

**THE ROLE OF
CIVIL AND UNCIVIL
NATIONALISMS IN THE
MAKING OF EUROPE**

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It is common to hear the formation process of the EU being discussed as if it should go ahead whatever the cost to member states. As if it were possible to conceive of them as separate entities. As if the relationship were that of a zero-sum game whereby what is won by reinforcing Europeanist institutions and sentiments, is lost by the failure to deepen the democratic institutions of the member states and nation-state patriotism, or viceversa. As if the task of reinforcing European citizenship and the task of carrying citizenship through to completion in each country were incompatible. I believe that this perspective should be inverted. I believe that it is not possible to conceive of Europe as distinct from the member states that make it up; that the two processes reinforce one another; and that the two tasks are complementary.¹

Firstly, for the immense majority of European citizens, who only know and are familiar with their own countries, there is no other Europe known to them than the one they imagine by analogy with member countries. They have a lot of information on Europe, but they process it through their experience of what is familiar to them. They hold the EU in high esteem, but they do so because they see it through the prism of certain criteria that respond to the prevailing institutions of liberal democracy, the market economy and a culture of tolerance, whose goodness or desirability they are able to confirm in their daily life in their own countries.

Secondly, the formation process of Europe has been the belated result of a maturation process in the formation of European peoples insofar as they are *demoi*: that is, insofar as they are citizens active in the affairs of their particular nation while committed to the defence of an order of freedom. Although the gestation of these *demoi*, or civil nations, has been very long and frequently dramatic, in continental Europe at least, their consolidation as such has only taken place in recent times. Far from arresting their development, the EU has encouraged these local processes while, at

the same time, it has been encouraged by them. It would probably suffer the negative consequences if these local processes were held up or inverted.

Thirdly, this suggests the advisability of continuing the task of deepening liberal democracy by developing civil nationalisms and containing uncivil nationalisms in each of the member states as well as in Europe as a whole. And doing so in the two dimensions of the *demos* active in public life, and the *demos* that subordinates its actions to the defence of an order of liberty.

The European telos: an order of freedom versus the totalitarian experience

The Europe that we know

We know Europe in an imagined, indirect way, through what we ‘really know’ which, for the majority of Europeans is usually little more than our own country.² ‘Knowing’ can mean ‘mere knowledge of’ or it can mean ‘being familiar with’ something. Knowing with the knowledge of familiarity is knowing about the details, the emphasis and the way of life that tell us how the people with whom we have had practical (not theoretical) contacts over a long period, live their lives. This is the knowledge that we usually have of our own country, and perhaps of another or some others *if we have lived there for long enough*.

We do not know about our own country ‘from hearsay’ (so to speak), or because it was on the curriculum at school and we forgot about it after the exam, or because we heard stories about it that we paid little attention to, as children do when they listen to adults. We are familiar with our own country because our identity has been shaped by a specific space and a specific history. We have heard tales of lives that were like private vignettes of that history, told to us by people important to us and fundamental to our formation. On hearing them, we have felt that those tales concerned them deeply. And that is how they have come down to us, through their interest for people interesting to us.

¹ This is the revised text of a lecture given at the Robert Schuman Center, European University of Florence, March 22, 1999. I am particularly grateful to the comments by Yves Mény, Juan Carlos Rodríguez and José Ignacio Torreblanca. Translated by Patricia Newey.

² By way of example, only about 6% of Spaniards have lived in another European country, either working or studying, for more than three months. Source: ASP 1999.

All our lives we have been listening to stories about our countries, like fairy tales, that we have paid more or less attention to and perhaps come to know well, or even too well. However, they have affected us deeply because they are closely connected to the language of our first affections, memories, fantasies, projects and feelings of identity. We have felt that these tales allude to earlier generations, and we have seen ourselves forming a link in the chain of those generations. This is repeatedly brought home to us from many sources and corroborated by physical space: by a territory inhabited by history.

