorialisti, vescovi, politici e altri benpensanti; esperti socialmente accreditati pronunciano diagnosi e soluzioni; si sviluppano o (più spesso) si reintroducono estremi rimedi; poi la condizione scompare... (Cohen, 2002 [1972], p. 1)

Queste improvvise quanto cicliche eruzioni di allarme sociale, destinate a scomparire dopo un certo periodo, ma non senza lasciare traccia (per esempio, legislazioni penali draconiane

Ciò che gli autori di Policing the Crisis intendevano illustrare, coerentemente con i temi gramsciani che ispiravano buona parte del loro lavoro, era la costruzione di una nuova egemonia culturale intorno a un'ipotesi di società certamente caratterizzata in senso neo-autoritario, ma capace di dispiegarsi interamente all'interno di un sistema di governo formalmente democratico.

adottate sull'onda del panico, popolazioni carcerarie in crescita, sensibili riduzioni delle garanzie e dei diritti), svolgono l'essenziale funzione di presidiare i confini morali di una società, rinsaldando i dispositivi materiali e simbolici preposti a rimarcare la differenza tra dentro e fuori, tra soggetti sociali meritevoli e immeritevoli, tra coloro che legittimamente ambiscono a ricompense e quanti invece meritano punizioni: confini rassicuranti che la crisi – con il suo carico di incertezza e precarietà – tende pericolosamente ad offuscare in un apparente caos sociale.

Non può allora stupire che un elemento fondamentale di questa reazione alla crisi (soprattutto quando improntata al populismo autoritario) consista nell'individuazione di nemici pubblici – “nemici appropriati” (*suited enemies*) li definisce suggestivamente il criminologo abolizionista Nils Christie (1986) – reclutati all'interno di quei gruppi di popolazione che già in condizioni “normali” sono destinatari di forme più o meno latenti di stigmatizzazione sociale e di discriminazione istituzionale: minoranze etniche, immigrati, poveri urbani, etc. La produzione sociale di nemici interni consente allora di rinsaldare intorno a forme di solidarietà che Emile Durkheim avrebbe definito “meccaniche”, un senso di appartenenza incentrato esclusivamente sulla capacità di tenere fuori (o di mettere al bando) quanti non hanno titolo per entrare; di fondare estemporanee “comunità della paura” sorrette da una domanda di sicurezza che appare incapace di articolarsi se non nel lessico dell'incolumità personale; di rianimare, infine, una funzione di governo sempre più ridotta alle sue prerogative sovrane di mantenimento della legge e dell'ordine, e di difesa dei confini.

Dunque, se nel contesto analizzato dagli autori di *Policing the Crisis* la fisionomia di queste classi pericolose tendeva a coincidere con quella dei giovani sottoproletari afro-caribici, rappresentati dai mass-media britannici come rapinatori di strada senza scrupoli e disposti a uccidere per pochi spiccioli, negli Stati Uniti degli anni

Ottanta essa si sarebbe sovrapposta a quella di altrettanto spietati giovani predatori afroamericani cresciuti nelle giungle urbane dei ghetti deindustrializzati, mentre negli anni Novanta il ruolo dei nemici pubblici sarebbe stato assegnato con successo a immigrati clandestini e *asylum seekers* disposti a tutto pur di violare i confini dell'Unione e approfittare dei generosi sistemi di welfare europei.

Nelle odierne società postindustriali, le retoriche e le pratiche punitive incentrate sulla presunta pericolosità criminale di gruppi sociali subordinati delineano allora delle importanti strategie di governo, la cui utilità si proietta molto al di là delle cicliche crisi nel corso delle quali esse tendono ad emergere. Da una parte tali strategie alimentano infatti specifiche strutture della disuguaglianza (razziale, etnica, di classe) necessarie alla riproduzione di un modello produttivo post-fordista fondato sulla moltiplicazione delle stratificazioni interne alla forza lavoro, ma senza intaccare i principi di legalità e rispetto dei diritti individuali su cui si fondano gli ordinamenti democratici. La storia recente — si pensi alla questione razziale negli Stati Uniti — dimostra come pratiche di discriminazione e subordinazione giuridica basate sulla pericolosità criminale risultino decisamente più “compatibili” con uno stato democratico di quanto non lo siano *le stesse pratiche* qualora motivate esplicitamente dall'altrui appartenenza razziale, etnica, religiosa¹. Dall'altra le stesse strategie, nel rivolgersi selettivamente contro quei gruppi di popolazione che la retorica politica e mass-mediatica indica con successo all'opinione pubblica come responsabili diretti delle sue insicurezze, come minaccia immediata al suo benessere e causa reale delle sue paure² contribuiscono in modo decisivo ad assicurare consenso e legittimazione a quelle strutture della disuguaglianza, nonché al populismo autoritario che sempre più sembra emergere come ideale forma di governo delle contraddizioni che esse sollevano: in attesa di un'altra crisi e di nuovi nemici pubblici.

¹ Questo aspetto è esemplificato con assoluta chiarezza da una recente sentenza (13/12/2007) con cui la Corte di Cassazione ha annullato una precedente condanna dell'attuale sindaco di Verona, Flavio Tosi, per incitamento all'odio razziale. Nel 2001, assieme ad altri esponenti della Lega Nord, Tosi aveva condotto una campagna razzista (con petizioni e manifesti recanti il messaggio: “No ai campi nomadi. Firma anche tu per mandare via gli zingari”) per lo sgombero immediato dei campi-nomadi non autorizzati. Durante tale campagna, Tosi aveva pubblicamente affermato che “gli zingari devono essere mandati via” e che “la città deve essere inospitale con loro perché dove arrivano ci sono furti”. Nella sentenza, la Corte di Cassazione non ravvede gli estremi della discriminazione in quanto “la discriminazione per l'altrui *diversità* è cosa diversa dalla discriminazione per l'altrui *criminalità*”. In definitiva un soggetto può anche essere legittimamente discriminato per il suo comportamento ma non per la sua qualità di essere diverso”. Al limite, quello espresso da Tosi si configura a giudizio della Corte come “pregiudizio razziale” (consistente nell'idea che “tutti gli zingari sono ladri”). “Certamente”, prosegue la Corte, “anche il pregiudizio razziale può configurare la discriminazione punibile allorché contiene affermazioni categoriche, non corrispondenti al vero. Tuttavia in una competizione politica particolarmente accesa (quello della sicurezza dei cittadini è tema che crea spesso forti tensioni emotive specialmente quando viene in risalto a seguito di gravi fatti criminali) non si può dal contesto di un discorso estrapolare una frase poco opportuna per attribuire all'autore idee razziste [...]”. Nel caso in esame i prevenuti avevano precisato che la loro avversione non era diretta nei confronti dei Sinti in quanto tali, ma solo nei confronti di quelli che rubavano ponendo in pericolo la sicurezza dei cittadini”.

² È inutile dire che pensiamo qui ai Rom “censiti” dal governo Berlusconi, ma non si tratta che degli ultimi tra i tanti *suitable enemies* a disposizione del populismo autoritario italiano.

Policing the crisis – Italian style

It is tempting to read the current authoritarian turn in Italy through the lenses of fascism, or at least of a “democratic fascism” – in particular when one considers its more openly xenophobic and punitive expressions (from ethnic census of Roma people to deportation as an aggravating measure for crimes committed by foreigners, from the use of the army for the maintenance of public order to lifelong imprisonment for the manslaughter of police officers). I do not think, however, that this is the most efficient way to understand what is happening: more than emphasizing those elements which without doubts suggest the persistence of an Italian anomaly – a democratic deficit of which Berlusconiism is a plastic illustration – I instead want to decipher the “Italian crisis” with the help of more widespread patterns of penal degeneration which are characteristic governmental strategies in the postindustrial society.

Exactly thirty years ago, *Policing the Crisis* (1978) – one of the most important contributions to critical sociology and cultural studies – was published by Stuart Hall and its collaborators at the Center for Contemporary Cultural Studies in Birmingham. A classic whose unavailability to the Italian public seems to be even more singular in the light of the recent events in Italy and which seems to offer several useful insights to understand them.

Through a radical deconstruction of the law & order rhetorics that had corrugated the United Kingdom after several episodes of street criminality, at that

time selected by the political and mediatic discourse to symbolize a general breakdown of the British society and its values, *Policing the crisis* tried to capture a fundamental historical passage: the transition from a model of social government founded on the compromise between capital and work which was legitimated by a diffused social-democratic (in Europe) or liberal consensus (in the United States) and which found expression in a rather inclusive welfare state towards the progressive consolidation of a new hegemonic bloc which consisted in – only apparently contradictory – economic liberalism and “strong state” (Gamble, 1988).

Along these lines, above all in Great Britain and the United States, a new trans-Atlantic right wing coalition was formed, whose politics of welfare containment, of attacking organized labour (for example the British miners and the US flight controllers) and of criminalizing poverty would in the following two decades significantly redesign the social geography of the late-capitalist democracies, fostering those processes of restructuring of production and new accumulation which have lead to a transition towards a capitalist system vaguely defined as post-industrial, post-fordist, of flexible accumulation, etc.

What matters in *Policing the Crisis* is – in respect to the Italian case – perhaps not much the reconstruction of such “structural” processes, which by now are part of a consolidated genealogy of the current neoliberalism and the comprehensive social re-disciplining which has helped its consolidation (Wacquant 2004), but rather the clear emphasis with which Hall and colleagues stress that the dynamics which has characterized this transition has been,

Riferimenti / References

- Christie, N., (1986), “suitable enemies”. In Bianchi, H., van Swaaningen, R. (a cura di), *Abolitionism: towards a non-repressive approach to crime*. Amsterdam university press, amsterdam, pp. 42-54.
- Cohen, S. (1972), *Folk devils and moral panics*. Routledge, London (3rd edition, 2002).
- Erikson, K.T. (1966), *Wayward puritans*. Wiley & Sons, New York.
- Gamble, A. (1988), *The free economy and the strong state: Politics of thatcherism*. Duke university press, Durham.
- Hall, S. (1979), “The great moving right show”. In *Marxism today*, gennaio 1979, pp. 14-20.
- Hall, S. et al. (1978), *Policing the crisis. Mugging, the state, and law & order*. Macmillan, London.
- Wacquant, L. (2004), *Punire i poveri*. Derive approdi, Roma, 2006.

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especially but not exclusively in the American case, essentially consensual and therefore not purely coercive. In other words, what the authors of *Policing the Crisis* illustrated — in coherence with the Gramscian themes that inspired large parts of their work — was the construction of a new cultural hegemony around an hypothesis of society certainly characterized in a neo-authoritarian sense, but but able to unfold completely within a formally democratic system of government:

Coercion is one of the necessary aspects of “state order”. The law and the juridical institutions constitute the clearest institutional expression of this “reserve army” of the imposed social discipline. But society works better when the individuals learn to discipline themselves, or when discipline appears like a result of individual consent to a normal and necessary social and political order; or when, if not something else, the reserve coercion takes place with everybody’s approval. (Hall, et al., 1978, p. 202)

Therefore, it seems to be clear that Hall et. al. were conscious of the fact that in some historical phases the ordinary dynamics of social and political legitimation of the authority and the constituted order are disrupted. These moments of “crisis” — a crisis which tends to develop on several levels: fiscal crisis, crisis of legitimation, of accumulation — can be the result of prolonged periods of radicalization of the political clash on behalf of the subaltern classes (for example, the social conflicts of the late 1960s), of a reconfiguration of the capitalistic assets (the restructuring of capitalism in the 1970s), or of more ample processes of economic and social transformation (crisis of the industrial society, capitalistic globalisation, transnational migration), all capable of engendering a general sense of uncertainty and instability, which consequently unhinge what Kai Erikson (1966) called the “moral boundaries” of a society.

In any case, what follows is a crisis of hegemony which leads, albeit only temporarily, to a significant revision of the equilibrium between consensus and coercion: in these “exceptional moments of the normal form of the state” (Hall et al., 1978, p. 217) one notices an intensification of the punitive arsenal and a political rhetoric talking of the restauration of order and of social security (often successfully) with the aim to reach an “authoritarian consensus” (ibidem, p. 217). The proliferation of public discourses on criminality increasingly getting “out of control” — and therefore on the supposed social peril of the

marginal sectors of the population — constitutes an excellent catalyst of this type of consensus, like that of authoritarian populism (Hall, 1979) which is its most genuine political-institutional expression.

In such “exceptional moments” — and at this point it should be clear that Italian society in its current historical-political conjuncture is living such a moment — the public discourse seems to take the form of “moral panics” as effectively described by Stanley Cohen in another classic of criminology (unfortunately also unavailable to the Italian public), *Folk Devils and Moral Panics*:

Periodically, societies seem to be characterized by periods of moral panics. A condition, an episode, a person or a group of persons is defined as a threat to the values and the interests of society; its nature is presented in a stylized and stereotyped form by the mass media; moral barricades are erected by editorialists, bishops, politicians and other thinkers; socially credited experts pronounce diagnoses and solutions; extreme remedies are developed or (more often) reintroduced; then the condition disappears. . . (Cohen, 2002 [1972], p. 1)

These sudden but at the same time cyclical eruptions of social alarm — destined to disappear after some time, but not without having left a trace (for example, draconic penal legislation adopted on the edge of the panic, increased incarceration figures, sharp reductions of guarantees and rights) — have the essential function of controlling the moral border of a society, reinforcing the material and symbolic dispositions which demarcate the difference between inside and outside, between meritorious and unmeritorious social subjects, between those who legitimately aim at compensations and those who merit punishment instead: assuring borders which the crisis — with its load of uncertainty and precarity — tends to dangerously blur in an apparent social chaos.

It is not surprising then that a fundamental element of this reaction to the crisis (most of all when it is of the populist-authoritarian type) consists in the identification of public enemies — *suitable enemies* as labelled by the criminologist Nils Christie (1986) — recruited from those groups of the population which already in “normal” conditions are victims of more or less latent forms of social stigmatization and institutional discrimination: ethnic minorities, immigrants, the urban poor, etc. The social production of internal enemies allows to reinforce forms of solidarity which Emile Durkheim would have defined as “mechanic”

that produce a sense of affiliation centered on the capacity to exclude those who have no entitlement to enter; to form “communities of fear” pivoting around a demand of security which appears incapable to articulate itself else than in the vocabulary of personal integrity, to revitalize a governmental function increasingly reduced to the maintenance of law, order and the defense of borders.

Consequently, if in the context analyzed by the authors of *Policing the Crisis* the physiognomy of these perilous classes tended to coincide with young Afro-Caribbean underproletariat, represented by the British mass media as unscrupulous rapists willing to kill for small money, in the United States of the 1980s it corresponded to the equally unscrupulous Afro-American predators grown in the Urban jungles of the deindustrialized ghettos, whereas in the 1990s the role of the public enemies has been successfully assigned to clandestine immigrants and asylum seekers prepared to everything when violating the borders of the European Union and when benefiting the generous European welfare systems.

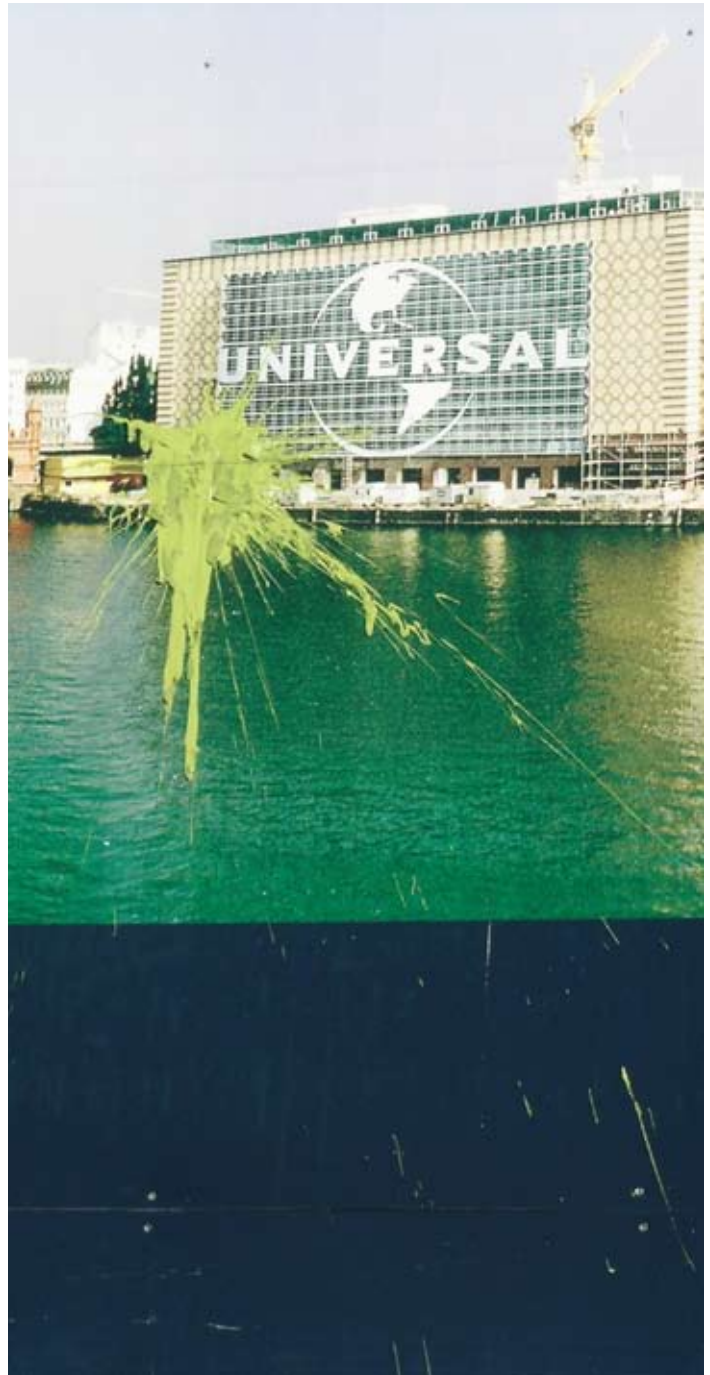
In today's postindustrial societies the rhetorics and the punitive practices which concentrate on the presumed criminal dangerousness of subordinated social groups delineate important governance strategies, whose utilities becomes apparent beyond the cyclical crises in whose course they tend to emerge.

On the one hand, such strategies exacerbate specific structures of inequality (racial, ethnic, of class) necessary for the reproduction of post-fordist production model based on the multiplication of stratifications within the labour force, but without questioning the principles of legality and respect of individual rights which are crucial for democratic orders.

Recent history — remember the race question in the United States — demonstrates how practices of discrimination and juridical subordination based on criminal dangerousness are much more “compatible” with a democratic state than the identical practices would they be motivated explicitly with the affiliation to other racial, ethnic, or religious groups.

On the other hand, the same strategies — which are directed against those groups of the population that political rhetoric and the mass media declare responsible for general uncertainty, as immediate threat for welfare and as the real cause of public anxiety — contribute decisively to gather consensus and legitimation for the current structures of inequality, as well as for the authoritarian populism which seems to increasingly emerge as an ideal form

of governance of the contradictions which the latter generate — waiting for the next crisis and its new “public enemies”.



No Sympathy for the Devil (unless she wears Prada)

Leonidas Cheliotis



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The forthcoming analysis singles out for examination the sociosymbolic power of the mass media as the most potent (but not as the sole or a truly fixed) force behind public paroxysm over crime and disorder, and behind the secular soteriology of the contemporary prison.

Indeed, to the extent that the mass media offer, as Bourdieu (1998: 29) contends, 'cultural "fast food" – predigested and prethought culture' in blind alignment with the merciless principles of economic competition, invading and eventually dominating public discourses and attitudes, then few issues are viewed through a narrower lens than crime and criminal justice. Media networks and their staff, that is, compete not just for concrete, economic capital (i.e., money or assets that can be tuned into money), but for its intangible, cultural equivalent as well (e.g., educational credentials and claims to expert knowledge and objectivity).

This bifurcated model helps account for the ongoing tension between culturally rich but economically starved journalism of an alternative or literary orientation, on the one hand, and culturally poor but economically rich market journalism, on the other. Accumulating both forms of capital, as in the case of *Le Monde*, the *New York Times*, or the *Wall Street Journal*, allows one to wield economic and symbolic power over the entire field, and even lay down the rules of practice therein.

Consider, for example, 'economic censorship', whereby the management of media is determined by those large corporations and conglomerates that either own, or pay vast amounts of money to have their commercials publicised via, the networks at issue. Consider also 'political censorship', whereby governments make appointments to senior public broadcasting management positions, or introduce policies that subjugate the independence of journalism to market principles (e.g., by tying funding to ratings and profit to advertising).

Whence the need to theorise the media-state nexus not so much in terms of a behind-the-scenes co-ordination between the two, as in terms of the rigid structures already in place and the routine professional decisions such structures engender about media values and practices. And whence the need to criticise the media and their practical role in the legitimisation of immoralities by reference to semiotic aestheticisation, less so than to a general denunciation of 'bias' and in pursuit of an abstract objectivity.

Of the various mass-mediated processes of semiotic aestheticisation by means of which punitive public attitudes are produced and reproduced – exaggerating the danger of criminal victimisation; putting the blame on marginalised cohorts of the population; calling for ever-more and ever-harsher reactionary measures at the levels of state agencies, local communities, and private individuals; and blocking the imagery of human suffering so caused – I have chosen to address the latter here.

We are told by media experts that modes of representation matter immensely. But so, too, do the content and the frequency of representation. And this is why a qualitative focus on modes and modes alone may well accredit the media with far greater informative-cum-pedagogical functions than may be covered by criteria of truth. For Cambell (2004), the media tend to tone down the representation of atrocious events, thereby leaving crucial questions of ethical politics largely intact. In a similar manner, Butler uses the term ‘radical effacement’ to describe the choice to visualise state-sanctioned violence to the exclusion of the imagery of suffering so caused. By definition, we cannot ignore a cry of pain, if the cry cannot be heard. ‘Bystander alibis’ do not behove here. How is it possible to charge the public with denial and indifference to prisoners’ hardships, when access to those hardships tends to be restricted to occasional televised snapshots or to single-columned bulletins tucked away in the inside pages of a ‘lefty’ newspaper?

Indeed, it is only rarely that the raw, harsh reality of human suffering in prisons reaches our television screens, radio sets, newspapers, and whatnot. Take the example of capital punishment in the US media. On the one hand, Tessler writes, ‘[s]imilar to Giorgio Agamben’s description of concentration camps, death row becomes a place “outside of life and death”: a spectral place where prisoners wait invisibly until they reappear in the announcement of their execution on the nightly news’ (Tessler, 2009, forthcoming). On the other hand, audiences are presented with all minute details of the heinous crimes committed and the identity of the offender. As such, and although invisible, the enemy is far from faceless (Valier, 2002), but knowable, actionable, and utterly controllable (Hollway & Jefferson, 1997). Nor is he devoid of human worth and feeling (Lynch, 2000); if anything, he is the outlaw whose sacrifice satisfies our desire for community (A. Young, 1996).