We have grown up enveloped in that history. Our envelopment is prior to the process of differentiation that, in due course, makes us individual subjects capable of placing ourselves at a certain distance from the history of our country. Thanks to this process of differentiation, some of us have been able to build our lives away from our home country, emigrate to another, think about emigrating to another as a possibility, and identify ourselves with a supranational community like Europe.

What is clear is that the Europe we know is a confused amalgam of fragmentary information that we reconstruct and make sense of with the help of two references. First, what we know of our own country *as a European country* and second, derivatively and somewhat superficially, what we know (partly 'from hearsay') about a Europe that we imagine as a mosaic of countries to some extent *analogous* to, but not identical with, our own. We believe that they are analogous because we suppose that certain institutions similar to our own are operating within them, whose workings we understand.

When we Europeans speak of Europe, insofar as we speak of what we know (and not what we merely imagine), we are speaking of a *plural*, concentric Europe. That is, one composed of various different countries arranged in concentric circles from the viewpoint of our knowledge and our interest in them (normally with our own country at the center).

The Europe that we esteem

We know Europe and we *esteem* it. The Europe that we esteem is the Europe that, in some way, we love. We feel comfortable and at home in it. We

want it to continue to exist more or less as it is and, in this sense, we identify ourselves with it morally and emotionally. As a result of this affective esteem (that is more than mere knowledge) we come to a decision, or act as though we had come to a decision, to commit our resources or, with our tacit consent, allow a contribution to be made of our resources in order to form part of the EU in order for it to exist and its objective of 'the closer integration of European peoples' to be accomplished.

It is obvious that the Europe we esteem is the Europe of *today*, and not of any other period. To start with, we Europeans have not always valued even our own countries. There have been civil wars of one kind or another in Europe since time immemorial, which reveals the profound discontent of many with the way of life of the countries in question, and/or that of their neighbours and by extension, of Europe as a whole. For example, the ambivalence of many Spaniards towards their own country over the centuries is proverbial. It is probably a matter of sentiments that date much further back, and the bittersweet aftertaste left over from the experience of Spanish hegemony and decline in the sixteenth and seventeenth centuries. Later on the internal tensions became endemic. Only in the last twenty years have we seen the emergence and development of a sentiment, shared by the majority, of 'being at ease' in the kind of country that Spain has become.

Without wishing to generalize, the Spanish phenomenon of discontent with one's own country is not exceptional. A large part of continental Europe has been through similar experiences at different times in its history. Many people have not felt at home in their own country, and the great transoceanic migrations from Europe over the centuries are evidence of their feelings.

Neither have Europeans always felt at ease in other European countries, for one reason or another. Recent examples of this are the enormous number of Spaniards who crossed the border into France in 1939 while fleeing from Francoist troops, shortly to find themselves in a country whose state put them in concentration camps, and then deported considerable numbers of them to Germany to contribute *vellis nollis* to the Nazi war effort. It was not a pleasant experience; while fleeing from one authoritarian threat, they were caught up in another. For their part, the French tourists who came to Spain en masse in the 1960s

to enjoy the sunshine and the beaches, knew that behind the tourist attractions and casual exchanges with the locals lurked an authoritarian order that seemed undesirable to them even then. In neither case was there any identification with the other country that could be called *esteem*.

The starting point for the process of reciprocal esteem that has led Europeans to bask in a climate of *habitual* feelings of *esteem* for Europe (and not just knowledge of it) is relatively recent. It has occurred only within the last two generations. In contrast, what we find prior to these generations is the sum of intense feelings of ambivalence, and often of reciprocal hatred (with the odd exception, naturally).