The grand irony is that judicial killing carries no obvious vindictive weight, rather being equated with some form of merciful euthanasia. Just as ‘the distancing of the executioners from their victims has been further facilitated at the scene of the execution by the erection of a brick wall which separates the condemned from the technicians, and permits the fatal dose to be administered through a tiny opening in the wall’, so too the televisual sublimation of suffering reflects the formal properties of punitive action: ‘its privatisation, its sanitisation, the careful denial of its own violence’ (Garland, 1990: 244–245). The binary between the ‘civilised and the savage’ is further reaffirmed (Sarat, 2002: 82).

Lest naïve reverie, faulty memory, or a short attention span still lead one astray, here is another stark reminder about confinement: communication is not *dialogical*, but *monological*. To be sure, there can be no sympathy for a folk devil whose hell one barely sees. Nor, of course, can there be any sympathy for a devil who, for all we know, resides incorrigible in paradisiacal quarters, threatening, by his very existence, to turn our lives, the lives of the benign, into living hells.

The question, as Chouliaraki (2006: 29) puts it, is how to 'move beyond sensuous delight and develop a reflexive understanding regarding distant "others"'. Ultimately, she argues, the question is how to put *technological* immediacy at the service of *sociocultural* immediacy in a way that a sense of responsibility towards the distant 'other' is engendered and sustained (ibid.: 34; original emphasis). How, in other words, can we actualise the potential for a mass-mediated 'education towards critical self-reflection' (as meant by Theodor Adorno in his warnings against a recurrence of Auschwitz), whereby new, widened vistas and forms of social interaction will trigger profoundly inclusive transformations in cognitive and psychological structures and behavioural patterns, individual as well as collective? Here the content and texture of mediation – the 'what' is being represented and the 'how' – take on a deeper meaning.

Insofar as the endgoal is to promote ethical action, Chouliaraki explains *ex negativo*, the highly sensationalised discourse of a 'universal' humanity hardly suffices as the means. For, by virtue of its exclusive reliance on sensationalism, such discourse does very little to raise, let alone answer, the questions of why and what to do to eradicate sociospatial divisions. It rather reinforces narcissistic sensibilities and practices, either by presuming that the included already possess a kind-heartedness in wait only for specific directions, or by framing 'others' as human only insofar as their stories reflect our own emotional world.

For mediation to perform this pedagogical function, it must '[combine] the emphasis on emotion – which facilitates the spectators' capacity to "connect" – with an element of impersonality, which interrupts rather than reproduces their narcissism' (Chouliaraki, 2006: 212). Impersonality entails the use of deliberative genres of the media in ways that foreground the distinction between the spectacle and authentic reality, between hypermediacy and immediacy, between the act of watching and the appreciation of the need to undertake ethical action.





Riferimenti / References

Bourdieu, P. (1998) *On Television*. New York: The New Press.

Cambell, D. (2004) 'Horrific Blindness: Images of Death in Contemporary Media', *Journal of Cultural Research* 8(1).

Chouliaraki, L. (2006) *The Spectatorship of Suffering*. London: Sage.

Garland, D. (1990) *Punishment and Modern Society: A Study in Social Theory*. Oxford: Clarendon Press.

Hollway, W. and Jefferson, T. (1997) 'The Risk Society in an Age of Anxiety: Situating Fear of Crime', *British Journal of Sociology* 48(2): 255-266.

Lynch, M. (2000) 'Capital Punishment As Moral Imperative', *Punishment & Society* 4(2): 213-236.

Sarat, A. (2002) *When the State Kills: Capital Punishment and the American Condition*. Princeton, NJ: Princeton University Press.

Tessler, E. (2009, forthcoming) 'Sites of Resistance: Word, Image, and the Politics of Representation in Death Row Homepages', in L. K. Cheliotis (ed.) *Roots, Rites and Sites of Resistance: The Banality of Good*. Basingstoke: Palgrave Macmillan.

Valier, C. (2002) 'Punishment, Border Crossings and the Powers of Horror', *Theoretical Criminology* 6: 319-337.

Young, A. (1996) *Imagining Crime: Textual Outlaws and Criminal Conversations*. London: Sage.



Democratico sarà lei!

Hydra



Democrazia è una parola vuota, inutilizzabile, più un ostacolo che un ausilio al sapere e al fare. Chi ci inciampa, subito precisa che la democrazia vera non è quella che si conosce, ma un'altra. L'altra non c'è, e allora non resterebbe che scrutarne segni premonitori.

Cerchiamo almeno di dirlo meglio, con qualche rilettura (nulla di nuovo, ce lo ripetiamo per noi, e per gli assenti). Guardiamo in basso, solo cerchiamo armi per attraversare il deserto del presente. Volendo alzare lo sguardo, la prospettiva potrebbe essere quella di una critica della democrazia politica, come recentemente riproposta da Tronti (senza il pathos che la ammantava), o forse quella, nelle ambizioni di Negri, di una nuova scienza della democrazia (senza tutta la gioia che la solleva dal suolo?).

Democrazia: potere del popolo. Non scorriamo il bignamino di filosofia politica, ma cos'è questo demos, e soprattutto cos'è questo kratos? Prima di noi, i liceali – anzi i ginnasiali – lo imparavano fra Erodoto e Tucide (la disputa con Dario sulle tre forme di governo, l'elogio fatto da Pericle – però da interpretare, avverte Canfora). Per quelli dopo di noi, Kratos è un eroe della Playstation.

Se noi apriamo un dizionario, quello di Bobbio, ci viene subito ricordato che per i greci democrazia è una parolaccia, una forma degenerata (la tipologia aristotelica). Nell'Enciclopedia di Esposito e Galli, è Chignola a chiarire fin dall'inizio che questo kratos è un rapporto di forza. La democrazia nasce dalla guerra civile, è la vendetta dei poveri. In un recente intervento di Cacciari (alla scuola quadri della Margherita, non in un centro sociale) si indagherebbe l'etimo: kratos è potere di fare e far fare, fino alla fine – ma non si dà potere senza sapere (*I can*).

Lasciamo stare. È evidente che, nei diversi contesti, democrazia vorrà dire cose molto diverse. Dovremmo parlare di storia dei concetti, leggere Koselleck, o da noi Duso, per ricordare che i concetti politici sono un concentrato di contenuti semantici. Lo dimostra il fatto che non si riesce a parlare di democrazia se non ricorrendo a una qualche aggettivazione.

Ci fermiamo – solo se dalla democrazia degli antichi siamo saltati a quella dei moderni, cioè al liberalismo che così le distingue – su chi subito ne svela gli arcani. Marx è democratico fino a venticinque anni. Smette di scrivere poesie occupandosi di cose come furti di legna e viticoltori in miseria, passa dalla politica all'economia. Di quegli anni è *La questione ebraica*, dove già dice che l'emancipazione politica non

Hydra. Graduatoria di anzianità: Andrea Bazzanella, laureato in scienze politiche a Padova, sopravvive agli anni 70, poi esiliato in patria, esperto in esperti; Antonino Mancini, laureato in scienze politiche a Bologna, vede la fine della festa, riorganizza nel dopo Genova, tiene dritte le antenne; Franco Berteni, laureato in sociologia a Trento, conosce la precarietà, scruta movimenti nel deserto (<http://finoaquittuttobene.blogspot.com>). Recentemente curatori a Trento, con Andrea Mubi Brighenti, di un seminario su *Impero* di Hardt e Negri, dieci anni dopo, 'Che lo sforzo sia con voi – Introduzione a Empire'.



basta. Come insegnano a scuola: filosofia tedesca più socialisti francesi più economia inglese. Cominciamo a vent'anni col fare i conti con Hegel (oggi l'ultimo libro uscito sul tema democrazia, Abensour, riparte proprio dalla critica marxiana della filosofia del diritto pubblico hegeliana). Arriviamo a sessanta con la *Critica del Programma di Gotha*, quando Marx inorridisce davanti a un programma di partito che rimaneva ancora più indietro di quelle che chiama litanie della democrazia volgare. Ripete che la democrazia non è il regno millenario, non è il punto d'arrivo, ma la forma statale della società borghese in cui a decidere saranno "le armi della lotta di classe". Il marxismo è critica dell'economia politica, alla retorica democratica si risponde che non c'è libertà finché c'è capitale.

Democrazia è una parola vuota, inutilizzabile, più un ostacolo che un ausilio al sapere e al fare. Chi ci inciampa, subito precisa che la democrazia vera non è quella che si conosce, ma un'altra. L'altra non c'è, e allora non resterebbe che scrutarne segni premonitori.

Allora la democrazia che cerchiamo è un'altra, comincia quando si spara agli

orologi: Marx vede la Comune di Parigi. E Lenin vedrà i consigli, anche se non tutte le ciambelle riescono col buco. Nelle voci di enciclopedia, passiamo dalla democrazia "formale" a quella "sostanziale", quella che non c'è (e che Bobbio, col suo liberal-socialismo, conclude comunque non poterci essere). Per tutti quelli cui torna utile fermarsi in tempo, la democrazia rimane intanto solo una procedura. La scienza politica, alla legge ferrea dell'oligarchia trovata dagli elitisti, risponde che perché ci sia democrazia basta ci sia competizione fra oligarchie.

Cerchiamo altro. Da noi il marxismo rinasce (qualcuno direbbe muore) con l'operaismo. La "rude razza pagana" cantata da Tronti non chiedeva democrazia nelle sedi di partito, non l'aspettava dalle cabine elettorali: fermava in fabbrica le linee di montaggio, fuori costruiva barricate. Già la battaglia sul salario arrivava a minare l'equilibrio politico, il "piano del capitale". Cos'era questo piano, cos'era diventato lo stato capitalista, ha provato a spiegarlo Negri. Coi suoi libri copriamo mezzo secolo, e capiamo che la "democrazia" di cui si parla non esiste proprio più.

La democrazia, nel secondo dopoguerra, da noi era arrivata sui carri armati americani. Era quell'equilibrio conflittuale in cui poteva vivere, con un minimo di sicurezza, chi accettava di alzarsi tutte le mattine per andare a farsi sfruttare. Era il New Deal esportato, era – superato il modello dello stato liberale – lo stato sociale, il welfare state: taylorismo (organizzazione del lavoro) più fordismo ("alti" salari) più keynesismo (regolazione macroeconomica). Se era la soluzione trovata dopo l'attacco del movimento operaio del primo dopoguerra, alla fine degli anni '60 anche questa però viene messa in crisi, dà una nuova spinta. Quegli equilibri, economici e politici, cioè quella "democrazia", risultano allora non più perseguibili. Le categorie usate da Negri sono, in successione, quelle di stato-piano e stato-crisi: dallo stato della pianificazione alla pianificazione della crisi, per disarticolare la forza emersa (le troviamo rispettivamente negli studi sul lavoro nella costituzione e su Keynes e Schumpeter, e poi negli opuscoli marxisti – i "libri del rogo").

Negri, a metà anni '70, sulla "democrazia" di cui parlava Bobbio ha anche l'occasione di mettere i puntini sulle *i*. "Esiste una dottrina marxista dello stato?", si chiede Bobbio, e con questi articoli aspetta a gamba tesa i giocolieri del PCI. Negri gli risponde di smetterla di dosare democrazia e socialismo, che la democrazia di cui si chiac-

chiera non c'è più, e capitalismo e socialismo dormono sotto la stessa coperta, che è proprio vero che i riformisti non hanno dottrina ma qualcun altro forse sì – anche se non ci mettiamo a prefigurare come sarà eletto l'accalappiacani comunista, se con mandato imperativo e revocabile (è uno scritto raccolto in *La forma stato*, preceduto da tutta una rassegna della letteratura su quel che intanto era successo allo stato e alla “democrazia”).

All'inizio degli anni '80, Negri registra – dal carcere – l'ulteriore irrigidimento della macchina statale: dopo la crisi dello stato-piano, la crisi dello stato-crisi, il “warfare” state. Anche i progetti corporativi (come il nostrano “compromesso storico”, con ghettizzazione di chi resta fuori) sono abbandonati. Se definiamo il fascismo, si chiede poi, come istituzionalizzazione della rottura del rapporto che in democrazia lega lotte operaie e sviluppo capitalistico, dobbiamo dire che la separazione ad un certo momento dello sviluppo diventa irreversibile: allora stato e fascismo finiscono per identificarsi? (*Macchina tempo*).

Quando più tardi in America – inizio anni '90 – di Negri si vuole tradurre *La forma stato*, è necessario un aggiornamento (*Il lavoro di Dioniso*). Lo stato postmoderno si rivela essere lo stato della finzione, che organizza la separazione dello stato dalla società fingendo che questa separazione non esista. La “democrazia” viene solo simulata. La fortuna di teorizzazioni astratte come quelle di Rawls e seguaci – ma anche critici – viene ascritta alle trasformazioni che lo stato ha subito col neoliberismo (noi qui, con le voci di enciclopedia sulla democrazia, alle “robinsonate” di Rawls – come le chiama Negri con termine marxiano – non siamo arrivati; così pure abbiamo saltato le illusioni di Habermas – da altri etichettato il Veltroni dei francofortesi).

Negri non sta guardando allo stato nazionale: parla di un comando globale unificato, di quella che dieci, quindici anni prima di *Impero* (in *Fine secolo*) già chiama economia-mondo dell'operaio sociale. Nell'epoca della globalizzazione, risultano definitivamente in crisi tanto la “democrazia” che avevamo conosciuto, la rappresentanza del costituzionalismo liberale, quanto quell'altra di cui qualcuno raccontava, la rappresentanza delle “repubbliche democratiche” socialiste (che non è stata una forma di governo sostanzialmente diversa da quella trovata dal capitalismo ad occidente). Se ogni specie di “democrazia” è morta, e quelli che vengono esposti sono simulacri, la democrazia che va cercando la moltitudine annunciata in *Impero* e narrata in *Moltitudine* torna a maggior ragione ad essere un'altra. Sono le opere con cui Negri si apre a un pubblico più vasto: individuata la tendenza verso un nuovo ordine mondiale, scopo del libro successivo è indicare la via di fuga, è il ripensamento del concetto di democrazia, una “nuova scienza” (come dicevano i federalisti) della democrazia. A sorpresa, termina prospettando un Lenin più Madison: assieme alla distruzione della sovranità, la necessità di un metodo per impedire che il passato ritorni. Che per la prima volta, la democrazia sarebbe davvero possibile; ne esistono, dice Negri cercando di identificarle, le basi “ontologiche”, sociologiche, politiche (in *Moltitudine*, 3.3). Oggi le impiantiamo sulle potenzialità di esodo della figura del lavoratore collettivo del capitalismo cognitivo, nel quale, come vede il post-operaismo, è il sapere ad essere centrale.

Questa nuova democrazia viene di lontano, Negri lo indica in libri come *Il potere costituente*. Nasce dai “tumulti”: Machiavelli scrive che la grandezza di Roma veniva dalla disunione: SPQR, plebe e Senato. È la concezione repubblicana che dalla Firenze



Ogino Knauss is a collective active since 1995. Born as mutant cinema laboratory, acts during the years as a constant drift through audio visual languages and communication practices. The group experiments with Vjing techniques as a peculiar form of open narrative, in contrast to the dominant tendency to create video tapestries as an ornament to musician and DJs production. Developing its action at the crossing point between the exploration of etherotopic spaces and the exhibition of disclosing practices of the audiovisual device, Ogino Knauss led a steady exploration of new spatial and creative contexts to confront, such as cultural centers, public spaces, temporary occupied zones, art galleries, festivals, dancefloors. Among many others ogi: no Knauss collaborated or played live sessions with: Autechre, Autobam, Vladislav Delay, DJ Ultracore, Masami Akita & Zbigniew Karkowski, Otolab, OTK, Rich Medina, Terre Thaemlitz.



*In more recent projects, the attention has been focused on the globalizing urban landscape, applying image production techniques in the attempt to develop innovative listening and description practices about cultural urban processes. Urban explorations leading to performative acts or installations have place in such locations as Florence, Riccione, Berlin, New York, Rome, Milan, Amsterdam, Thessaloniki, La Habana. The anthological project, *Triplicity*, focusing on the co-related production of space and image in the evolving global landscape, has been presented world wide as live performance or installation and has been published as an interactive DVD + book by AVrec.*

Images in this issue come from the cities of Berlin, Florence, L'Habana, Milan, Rome, Rotterdam, Skopje.

<http://www.oginoknauss.org>

di Machiavelli arriva in America via Londra, la diversità sottesa alla costituzione americana di cui rileggiamo in *Impero*. È la democrazia "assoluta" che Negri riscopre studiando Spinoza. Come noto, alla linea che va da Hobbes a Hegel, a una metafisica idealistica, contrappone una concezione radicale della democrazia, una linea materialista Machiavelli-Spinoza-Marx. Così la possibilità reale di una democrazia effettiva emerge finalmente dalle profezie dei *Grundrisse* (*Marx oltre Marx*). Se poi si volesse oggi una metafisica alternativa, la si potrebbe cercare nel poststrutturalismo francese, anche se — osserva Negri guardandosi indietro — loro hanno detto, noi abbiamo fatto (*La differenza italiana*).

Non è solo nel nostro '68 durato vent'anni (dieci prima e dieci dopo) così come un tempo nell'assalto al cielo dei consigli o della Comune di Parigi, che la possibilità di un'altra democrazia è apparsa. Se si volesse navigare nella storia della modernità — comprendere una fine aiuta a ricordare l'inizio — ci sarebbero prove di una rivolta immediata che si riaccende continuamente. Come ad esempio si legge (... per spezzare con Negri) in una ricerca — Linebaugh e Rediker, *I ribelli dell'Atlantico* — che, prima della rivoluzione americana e di quella francese, tra il XVI e il XVII secolo, l'economia transatlantica nata attorno alle nuove rotte conosce l'insorgenza di una composita forza lavoro multietnica, che infiamma porti e piantagioni. Per i regnanti inglesi, che hanno Ercole quale simbolo dell'ordine nei loro stemmi, si tratta di un'Idra mostruosa dalle molte teste da distruggere (è per questo che ci piace firmare questo articolo Hydra).

Il capitalismo, come sistema, ha sempre voluto dire mobilità, controllo della mobilità, della forza lavoro. Ma parallelamente, la fuga, il rifiuto del lavoro, non è stato solo il filo rosso dell'operaismo italiano ma una costante pratica storica in cui si esprime l'aspirazione a una vera democrazia. Arriviamo così nel mezzo delle analisi (Mezzadra, Chignola... il discorso torna a Negri) che leggiamo in *Guerra e democrazia*, che, oltre ad essere il sottotitolo di *Moltitudine*, è il tema della prima uscita pubblica, nel 2005, della rete Uninomade. Cercando di cogliere cosa è davvero la democrazia, cioè invece che la forma di governo storicamente data la sua critica pratica, sarebbero da percorrere tre strade — e per una guida saremmo sempre ricondotti in un modo o nell'altro allo stesso milieu teorico: l'insorgenza del lavoro vivo, lezione marxiana riaperta dall'operaismo, poi la lotta femminista, che da noi salta fuori Atena armata dalla testa spaccata dell'operaismo, infine le pratiche svelate dal discorso postcoloniale, cui guarda il "postoperaismo".

In questo seminario di Uninomade ci si deve interrogare, nella dispersione del ciclo di movimenti no- (meglio new-) global contro la guerra, non solo sull'impossibilità di parlare di "democrazia", ma anche sulla difficoltà di cercare un'altra democrazia, all'interno di un ordine globale segnato dalla guerra, da un permanente stato di eccezione. Vediamo due discorsi: una critica della democrazia, il pensiero a-democratico che Tronti perora in sedi diverse, e la democrazia "assoluta" riproposta da Negri, il leninismo tinto di elitismo e decisionismo del primo e il "leninismo della libertà" del secondo. Seguendo il primo, se già la sola accettazione di una logica democratica ha portato al suicidio il movimento operaio, la moltitudine del secondo potrebbe agire solo come minoranza, come aristocrazia. Vediamo due discorsi, ma ci sembra di cogliere anche una qualche difficoltà di altri partecipanti a vedere i corpi che li devono incarnare, a definire di tutto questo le modalità di funzionamento (c'è un'impressione come di "pesantezza" del primo, di "leggerezza" del secondo; i problemi restano

aperti - forse l'impasse non è solo nelle pratiche di movimento).

La cartina di tornasole di tutte le incertezze l'abbiamo quando con le istituzioni rappresentative, sempre più vuote, ci si ritrova, seppur a distanza, sempre a convivere. Oltre alle sabbie mobili del municipalismo, pensiamo al difficile tema del federalismo e in particolare alla costituzione europea, rispetto alla quale ad esempio Negri (*L'Europa e l'Impero*) si dichiara comunque a favore (anche se sembra voglia solo tirare le corde di un ring, di uno spazio dove poter almeno, alla fine di ogni round, contare dei punti).

Forse di una cosa sola c'è certezza: *tempus fugit*, e allora una transizione a questo punto s'è data. Possiamo parlare senza "post". E quando ora Negri della nuova condizione storica vuole indicare un sintomo ('Alla ricerca del commonwealth', in *Posse*, giugno 2008), la prima cosa che scrive è che, dopo le guerre americane, e come registrato nei comportamenti quotidiani dalla scienza politica, un concetto s'è proprio definitivamente consunto: quello di democrazia.

In ultimo: Democrazia e Governo era il titolo. Se non abbiamo parlato di Government, abbiamo detto Stato (non siamo inglesi) - e siamo arrivati a Impero. Se lo stato è un gelato al sole, dovremmo parlare di Governance, ma comincerebbe un altro discorso. E se le procedure della democrazia volevano essere, come diceva Bobbio, "il meno peggio", al peggio non c'è mai fine (lo vediamo nella ferocia della crisi che avanza). Comunque, come con la vecchia ma non cara "democrazia", il problema è sempre quello: un rapporto di forza, da costruire.



Thinking Ahead

The Project of a Comprehensive Civil Society

Christopher Gohl



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Few intellectuals are naturally born or bred democrats. Rather, self-reliant thinkers are likely to be dissenters to conventional wisdom, and spurners of democratic compromise. And the democratic public does not appreciate intellectuals either. Their adventures of thinking, after all, are not mass products. Yet, the project of democracy is one of the few successful historic experiments to generate spaces of civil conduct and a successful search for a better future. Its history is rich with the best trials and errors of mankind, and the diversity of its inner discourse deserves but every energy of thinking individuals.