What we value about Europe today

What is it that we Europeans value so much about the Europe of today?. Because there is *something* that we value: some fundamental dimensions of its way of life at the present time. The question of what these dimensions are is fundamental because the answer will tell us what the *telos* involved in the process of European construction is.³

One of these dimensions happens to be the correlate of esteem: the relative absence of hatred or the presence of reciprocal tolerance in practice. In other words, this dimension is European peace. Therefore, what we esteem is what allows each European country, with its specific differences, to continue to exist as such. Accordingly, the value of European peace (that is, what is estimable about it) is that it allows European countries to live side by side with each other, as distinct countries. It is not so much that peace highlights the value we place on Europe as such, or as its own single entity, but that peace demonstrates Europe to be a space

³ The European process may be seen (in part) as a goal-directed process. Its *telos* may be interpreted as meaning the end-result of the European process as expected and desired by the human agents involved in it (either as individuals or as part of the state, supranational or other social aggregates); and/or as a consequence (even if that consequence was not desired or foreseen at the beginning of the process) accepted by those agents throughout their involvement in it. Either way, it may be 'incorporated' into the long term evolution of the institutions that, in turn, serve as the framework of the decisions taken by those agents.

where the different European countries can exist. Europe is the 'clearing in the forest' where the presence of each European country can make itself felt.

However, it must be remembered that there is more to the peace that is considered so estimable and desirable by the Europeans of recent generations than merely peace *between* European countries. To limit ourselves only to this intra-European aspect, and by implication, intra-Western European aspect, of peace would be to accept a very distorted vision of the phenomenon, as if there were nothing more to it than a Franco-German reconciliation, with some peripheral accessories. Nothing could be further from the truth. Peace has been, *above all else*, peace *against* two totalitarianisms. It has been the peace arising out of the defeat of Nazi totalitarianism and its fascist allies on the field of battle in the mid-forties. And it has been the containment of communist totalitarianism (and its satellites) by the Atlantic military alliance from the mid-forties to the late eighties.

And this brings us to the central point.

The telos involved in the formation process of the EU

Clearly, the *telos* of European construction is not merely 'supranationalism' *per se*, because the end-result of 'an ever closer union of the peoples of Europe' is instrumental to further goals which could be summarized as the triad of peace, prosperity and justice. But even this definition may prove insufficient. All three factors need refinement. And as we establish the refinements, we realize that we need to go more deeply into fundamentals.⁴

The refinements are the following. Firstly, it is not a question of just any kind of peace between Western European countries, but of the peace between them *being founded* on peace *against* totalitarianism. Secondly, it is not a question of prosperity in itself or for its own sake, but

⁴ In writing these lines I have in mind, and I differ from, professor J.H.H. Weiler's suggestion that we should focus on the 'ideals' of 'peace, prosperity and supranationalism' (1999, 238ff.).

prosperity *based on* the development of a market economy with rules that place it at the opposite extreme to the state-controlled economy of totalitarian countries. Thirdly, it is not a question of any kind of justice, but of the justice proper to a tradition of the rule of law, that requires the subordination of the political class to the law, and responds to a conception of the *foundation* of the political order in complete contrast to that of totalitarianism. In the latter, the public authority provides the foundation for the law, whereas in the tradition of the rule of law, it is the law that provides the principle and foundation of the public authority.

In other words, the fundamental reason for the existence of the Europe *of our times* (the reason for esteeming or identifying with *this* Europe or the reason for the *telos* of European construction) is based on its *order of freedom* being the antithesis of totalitarianism.⁵

This is the key to, or to be more exact, the reason for, this ongoing tradition. And, incidentally, this *tradition* has been reformulated, mistakenly, as a *construction*, giving the false impression that what is in fact a complex process of trial and error and different accommodations, is the realization of a ready-made ‘constructivist’ project.⁶ The next mistake waiting to happen may be the transformation of what is no more than the logical implication (Aron 1974) of the initial design into the combination of an inevitable future and a moral imperative, by attributing to the founders of

the project the status of founding fathers or gods (of the city) whose will *must be carried out*.⁷

Anyway, this tradition marks the limits and dispositions of the public to continue the tradition that we have already been involved in for several generations: building the institutional architecture to make the increasing integration of the peoples of Europe possible. But two points are in order here.