What framework of thinking, then, should public intellectuals be committing themselves to in the service of the democratic experiment? What are the mental models they should be breeding about? What kind of an intellectual project is democracy? Here are a few answers – core mental models for a fruitful democratic discourse: what democracy is (1+2), what civil society means (3), what public reflection of civil society entails (4), what the current challenges of societal change are (5), which key insight (6) will form the base of project politics (7), and what intellectuals can learn from social entrepreneurs (8).

(1) Democracy, in its narrow sense, is a set of rules determining the temporal investment of powers among free equals. According to the constitutionalists, these rules determine the legitimacy and limits of those governing and governed. In the view of social scientists, they also determine the play of politics as public problem resolution.

(2) In its broad sense, democracy is the comprehensive public way of life of free equals beyond constitutional or procedural rules. Democracy so understood is an expression of shared values, proven principles, successful associations, and habits of the heart, all conducive to the production of immaterial surplus value – such as collective social, scientific, cultural, or environmental achievements. The practice of free equals differs from country to country, region to region, and even city to city, and these differences in practice are a rich source of experience and experiment. As such, they mark one of the many strengths of what, in sum, we call democracy in its broad sense: “civil society”.

(3) “Civil society” is a term blurred by its overuse. It is here that intellectual dissection and construction should provide a vocabulary, and a discourse, rich with reality and potential, history and hope, failure and achievement. In his brilliant essay, Michael

Edwards distinguished three uses of the term civil society (Edwards 2004): the analytical perspective focusing on associational life, the normative models of the Good Society, and the focus on the deliberative practices of the public sphere – a version of democracy in its narrow sense. Any fruitful and consequential reflection of, and action for civil society should integrate these three models, Edwards argues. And so it is with democracy in its broad sense.

(4) Such integration is mighty mental work. Never mind the theoretical question whether action follows thought, or vice versa.

Mental models are instruments in shaping the world, and public intellectuals are instrumental in testing and providing mental models for

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public and private reference. And so, Comprehensive Civil Society as a project must become, in the words of Heinz Kleger, “both the fund and the focus” of constant public self-reflection and self-civilization. Civil Society is a continuous project. Indeed, it is the only society, Kleger notes, that can be better than it already is, at once a reality, and an utopia (Kleger 1999). Pushing the project of civil society means to bring into dynamic dialogue its fund – the complex concepts and categories across centuries and countries – with its focus: the current challenges and chances of continuous change.

(5) Well, then what are the current challenges and chances? Four transformations are fundamental for Europeans. First and foremost is globalization, the fact of our increasing economic, social, ecological, and political interdependence on a global level. The second change is the transformations of the idea of work and capital inherent in industrial societies into new ideas of meaningful and worthwhile activity. The third change concerns the models of knowledge generation and distribution, and the last transformation is the demographic change, setting free from the workforce many experienced and active citizens. All of these four developments include challenges – and the chance to lead a more meaningful life of self-determination among multiple options. Again, it requires a lot of mental work to shape compatible and complementary approaches to these changes.

(6) The key insight of civil society is that there cannot possibly be a central intelligence that shapes the answer to the challenges of the present and the future – let alone, one institution, a state or a government. Instead, only self-determined, self-organized action of free equals within the framework of democratic rules can shape successful and sustainable change on a mass scale. It requires the ideas and initiatives of all citizens, and the cooperation and competition of many civil societies to come up with relevant and civil answers. Politics will need to go beyond parties and parliaments, and rely on many decentralized but interconnected projects.

(7) Project politics will complement, not replace party and parliamentary politics. But project politics also has the power to transform these traditional practices of representative democracy, and even of the economy. The practices of civil society can and should penetrate the spheres of government and market. As Robert Kennedy said: “Each time a man stands up for an ideal, or acts to improve the lot of oth-

ers, or strikes out against injustice, he sends forth a tiny ripple of hope, and crossing each other from a million different centers of energy and daring those ripples build a current which can sweep down the mightiest walls of oppression and resistance.”

(8) The best hope of democracy as civil society are not enlightened legislators or prime ministers, but the innovative leaders of the Third Sector, the Citizen Sector. They are the social entrepreneurs, individuals who tackle the production of immaterial surplus value with the professionalism of the business world, and the orientation towards the common good so long reserved for the actions of government. The citizen sector is rapidly becoming a movement of true impact for a better world. The social entrepreneur invests in transforming problematic parts of today's practice into sustainable models of the future. As such, she should be an example to democratic intellectuals. Their tremendous task is the transformation of mental models of past public practice into the diverse prototypical patterns of tomorrow's reflection.



● References

- Edwards, Michael (2004): *Civil Society*, Cambridge: Polity
- Kleger, Heinz (1999): Stadtregion und Transnation: Herausforderungen politischer Theorie heute, in:
- M. Greven/R. Schmalz-Bruns (Hg.): *Politische Theorie heute*, Baden-Baden 1999, p. 385-413

Globalization versus Globality

Claus Dierksmeier



Globalization was yesterday. Today we already live in a world of globality. To be sure, many processes of globalization can still be stopped, and some reversed; but the general gist of the development of the past decennia will not be made undone. The reach that the process of globalization has had in the past confronts most of the people most of the time with a state of globality. Hence whatever the future development of globalization, this state of globality must be addressed as one that by its distinct features requires particular ways and modes of governance differing considerably from everything that came before.

It is true that global trade and cultural exchange have existed for centuries yet. Still, there are important disanalogies to consider between now and the past. Globality describes a state of affairs where a global impact of individual actions, local business practices, and national politics is no longer the exception but the rule. Globality gives a name to a reality that has immediate interconnectivity as its constitutive feature, including the growing awareness –spreading from the debate over climate change to other realms of our life-world – that there are always many more consequences to our practices than we can foresee at the time we act. Environmentally, socially, and culturally the ramifications of our actions can less and less be contained within regional or national boundaries.

Whereas the semantic field of globalization conveys the impression that the dynamics of the process are being overseen, and largely controllable, by those driving it, the term of globality points to a contrary worldview: It intimates that the reach of our knowledge does not align itself with the range of our effects. The significance of what we do lies beyond of what our actions were intended to bring about or meant to signify. The epistemic optimism of yesteryear being crushed, a praxeology of cautionary principles follows. For the signature we leave on the planet will be decipherable only in the future – while we carry the burden of responsibility for it already today.

As the gap between those affecting the world and those affected thereby is closing, we need to rethink our stratagems: In the past, it seemed merely an idealistic moral imperative to act as if the world in its entirety was the receptacle of our impact, and as if the whole of humankind was to judge our conduct. Now it dawns on us that to push *ad infinitum* the spatial and temporal limits for the considered effects and externalities of our economic as well as political actions has become a pragmatic

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necessity of social survival.

Whether we manage to slow down or even halt some of the ongoing processes of globalization, what will remain is the fundamental shift to a mental model that encompasses the unarticulated, incalculable, and indefinite consequences for our actions just as much as those that are captured by our established accounting practices and our traditional schemes of responsibility assignment. Globality represents the insight that we have achieved a position in history where the angle

of moral universalization and the pragmatic perspective of prudent circumspection render ever more convergent and frequently wholly identical results.

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Whatever governance systems we shall propose for the future, they had better take into account the changed premises on which henceforth they rest: Political legitimacy, less and less tied to geographical boundaries, must be generated afresh; viewing the national soil not in isolation from but as part and parcel of the planet, treating nations not in contradistinction to (the rest of) humanity but as locally representing it. National interests, narrowly defined, can no longer be paramount for the politics of tomorrow; instead both nations and supranational institutions must operate on behalf of all human beings.

The genesis and the validity of norms have forever been disjoint, with the latter conveying legitimacy to the former. The olden moral ideal that all people ought to take part in the global affairs that affect their lives implies that even where such participation cannot practically be realized, our decisions should be made notwithstanding, as if. Along these lines, the political compact of humanity is not adequately understood as an inflated private, viz. bi- or multi-lateral, contract. It has instead to be formulated as an all-sided public covenant including each and everyone, regardless of whether the people concerned by the politics of globality were, in fact, able to participate in their making. What concerns all should be such that it can proudly be proclaimed in the name of all. It is, ultimately, this idea of an all-encompassing alliance of humankind that gives legitimacy to bi- and multi-lateral institution-building contracts, not vice versa.

The ethics of globality differs accordingly from all hitherto propagated ethics of globalization. Global problems (often) demand global solutions that (often) need to rest upon either common global practices or global institutions, which in turn (more often than not) require at least a minimal normative consensus. It seems therefore that without some minimal moral unification global problems cannot be tackled. While, however, in the past the West tried to globalize the rest, promoting regional values as universals, recognizing the meaning of globality demands a different approach, i.e. one that seeking unanimity not in identity-as-sameness but in identity-as-consonant-diversity. Some thinkers, therefore, prefer to speak of mondialization instead of globalization. They do so in order to give emphasis to an understanding of our common life-world as coming together through the convergence of many different lines of thought, not by the imposition of a one-size-fits-all approach.

To live on the same planet is not the same as to share a world, after all. Sharing



something implies reciprocal acknowledgment. Whereas globalization is conceivable as a one-way street of cultural expansion, mondialization stands for a two-way traffic of ideas. Hence the term mondialization better intimates what the ethics of globality is about. For politics in the name of humanity cannot follow a preconceived one-sided notion of what is and befits the human being. Rather we are under the obligation to operate informed by the constantly changing self-understandings of the many, divergent cultures that comprise the human family.

Strictly speaking, the universal idea of humanity rests upon each and every single human being representing this idea through his or her very individuality. It is thus only *a posteriori* – through the communicative integration of all – that the idea of humanity can be fully grasped, explicated, and made politically operational. Action on behalf of the humanity must take recourse to the old humanistic ideal of letting human subjects themselves defines and redefine their essence. Empowering each to participate in the both conceptual and political effort to give globality human contours and humane content is thus of paramount importance. An equitable representation of all members of the human family in the political institutions that shape our future must be achieved, if we want in fairness to claim normative validity for further progressing towards globality. The one and only human universal – that ought to be the overarching principle of our every move forward – is that each of us is equally dignified to contribute to the intellectual and practical realization of the global human project. As the world belongs to humanity in common, it should be administered by and for all.



Do we need a European identity?

Considerations on the Referendums 'against' Europe

Patricia Chiantera-Stutte



The 2005 referenda on the European constitution and the Irish vote in 2008 against the Lisbon Treaty represent a real trauma and danger for the possible evolution of the integration of the European Union (EU), according to numerous sociologists, political scientists and lawyers. The first reaction of some scholars was that of a shock: how was it possible that France and the Netherlands – two of the “founders” of the European Community – could refuse a EU constitution that would have established a stronger collaboration between the nations and a deeper democratisation of the EU?

The scepticism that was revealed in 2005 was indeed not a problem of the political elites, but an attitude of the people, who were directly called – in the Netherlands for the first time – to legitimize the act of the juridical foundation of the EU constitution. The extremely late acknowledgement of any possibility of failure of the “yes” vote is very clear in the developments of the political campaigns for the referendum, not only in Holland but also in France (Qvortrup 2006). One of the reasons for this was that the political elites relied too much on statistical surveys, according to which the large majority of Dutch citizens was pro-European. Therefore, the elites did not bother to take the referendum seriously. Another central point is the so-called democratic deficit of the EU: the gap between the political elites and the people, or, in this specific case, the difference between the parties’ perception of the EU at a national and a European level, and the voters’ idea of the EU.

One possible solution to the democratic deficit is to build a European identity. A European identity could fill the gap between the rulers and the ruled and constitute a community, or a demos, whose ties of solidarity would strengthen the consolidation of the EU and legitimise the EU political classes. Moreover, this argument could be used in the contemporary political debates to counteract many populist, Euro-sceptic parties in order to defeat them with their same weapons.

In EU rhetoric, the word “identity” has replaced the word integration by the end of the 70s. Identity became part of the EU jargon since the Declaration on the European Identity signed in Copenhagen in 1973. In this text, European identity overcomes certain exclusivist interpretations of Europe and refers to “rational” and open ideas that characterise Western civilisation: representative democracy, the rule of law and social justice. Questions that arise from this use of the identity idea are many, some of theoretical and some of more practical nature. One can ask whether the use of the idea of identity can conceptually really further the integration process. Could the

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gap between political elites and voters during the 2005 referendum be explained and solved through the use of identity? Was the main weakness of EU foundation and consolidation the lack of a myth and identity? Does the new Europe's dilemma lie in the "choice between unacceptable historical myths and memories on the one hand, and on the other a patchwork, memory-less scientific 'culture' held together solely by the political will and economic interest that are so often subject to change" (Smith 1992, p.74)?

Identity, identities and rationality

One argument endorsing a European identity deals with the necessity of basing the legitimacy of political institutions on the organic idea of a political community. Legitimacy in this vision is created through myths, because the myth offers the "symbolic values within which people share an idea of origin, continuity, historical memories, collective remembrance, common heritage and tradition, as well as common destiny" (Obradovic 1996, p. 196). EU political praxis lacks precisely this stress on myths and in general does not care enough about people's emotional needs to identify with symbols and histories.

This conceptualisation postulates the division between emotional and rational factors and the relevance of the first ones in order to explain political behaviour. An expression of this kind of argumentation can be found in Smith's divide between civic and ethnic nationalism. In his analyses the main legitimacy problem of the European Union lies in the impossibility to refer to myths, in contrast with the process of the nation-state building. The age of myth is finished and the EU's attempt to create myths is bound to fail, because in the contemporary world no one is going to believe in new myths. There are no longer the conditions for the mass mobilisation through myths: rationalisation has led to a society that cannot believe in them (Smith 1992).

Two problems are raised by this argumentation: one theoretical and one empirical. Concerning the latter, one piece of counterevidence of the end of any mythopoetic political activity is given by populism. Let us take, for instance, the FPÖ's and Northern League's "invention" of ethnic and of a territorial integral unity: the production of myths is clear in these examples. In contrast to Smith's observations, one can point out that the quest of identity has become one of the most central characteristics of our civilisation's transformation.

The theoretical point is that the division between emotion and rationality has to be criticized in its Weberian interpretation. The myth of rationalisation is a cornerstone of Western civilisation and finds its origins in a non-rational religious understanding of the world (Weber 1958). The paradox of the rationalisation lies in its claim to be timeless and universal: it is the only myth which leads to demythologize its claims and to show itself as a purely rational model of behaviour.

The EU functionalist approach, that was dominant during the creation of EU and has been criticized for its lack of any mythopoetic capability, is a part of this history of rationalisation. However, it relied on the "myth of the future", i.e. of the future collaboration of the European nations in a peaceful and harmonious way. Such myth is linked in a twofold bind with the past: chronologically, because the first steps of the EU were determined by the will to reject wars and totalitarianism, and conceptually, because the idea of a common future of the European states is juxtaposed to every form of nationalism. At the same time, functionalism presents itself "as rationality,

a disembodied exemplar, a standard by which current realities can be judged and found lacking" (Hansen and Williams 199 p. 244).

Functionalism presupposes that European citizens will be convinced to belong to the European Union on the basis of the gradual and "soft" power of the economic and juridical agreements between national political elites, rather than recurring to ideological campaigns and political fights. In a way, this process is based on a fragile interplay between the European political elites' initiatives, the citizens, who should acquire a consciousness and will to be part of the united Europe and, finally, popular trust in the elites.

Indeed the myth of rationality that is at the basis of the functionalist vision

originates from the will to tame the irrationality in history and stop the ideological conflicts – this constitutes its historical memory – and, in that way, it re-inscribes the future of Europe into a de-politicized vision in which these irrational elements disappear. In a paradoxical way, the process of overcoming the memory of a dark past of wars and totalitarianism, that leads to reject the mechanisms that brought to the European wars – the ideology, the conflictual vision of politics – contributes to forgetting the EU's *raison d'être*.

Growing depoliticisation could be one of the reasons why the referenda failed: in particular in Holland one major critique expressed by the people was the lack of discussion and open debate on the Convention. In general, social movements across Europe ask for the wider participation of citizens, strive for a re-politicisation of the political debates and for a strong and open confrontation of the different world views represented by the supporters of a free market economy and those of a social Europe, fighting for "national democracy" against a "false" European democracy. The slogan "another Europe is possible" shows the need to go beyond the mere acceptance of the European elites' programs and the discussion of the basic social and economic principles that rule Europe. Can the construction of an European "identity" satisfy this need?

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Remembering and forgetting

Identity building partly also involves the creation of a history, i.e., the remembering as well as forgetting of events. One example of the construction of a "political identity" is given both by populist and global movements. The populist core ideology is based on its idea of heartland. Populist leaders create a heartland through the selection of a history. Jörg Haider and the FPÖ "intellectuals" did not invent a racist and exclusionary idea of Mitteleuropa, they just stressed an exclusionary idea of it, which already existed; the Northern League's leader Umberto Bossi did not invent the civic qualities of Northern Italians, he underlined old stereotypes.

Social movements, too, create a political identity, the characteristics of which do not correspond to the exclusionary idea of a European community. The claim to protect the lower classes and to improve the conditions of the South of the World, the denunciation of capitalism's and of high finance's domination in the economic and political relations, as well as the rejection of American imperialism and the war are

some of the issues of these new collective identities.

How could a European identity ever embrace these opposite programmes? How could Europe ever reinforce its identity in such a way that it can appeal to and be supported by various political groups? The questions cannot be answered in this contribution and will remain open. Probably these issues can be solved not only by looking at the “famous” and all-too-general concept of identity, but trying to specify it, to look inside and deconstruct it.

“Identity” is made of solidarity and trust, but solidarity and trust can exist even where there is no “identity”, i.e., between different peoples, belonging to different religious political or ethnic groups. Instead of speaking about identities, we would do better to remember our common memories, and in particular, some legacies that have inspired specific political processes. The European project originated from a rebellion against the terrible past of Europe and gave birth to a strong “political” program. The stress on a common cultural identity could probably add something to this historical fact, but it cannot substitute the meaning of the first original decision taken by the European post-war political elites and peoples who rejected the legacy of totalitarianism. And this was an extremely important political decision. A better understanding of the meaning of the past and of its importance in the daily European and national political debates could help us to understand not only the origins of our national constitutions and of the EU, but could also re-politicize and refresh political debates. A re-politicisation of the EU could mean a reconsideration of the political decision that gave birth to the European Community and stimulate a process of remembering. This could mean to reconsider the juridical history of Europe and to reflect on the importance of the context and the traditions for the production of law. This could also mean to re-teach this past and to re-interpret the choice against totalitarianism in order to make a commitment to oppose new forms of political and economic domination.

● References

- Obradovic D., Political legitimacy and the European Union, *Journal of Common Market Studies*, 34, 2, 1996, pp. 191-221.
- Hansen L. and Williams M.C., The Myths of Europe: Legitimacy, Community and the Crises of the EU, *Journal of Common Market Studies*, 37, 2, 1999, pp. 233-249.
- Qvortrup M., The Three Referendums on the European Constitution Treaty in 2005, *The Political Quarterly*, 1, 2006, pp. 89-97.
- Smith A., National identity and the Idea of European Unity, *International Affairs*, 68, 1, pp. 55-76.
- Taggart P., Populism and the pathology of representative Politics, in Mény Y./Y. Surel, *Democracies and the populist challenge*, New York, Palgrave, 2000.
- Weber M., *The Protestant Ethics and the Spirit of capitalism*, New York, Scribner's 1958.

The Cultural Politics of 'Dutchness'

**Marc De Leeuw &
Sonja Van Wichelen**



To understand recent transformations of "Dutchness" it is crucial to look again to the development of Dutch liberalism. Both tolerance and liberalism are seen as Dutch accomplishments: from Holland as a free-haven for the religiously persecuted in the 17th century – of which Descartes and Spinoza are the most famous – to the image of progressive politics on sexuality, drugs, prostitution, and euthanasia. In the contemporary Dutch debate on liberalism this term refers to a *socio-cultural* liberalism of the "liberated" youth of the 1960s, namely leftist political activism, sexual freedom, struggle for abortion, and acceptance of homosexuality. Simultaneously it refers to an *economic* liberalism of the liberal right whose main interest evolves around tax reduction, small governance, support for the business community and military. They have in common that both perspectives share a strong emphasis on individual rights and autonomy. In contemporary Dutch politics, these two discourses seemed to have merged. The liberal left paradigm of anti-racism and multiculturalism, that which was seen as "politically correct", is being replaced by a new political correctness, namely, the so-called freedom of speech discourse. This freedom of speech, however, does not necessarily refer to intellectual freedom or the right to critique the state, which were the terms on which this right was based on. Instead, in the politicized climate following the murder of Van Gogh, this freedom of speech was extended to include the "right to insult". In such a way this new mode of "freedom" allows for mocking, ridiculing, insulting, and offending – mostly with respect to Muslims who, according to some prominent public figures, were too sensitive and were not able to accept critique.

Although the Dutch were actually proud to have a "weak" national identity, the current reinvention of Dutch norms and values transformed into a civilization-discourse marks a return to a desire for a "strong" or "thick" national identity. Hence, with the conflation of global discourses of terrorism with Islam, immigrants suddenly became Muslims and the "Muslim danger" enabled anti-immigrant sentiments to be openly manifested. Highly diverse groups were monolithically redefined as "Muslims" and the end of the "consensus model" was celebrated as the end of multiculturalism and the revival of Dutch norms and values. Through anti-Muslim statements by public figures such as Pim Fortuyn, Theo van Gogh, and Rita Verdonk, people had found legitimate grounds for their xenophobic sentiments. These developments also reflected dynamics between the elite and popular masses. The simple rhetoric provided

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by these people enabled popular masses to articulate their feelings of insecurity toward immigrants – packaged in an anti-Islamic idiom. In such a way, they could ventilate their fears of cultural Others without being afraid of others calling them racist, intolerant, or indecent.

The turn from hidden racism to the proliferation of open anti-Islamic sentiments created a backlash in the idea of Dutch tolerance with respect to multiculturalism. The social critic Sjoerd de Jong refers in this respect to the manifestation of some-

Muslim-subjects are produced to serve our manners of self-affirmation in times of crisis – a crisis we, apparently, rather define as a crisis of migration and not as our crisis of liberalism, democracy, secularism, human dignity or state-politics.

thing which he called a “regret-revenge” discourse (*spijtwaak*). With this term explains how the Dutch are regretting their tolerant attitudes toward immigrants

in the past and are taking

revenge on their earlier positions. We could define the “regret-revenge” attitude as representing a discourse of *ressentiment*. In overcoming feelings of powerlessness, alienation, or fragmentation, *ressentiment* refers to the production of rage or righteousness, the production of a culprit, and the production of a site of revenge. In the new climate of *ressentiment*, socio-economic and political clarifications with respect to migration, colonialism, and racism were declared politically incorrect and any reference to these explanatory factors became taboo in the public sphere.