Primo, if the key to the European *telos* lies in the contrast between an order of freedom and the challenge of right and left-wing totalitarianisms, this leads us to a specific interpretation of the meaning of the subject reference of the *telos*, that is, of the peoples of Europe. I interpret this categorically to mean “peoples” insofar as they are *demoi*, and nothing else.

‘Insofar as they are *demoi*’ does *not* mean insofar as they are assemblies that can make decisions with no limits other than those of their own sovereign will or judgement, one thing today and another tomorrow. Massacre the inhabitants of Mytilene today, show them clemency tomorrow (and the day after, why not decide to massacre them again?) (Thucydides 1972 [Vth c. B.C.]). On the contrary, if the people are a *demos* it means that, as citizens, they submit voluntarily to the ‘laws of the city’, which, in this case is a constitutional order understood as an order of freedom (susceptible to reform when the need arises, as long as it is always congruent with the essentials of the order), or they go into exile if they do not wish to do so.

Therefore, it is the citizens themselves who not only elect their public authorities, make them accountable, expel them from power, and make them decide their *policies* in consultation with them; they also commit themselves and their authorities to ensuring that such policies are congruent with the principles of an order of freedom.

Secundo, we are dealing with a *plurality* of *particular* peoples: with particular identities

⁵ The concept of ‘civil society’ in its broadest sense specifically denotes the institutional framework of this order of freedom together with the corresponding political culture. This is a complex framework that includes, as well as the rule of law and the markets, a public space where citizens can meet among themselves or encounter the public authority. In its turn, the political culture involves a complex syndrome of ‘liberal’ and ‘civic’ (or ‘republican’) dispositions on the part of the members of that society. (Pérez-Díaz, 1995, 1998a).

⁶ A complementary critique of the European process understood as a ‘project’ or a ‘construction’ can be found in Pérez-Díaz 1998c.

⁷ There may be a further argumentative sophism in play here, in that this ‘inevitable future’ may imply the arbitrary selection of the aspects of spillover that serve to reinforce the theory of an inevitable process of European political integration, and may ignore other aspects of spillover that lead in the opposite direction (like, for example, those aspects resulting from the *absence* of large internal migrations).

resulting from particular historical paths. In each case, a *demos* and an order of liberty in a particular territory constitute a certain kind of civil society that is conventionally called a civic or civil nation. Achieving these *demoi* and orders of liberty in Europe has been the culmination of several centuries of history. During this time, peoples have generally been aggregates of subjects, not citizens. They have only become *civil* after a long period of tension with their authorities, at some moments during the process, and especially at the end.

The formation of the European *demoi*

The first phase: kings and peoples

When we look around, we see some European countries that approach this model of civil society or a civic nation. Behind them lie centuries dense with experiences charged with highly emotive memories. In general, there is a relatively common narrative thread running through them. This consists of a succession of dramatic encounters between different impersonations of the public authority and the different parts of a community of vassals or subjects subordinated to it to a widely varying degree. The encounters had very different outcomes depending on the time and the place.

In almost all countries, concentrations of political power began to arise out of the late mediaeval polyarchies, and coalesce around a public authority that was frequently royal. The emergence of absolute monarchies was one of the variants of this process. To the extent that they were successful, they built powerful fiscal-military machines accompanied by civil administrations. At the same time, they undertook the legitimation of their power by trying to undermine the resistance of parliaments (of one kind or another), local corporations, the church or churches and, in particular, the nobility, as an estate and as an aggregate of local landowners; or they pursued the possibility of reaching a settlement with all of these sectors to their own best advantage.

The increase in the powers of authority ran parallel with a partial alteration in the nature of the office of that authority. The latter tended to interpret its duties of defence of the peace and justice in very broad terms. This came to include defence of the faith, which implied control of the local church, and the prevention of alliances hostile to the interests of the dynastic house. Sociocultural

control of the population and extension of the scope of the king's justice were domestic problems that demanded an enlargement of his powers. An active foreign policy led to the creation of a standing royal army and the development of diplomacy.