Within this socio-political climate the civic education film *Naar Nederland* (*To the Netherlands*) was commissioned by the department of Justice under the supervision of the liberal right minister Rita Verdonk. This film introduces “newcomers” to Dutch history and culture. Since January 2007 it is compulsory that immigrants pass an civic-integration exam accompanying this film *before* coming to the Netherlands. Note, however, that the exam is only obligatory for people from particular countries, primarily from the non-West. People from western countries such as the EU countries or from Australia, Canada, or the US are exempted. So too is a country such as Japan, which is perceived by the department of Immigration and Integration as westernized. In this film, Dutchness is defined in ways that not only exclude cultural Others but that demands of its “newcomers” a total loyalty to Dutch culture through cultural assimilation. The film knows a censored and non-censored version – whereby the non-censored version presents kissing gays and a woman with naked breasts on the beach – is conceived as to present the more accurate version of Dutch culture. In this film Dutch values, laws and freedoms are weaved into a quasi-neutral visual and textual narrative of ‘Dutch culture’ – like shaking hands, kissing in public, dressing correctly at work, taking flowers if you go to your neighbours’ birthday. This narrative does not just turn into an ideological tool but, far more complex and subtle, it instrumentalizes culture as an *appeal* to an emotional wish of belonging, citizenship and recognition. The message of the film is: we tell you *who* we are and, simultaneously, though not explicit, we explain exactly what our *cultural codes* are and, thus, what you need to do to become the ‘tolerable Other’, to be included in the Dutch “we”.

After schoolmaster-like explanations of article 1 of the Dutch constitution various examples follow which exemplify what this civilization means in daily life, namely, that men and women are equal, that gays and lesbians marry and kiss in public,

that there is a strict division between church and state and so on. Besides the fact that this film infantilizes immigrants it conveys a particular form of moral superiority. Moreover, it does as if the Netherlands gives migrants the gift of freedom. This gift of freedom emotionally *appeals* to a '*common humanity*' in which people mutually respect, accept and value each other. It evokes the universal desire and meaning of freedom but at the same time turns this freedom into a hegemonic marker of the Dutch state, culture, constitution and society. Here 'freedom' is visualized as a 'desire' of immigrants, a desire that is fulfilled as a *gift* from the Dutch on the condition that they embrace the publicness of, for example, gay sexuality, which is a crucial part of the package-deal.

With this exam, the liberal right has been able to push the greater part of the political majority toward endorsing forms of integration codes in the direction demanded by the extreme right. The question of cultural understanding shifts from a need of mutual understanding to enable social and political participation to a question of loyalty and cultural assimilation framed within mechanisms of in- and exclusion: the right to attain Dutch citizenship becomes a cultural demand executed as a legal procedure. The complacency in deploying tolerance discourse to emphasize values of freedom corresponds to observations from the political scientist Wendy Brown, who argued that liberal tolerance discourse, comparable to the Dutch discourse outlined above, runs the risk of sneaking liberalism into a civilizational discourse. In such a way, tolerance becomes a form of governmentality that: "regulates the presence of Other both inside and outside the liberal democratic nation-state, and often it forms a circuit between them that legitimates the most illiberal actions of the state by means of a term consummately associated with liberalism". The question *what is Dutch?* – in an awkward manner – has turned the upholding of gay rights, the act of insulting minorities, indignation to female circumcision and honour killings, and in particular the celebration of Dutch women's emancipation into a liberalist civilizational discourse. The 'civilizing mission' at work in this self-proclaimed resistance against Islam becomes itself, in its missionary zeal, a manifestation of religion. I would like to close with a remark by Judith Butler in relation to the practice of torture in Abu Graib:

the torture was not merely an effort to find ways to shame and humiliate the prisoners of Abu Ghraib and Guantanamo on the basis of their presumptive cultural formation. The torture was also a way to coercively produce the Arab subject and the Arab mind. That means that regardless of the complex cultural formations of the prisoners, they were compelled to embody the cultural reduction described by this anthropological text. Let's remember that the text does not have an epistemically privileged relation to its subject. It is part of the project to compel the production of that subject, and we will have to ask why (Butler 2008: 16).

We think the Dutch integration-video can be read through the same analysis: it produces the subject, its cultural formation, its notions of shame and humiliation, even its apparent desire for "our" freedom and liberalism to – subsequently, confront this reduced subject with its potential dis-loyalty or dis-respect to our "civilization". As such, Muslim-subjects are produced to serve our manners of self-affirmation in times of crisis – a crisis we, apparently, rather define as a crisis of migration and not as *our* crisis of liberalism, democracy, secularism, human dignity or state-politics.



● *References*

- Judith Butler (2008) 'Sexual politics, torture and secular time'. *British Journal of Sociology*, Vol. 59, no. 1: 1–23.

False dichotomies

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*“Republik oder Kalifat.”
“Zwischen Demokratie und Gottesstaat.”*

These phrases are titles of two academic texts I came across recently¹. Both suggest that there is a conflict between democracy and religion,

both give a sense that religion represents a threat for democracy, and both limit their analysis of contemporary religious phenomena to fundamentalism, more specifically to Islamist fundamentalism. I do not want to go deeper into the arguments of the respective authors, instead I want to put into question the very dichotomies with which their titles confront us: *republic or caliphate, democracy or theocracy*.

How to conceptualize the relationship between democracy and religion?

In Greek antiquity, we find the opposition between human and divine order treated in two different ways: on the one hand, this opposition manifests itself as emancipation of human striving from religious command, as the birth of the democratic Athenian *polis* demonstrates; on the other hand, it also carries within itself a dilemma, as the central theme of Sophocles' tragedy *Antigone* clearly shows: the first is an example for the gradual acquisition of freedom; the second for the gradual loss of freedom. In seeking proper burial for her brother, considered an enemy of the *polis*, Antigone insists on the superiority of morality and religion over the laws of the city. We are used to reading her story as a morally legitimized fight for freedom against the tyranny of Creon. However, Karagiannis and Wagner remind us that the point of Sophocles' tragedy is not so much to demonstrate the superiority of one order over the other, but rather to show that the city is vulnerable both in the face of tyranny of human law as well as in the face of fanaticism heeding divine law². Antigone is, from the perspective of the *chorus*, not an entirely positive figure – she has, after all, acted against the laws of the city. Creon, on the other hand, is

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¹ Egon Flaig, “Republik Oder Kalifat,” *Frankfurter Allgemeine Zeitung* 28.12.2007, no. 301 (2007), Dunja Larise and Thomas Schmidinger, eds., *Zwischen Demokratie Und Gottesstaat: Handbuch Des Politischen Islam* (Wien: Deuticke, 2008).

² Nathalie Karagiannis and Peter Wagner, “Towards a Theory of Synagonism,” *Journal of Political Philosophy* 13, no. 3 (2005): 235.





despised because he fails to envision an order of the city that is reconcilable with the moral and religious demands of Antigone. Both protagonists are immovable in their respective standpoints, and both act to the harm of the city. This interpretation of *Antigone* is not entirely new, we already find it in Hegel; however, what contemporary interpreters add to it, is the insight that the two spheres – the political and the moral and religious sphere – are ultimately not reconcilable. Their relationship can only be grasped as conflict and dilemma.

The dichotomies quoted above are false dichotomies, because they suggest that the conflict lies between democracy and religious, potentially fundamentalist world views. They miss out a third pole, the one we find spelled out in *Antigone*: the *polis*. Not democracy and religion are in tension, but secular politics and religious politics. Democracy, the *polis*, is the place where their relationship is spelled out – not as a conflict that can be resolved once and for all – but as a *dilemma*.

The lesson which contemporary political thinkers pondering the relationship between democracy and religion can draw from the dual loss of freedom in *Antigone* is quite plain: religious dictate is as much a sign of unfreedom as is a political order that leaves no place for religion³. Peter L. Berger has put the very same idea in even simpler terms: “There is a general view that fundamentalism is bad for democracy because it hinders the moderation and willingness to compromise that make democracy possible. [...] But it is important to understand that there are secularist as well as religious fundamentalists”⁴. Berger, and with him also Jürgen Habermas, seem to suggest that the solution of the dilemma which Sophocles’ tragedy spells out for us lies in moderation and deliberation⁵ – moderation on the side of religious followers and ‘post-secular reasoning’ on the side of the non-religious citizens. What both of them do not make clear enough, however, is that any solution is necessarily contingent upon a specific situation and inevitably transitory in the open-ended democratic process. The dilemma between the human and divine order of things cannot be resolved once and for all, it needs to be debated and negotiated again and again, in a confrontation which knows only one measure, namely the ‘good of the city’ (Pettit), i.e. the maintenance of the freedom of the community and the freedom of the singular human being.

“Secularism or Democracy?”

If we are to speak about the relationship between democracy and religion in dichotomies at all, then I prefer, after these considerations, the one suggested by yet another academic text: “Secularism or Democracy”⁶. Democracy, in this view, is the taking-place of the negotiation between secular and religious worldviews, it is the site of compromise, moderation, modernization, and also of rejection and fundamentalisms. It is the site of a dilemma, to be dealt with in view of the double freedom to be gained – of the community and of each citizen.

3 Philip Pettit, *Republicanism. A Theory of Freedom and Government* (Oxford: Oxford University Press, 1997), 144–45.

4 Peter L. Berger, “Secularization Falsified,” *First Things* February (2008): 27.

5 Jürgen Habermas, “Die Dialektik Der Säkularisierung,” *Blätter für deutsche und internationale Politik* 4 (2008).

6 Veit Bader, *Secularism or Democracy? Associational Governance of Religious Diversity* (Amsterdam: Amsterdam University Press, 2007).

The political and the techno-social

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Democracy and government are two different perspectives on the same type of process, namely, the political process, or, in other words, that aspect of the social shaped by the gigantic but also elusive and unseizable phenomenon we usually call power. The easiest way to make sense of the idea that democracy and government are perspectives on the same process would be to say that democracy proposes a bottom-up view on power, whereas government proposes a top-down view. Some would phrase it by saying that democracy is the view *ex parte populi*, the view from below (the people), whereas government is the view *ex parte principii*, the view from above (the prince). In other words, democracy would be concerned with those who are governed, the people, whereas government would be concerned with those who govern, the élite. In this vein, one of the most ambitious dreams of modern western political thought can be said to consist in the creation of a set of political institutions that seek to bring the democratic and the governmental perspectives together, creating democratic governments.

However, this dichotomy provides us with what is in fact a largely inaccurate picture of the political. First of all, the whole work of Michel Foucault is there to remind us that government is not simply exercised from the top down, i.e. from *without* a multiplicity, such as the people, but rather essentially in two other directions: (a) from *within* a multiplicity or people, in the form of discipline, disciplination and self-disciplination ("positive", orthopedic, corrective power), and (b) *in-between* the people, in the form of the definition of a field of positionings, which means through the capacity of creating and defining subject-positions (organisational power as control over the aleatory eventual field). Far from being a pre-existing element that enters the political relation by freely consenting to its own subjugation, as the philosophers of social contract conceived it, the subject is actually the *outcome* of the whole political process that positions it and, with Bourdieu, shapes its dispositions.

In the second place, political philosophers such as Hannah Arendt, Cornelius Castoriadis, Claude Lefort, Ernesto Laclau, Chantal Mouffe and Jacques Rancière, have warned us against the reassuring belief that democracy can be ensured by a set of political institutions. In various ways, these theorists have argued that the very fact of identifying democracy with democratic institutions, insofar as it reduces the political process to a specific functional social sub-system, makes us lose something essential. Interpreting democracy simply as institutions and their associated

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procedures deletes the very challenge posed by the democratic endeavour: in the terms proposed by Castoriadis, such endeavour is the creation of *politics* – insofar as politics implies the full deployment of societal radical imaginary, of instituting power – rather than merely *the political*, which is the domain of the instituted. Such insight that can somewhat be traced back to the Proudhonian claim that no government *qua* government can be democratic, or, in other words, that democracy can never reside in a mere juridico-political form.

Thus, we need to tackle the political process in the very materiality of its practices. Once the governmental and the democratic perspective are radically contextualised in the material and discursive practices that constitute the political process, the problem of political subjectivity, or agency, emerges in all its complexity. Not only do we face here the classical dichotomy of emancipation and regulation, which cuts across the bulk of modern political theory – how to obtain emancipation out of an exercise of regulation, how to strike the balance etc. – but a further crucial dimension is added: the technological, which leads us to the recognition of the existence of techno-social complexes.

In his analysis and interpretation of the tradition that runs from André Léroi-Gourhan, through Michel Serres, to Régis Debray and mediation studies, on the one hand, and to Bruno Latour and actor-network theory, on the other, Frédéric Vandenberghe (2007) addresses the crucial Althusserian question again: “How does an idea become a material force?”. Such transformation is possible because the techno-social constitutes a “middle realm” where the material and the immaterial coexist in a zone of indistinction, prior to the familiar dichotomies – e.g., the subject and the object – we are much accustomed to. As Léroi-Gourhan had it, every anthropogenesis is a technogenesis. In other words, the human being is a techno-political animal.

The lesson here, I think, is twofold. On the one hand, *technology is a political problem*, which cannot be left aside in any attempt to understand the nature of the political process – and the interweavings of capitalism and technology in a neoliberalist epoch remind us of the most striking and worrying examples of the political problem of technology. On the other hand, however, *politics itself is a technological problem field*, to address which we absolutely need more fine-grained conceptual tools than those we have inherited from classical political tradition. If power is the product of techno-social complexes, government and democracy should be studied precisely as two such *technologies of power*.

Il politico e il tecno-sociale

Democrazia e governo sono due prospettive sul medesimo processo, il processo politico o, in altre parole, quell'aspetto del mondo sociale forgiato da quel fenomeno gigantesco ma anche straordinariamente elusivo che chiamiamo potere. Il modo più semplice di rendere conto dell'idea che democrazia e governo sono due prospettive sul medesimo processo sarebbe di dire che la democrazia propone uno sguardo sul potere dal basso verso l'alto, laddove il governo propone uno sguardo dall'alto verso il basso. Qualcuno direbbe che la

● References

- Frédéric Vandenberghe (2007) “Régis Debray and mediation studies, or, How does an idea become a material force?”. *Thesis Eleven*, No. 89, May 2007: 23–42.

democrazia è il punto di vista *ex parte populi* mentre il governo è il punto di vista *ex parte principii*; ovvero che la prima si preoccupa dei governati, il popolo, mentre il secondo si concentra sui governanti, l'élite. Da questo punto di vista, uno dei sogni più ambiziosi del pensiero politico moderno occidentale consisterebbe nella creazione di un insieme di istituzioni politiche che cercano di conciliare la prospettiva democratica con quella governativa, creando governi democratici.

Tuttavia, questa dicotomia ci dà in realtà un'immagine molto inaccurata del politico. Anzitutto, l'intero lavoro di Michel Foucault ci dovrebbe ricordare che il governo non viene esercitato semplicemente dall'alto in basso, dall'esterno di una molteplicità, ma almeno in due altre direzioni: (a) dall'interno di una molteplicità, nella forma di disciplina e auto-disciplinamento (potere "positivo", ortopedico, correttivo), e (b) attraverso una molteplicità, nella forma della definizione di un campo di posizionamenti, ovvero creando lo spazio per delle posizioni di soggetto (potere organizzativo come controllo su un campo di eventi possibili). Lungi dall'essere un elemento preesistente che entra nella relazione politica consentendo all'essere dominato, come lo concepivano i filosofi del contratto sociale, il soggetto è in realtà il prodotto dell'intero processo politico che lo posiziona e, con Bourdieu, ne determina le disposizioni.

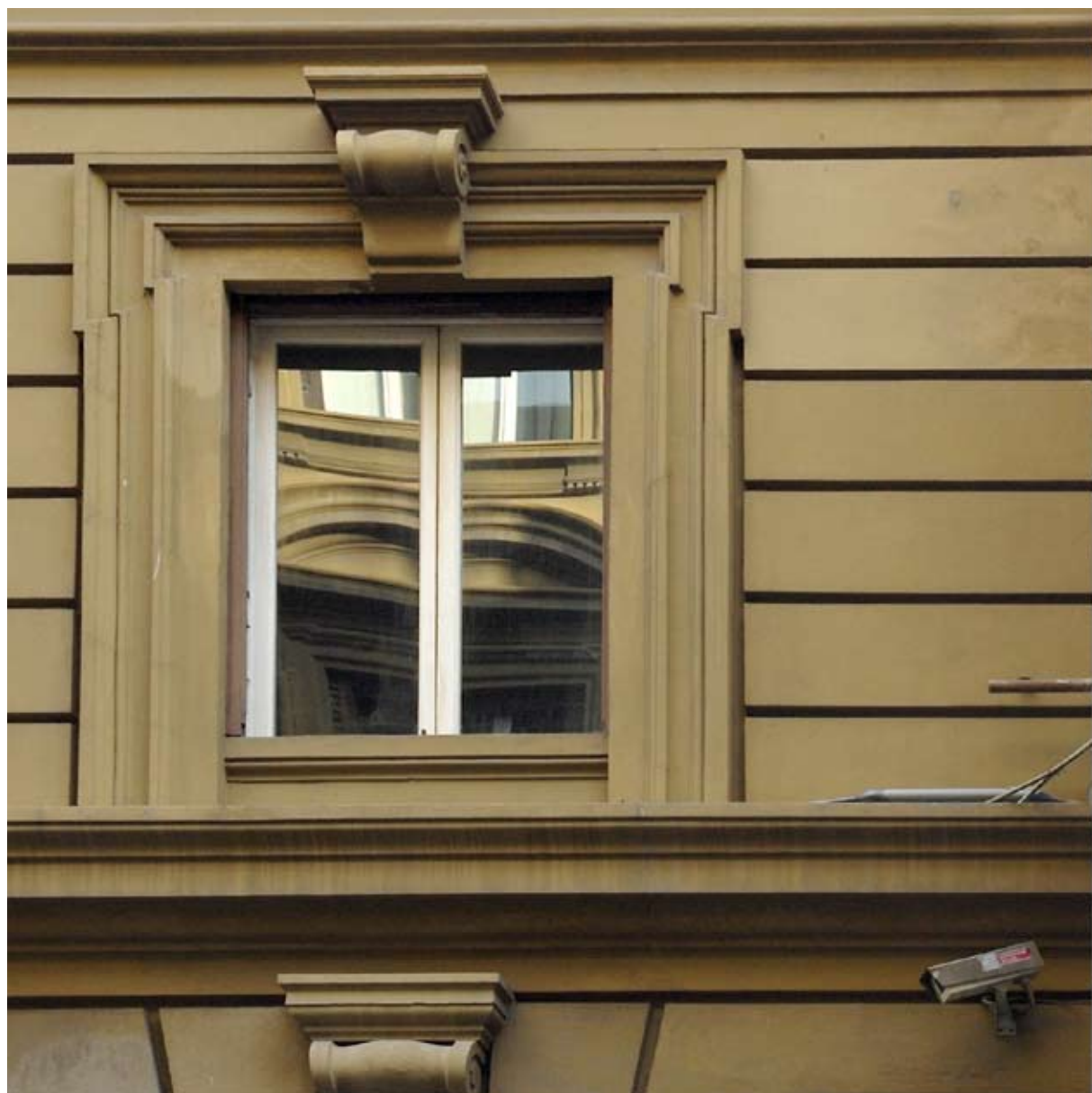
In secondo luogo, filosofi politici come Hannah Arendt, Cornelius Castoriadis, Claude Lefort, Ernesto Laclau, Chantal Mouffe e Jacques Rancière ci hanno messo in guardia contro la rassicurante credenza che la democrazia possa essere assicurata da un insieme di istituzioni politiche. Questi teorici ci hanno mostrato che identificare la democrazia con le istituzioni democratiche riduce il processo politico a uno specifico sottosistema funzionale, ci fa perdere qualcosa di essenziale. Interpretare la democrazia come un insieme di istituzioni e procedure cancella la vera sfida posta dalla democrazia: nei termini proposti da Castoriadis, questa sfida è la creazione della politica — in quanto la politica implica lo sviluppo del potere istituzionale dell'immaginario radicale — piuttosto che del politico, in quanto dominio dell'istituto. Analoga è l'idea proudoniana che nessun governo in quanto tale può essere democratico, ovvero che la democrazia non può risiedere in una forma giuridico-politica.

Di conseguenza, è necessario cercare di descrivere il processo politico nella materialità delle sue pratiche. Una volta che le prospettive governative e democratiche vengono contestualizzate radicalmente

nelle pratiche materiali e discorsive che costituiscono il processo politico, il problema della soggettività politica emerge nella sua complessità. Non ci troviamo infatti di fronte alla dicotomia classica di emancipazione e regolazione — come ottenere emancipazione attraverso un esercizio di regolazione, trovare il bilanciamento tra i due elementi. occorre aggiungere una dimensione cruciale, il tecnologico, ovvero l'esistenza di complessi tecno-sociali.

Nella sua analisi e interpretazione della tradizione che va da André Léroi-Gourhan, attraverso Michel Serres, a Régis Debray da un lato e Bruno Latour dall'altro, Frédéric Vandenberghe (2007) solleva di nuovo la domanda althusseriana: "come un'idea diviene una forza materiale?" Questa trasformazione è possibile perché il tecno-sociale costituisce un "dominio intermedio" in cui il materiale e l'immateriale coesistono in una zona di indistinzione che sta a monte delle dicotomie familiari nel pensiero politico e sociale — il soggetto e l'oggetto e così via. Con Léroi-Gourhan ogni antropogenesi è una tecnogenesi. In altre parole, l'essere umano è un animale tecno-politico.

La lezione qui è duplice. Da un lato, la tecnologia è un problema politico, da cui non si può prescindere per comprendere la natura del processo politico — e l'intreccio di capitalismo e tecnologia in epoca neoliberista ci riporta alla mente gli esempi più preoccupanti del problema politico della tecnologia. D'altra parte, però, la politica è essa stessa un campo problematico di tipo tecnologico, per comprendere il quale abbiamo bisogno di strumenti concettuali più sottili di quelli che abbiamo ereditato dalla tradizione politologica classica. Se il potere è il prodotto di complessi tecno-sociali, governo e democrazia dovrebbero essere studiati come due forme di tecnologie del potere.





Lo squaderno 09

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