All this required some kind of internal politics on the part of the prince: the development of the art of statecraft. People had to be intimidated and persuaded. Part of the royal task consisted of coercion and usurpation and another part of it, persuasion. Given the period and the resources available, persuasion was fundamental and had to be exerted through a series of concentric circles. Kings had to persuade their court, their parliaments, their nobility, the church and the larger guilds in the major cities, etc.

But those who require persuading usually have some capacity to resist that persuasion, turn the question around, and attempt persuasion in their turn. All the more so when the late mediaeval and early-modern worlds had a constitutional tradition of some importance, with class, local or corporative liberties or privileges that provided a basis for resistance. The result was that the art of statecraft, sooner or later, had to become the art of politics.⁸

This is the point where a confused and multi-layered debate developed and changed over time, as did the nature of those who intervened in it. If, for example, one analyzes the course of events in the United Kingdom alone, it would appear that in the long term, more 'publics' intervened more frequently (though not always), until in the end (the very end) they coalesced into a nation understood as a single public. Also, that, on the one hand, the debate tended to become more lively and, on the other, to become institutionalized, and more stable and continuous. And further, that private considerations and different versions of a common or general interest become inextricably mixed up, so that public concern for the affairs of 'the state' or 'the country' that are dealt with by the public authority becomes increasingly explicit.

The United Kingdom followed a path that was to lead it from the incipient parliamentarianism of the Tudors in the sixteenth century (and the sustained effort of parliament to enlarge the scope

⁸ As illustrated by the case of Queen Elizabeth in England (Bendix, 1978, 288).

of its rights, with the corresponding development of parliamentary technique and a feeling for a corporate parliamentary tradition: Black 1959, 207ff.), to a civil war in the seventeenth, and a gradual (and, seen from close quarters, rather erratic) process of the entrenchment of parliamentary institutions and public debate (between Court and Country, and finally between political families) until it attained the fully-fledged parliamentary system of the last third of the nineteenth century (but without universal suffrage, and no suffrage whatsoever for women).

The path followed by other continental European countries has been quite different. The period from 1500 to 1650 was undoubtedly decisive and led them in many different directions. If the second half of the seventeenth century in England was witness to the fall of the Stuarts and the assertion of parliament; in France it was witness to the apotheosis of court society; in Germany, to the consequences of the destruction of the Thirty Years' War; and in Spain, to the decline of the monarchy, with hardly anything to replace it. All of this was to affect the nature of the resulting political communities and their public spaces in these countries as they moved on into the eighteenth century.

The character of authority, the nature of public discourse, the style of the interlocutors, their rules of discussion, and the general ideas and tacit assumptions about their behavior were to be different from one country to the next. This was as true of the elites (whose differences were perceptible, in spite of being able to enjoy increasing reciprocal communication and influences) as of the population *en masse*. Proof of this was the range of very different national reactions to the French Revolution, the revolutionary terror and the Napoleonic empire at the end of the eighteenth and beginning of the nineteenth centuries.

Not a 'soft landing': from the semi-liberalism of the nineteenth century and the horrors of the twentieth, to recent 'normalcy'

At the beginning of the nineteenth century we find peoples that were, in some sense, quasi-*demoi*. They were peoples who had begun to mobilize politically and to use the resources provided for them through education, freedom of the press, socio-demographic changes, rights of

association and the vote, etc. in order to take political action in many ways, or who appeared ready to take political action. But these peoples were quite different from one another, as we shall see as the nineteenth century unfolds.

Superficially, all countries appeared to be moving towards parliamentary institutions, the rule of law, the party political system, civil and political rights, public debate, economic liberalism and, as a result, a system of limited authority. They *appeared* to be almost civic nations. But it is important to examine how these institutions translated into game rules of the second order and into the actual dispositions of people when they had to take action or use those institutions. At the level of these effective game rules and people's dispositions or habits, we find very different and frequently very uncivil peoples and propensities, that demonstrated a strong inclination to deny the effective application of an order of freedom within their own countries, as one part proceeded to destroy, exclude, marginalise or attack, etc. another part.

The first, notorious example of this disposition in recent times took place in France, during the period of terror and civil war. But the incivility of normative political conflicts then became almost constant throughout the rest of the period, expressing itself as fraternal hatred between clericals and anti-clericals, liberals and reactionaries, and in class struggles, etc. In fact, people's propensities to support collectivist, authoritarian projects (such as Caesarist or socialist projects, for example) that encouraged mass, ritualized outbursts of feelings of hatred, contempt or resentment towards some of their fellow citizens, and to commit themselves to *non sanctas* alliances with the public authorities to undermine or curtail a liberal order, were quite remarkable.

The roots of these propensities are perhaps to be found in the multiplicity and variety of experiences of that period that generated what Peter Gay (1997) has called a culture of 'uncivil' hatred in many spheres of life throughout the nineteenth century.

Thus, the capitalism of that period was still embedded in a culture of dishonesty, violence and state privilege. This generated literary figures like Honoré de Balzac's speculators and, later on, the colonial adventurers like Joseph Conrad's anti-hero Kurtz. All of them were paradigms of brutality in its various forms that, seen from the perspective of sensitive observers (who are possibly nostalgic for

lost communities in the case of Balzac, or for possible but precarious communities in the case of Conrad, were an organic part of the nature of the new society. Such was the case of the orderly, silent city of Conrad's *Heart of Darkness*, that was apparently *bien rangé* but discreetly concealed its fundamental malignancy. This was not the only possible vision (consider, for example, the more ambivalent view of the bourgeoisie and city culture in *Buddenbrooks* of Thomas Mann); but in the fantasy of the era it could be combined and complemented by other similar images, such as those of American robber barons, and many others.

Massive migrations brought with them the growth of the industrial suburbs, along with the slums. The development of the *classes dangereuses*, partly as the result of the spread of criminality and prostitution (Chevalier 1978), and the maintenance of slavery with its corresponding large scale traffic in slaves, created frequent opportunities for oppression and acts of routine violence. The family, schools, universities, barracks: none of the major centers of socialization were immune to a climate propitious to the violent assertion of authority and even habituation to physical violence. The proscription of physical punishment in schools has taken time. The central importance of the duelling societies in German university life is well-known: Norbert Elias (1996, 44ff.) has made it one of the keys to understanding the socio-genesis of contemporary Germany. Likewise, it is clear that conflicts of interest turned into class struggles, and were interpreted as genuine civil wars.

In turn, the accommodation of fraternal hatred united with a collectivist project with the semi-collectivist solutions of nationalist (and imperialist) elites is only apparently paradoxical. In different ways, this all contributed to many nationalisms (or rather 'political' nationalisms) being aggressive, and believing that a nation's assertiveness had to be demonstrated by means of a state prepared to impose correct national feelings on the entire population inhabiting a particular territory subject to its domination, and ready to pit itself against allcomers in the 'world game': the competition for status and cultural influence, economic power and political supremacy all over the world. This was supposed to be the test of the nation, and of nationalism as the political expression of the nation. Such was the vision of Max Weber (Mommsen 1989, 11ff.;29ff.).

This vision is perfectly compatible with state or quasi-state control of the economy at the service of the nation, the *Volk* or a society. There is an elective affinity between the conservative and socialist positions. The rapprochement between Otto von Bismarck and Ferdinand Lasalle was no accident. In spite of the anti-socialist laws, there was a current of reciprocal understanding between one side and the other, between nationalists and socialists, because on their agenda of values and priorities the market was considered, at best, to be instrumental, and came second to the values of social cohesion and national affirmation. For this reason, both of them were in favor of the welfare state as well as the state of national defence and war. Both these modalities of the state (welfare and war) were necessary and had to be combined. Together they ensured the sacred union in times of danger, the 'moment of truth' when the true nature of a political community was revealed to be uncivil, at least in its relationship with the outside world.

On the basis of this, we can comprehend the enthusiasm of the masses that flocked to the Great War; and we already know what happened afterwards. The political, military and cultural elites locked the masses into an institutional framework from which they were unable to escape for a number of crucial years. The experience of war and its consequences of destruction and economic, sociocultural, moral and political disorder made the Europe of the first half of this century into a laboratory of anomic societies. It provided the framework of reference, the source of examples and the momentum for the total mobilization of society by left and right-wing totalitarianisms.

In summary, and contrary to appearances (or the illusions entertained during the *fin-de siècle*), the majority of European countries reached the twentieth century 'without being civilized'. According to Conrad's image, civilization may be a superficial veneer. The aggressive pulsing of death is overwhelming; and all the more so, the less time and momentum the civilizing institutions *par excellence* have had to penetrate: that is to say, the markets, the rule of law, limited authority, parliamentarianism, and free debate associated with tolerance of plurality.

I shall not go into the horrors that occurred in Western Europe during the first half of the twentieth century (and in Eastern Europe almost

until its end). But let me emphasize that the last fifty years in Western Europe have only been one stretch on a road that still essentially leads backwards as well as forwards. It is the answer and, in some way, the attempt to 'overcome', 'deny and preserve' in Hegel's terms, all that has happened. But even this road has had to be travelled step by step. It has meant a different route for each country. In the Spanish case, for example, the processes that civilized the normative conflicts relating to the Church and the Catholic religion, the market economy, the actual implantation of the rule of law and the pacification of radical Basque nationalism, have needed extremely varied institutional and cultural changes over a long period, and only began after memories of the trauma of civil war in the thirties had started to fade.⁹

Thus, the Spanish Church was the fundamental cultural support of the 'nationalist' side, and it defined the civil war in terms of a crusade. It took twenty to thirty years for it to make the about-turn that was to convert it into one of the key factors of the transition. Only after twenty years of economic growth, rising levels of consumption and (partial) development of the welfare state, were the conditions created for a rapprochement of the positions of the left and right as regards their acceptance of the market economy at the end of the eighties. The institutionalization of the rule of law has been the result of a secular process that had to overcome the problems resulting from a break with legality caused by the civil war, and a transition that did *not* break off that legality. However, it proved to be insufficient, as it has since been necessary to purge or clean up the illegal practices of the state *after* the transition, clarifying the responsibility of the public authority in operations of state terrorism and the illegal financing of political parties (a matter that is still pending in the mid-nineties). And it is obvious that the process of pacification of the dissensions of peripheral nationalisms with the central state has meant, and will continue to mean, a highly dramatic, ongoing experience, as it has already claimed over eight hundred lives as the result of terrorist assassinations so far, and only now, on the threshold of a new century, *may* it be drawing to an end.

⁹ An analysis of the civilizing processes of normative conflicts in Spain can be found in Pérez-Díaz 1999a.

I shall not go into the implications of the many disturbances in European life in the last few decades (the war in Algeria, or terrorism of one kind or another, etc.). I should simply like to point out that the last forty years have seen a permanent struggle to consolidate the institutions and the consequent applications of the principles of a civilized society in all its dimensions. This is logical, since each new generation has to start afresh, adapting the civil institutions that they find to their own liking.

It so happens, however, that these struggles have recently begun to form part of the normal training of each new generation that prepares it to assume its responsibilities; European countries have recently begun to feel at home and at ease in an order of freedom; and, consequently, this order has begun to take root and flourish.

Yet now the paradox arises. Because it is also only recently that these same countries *seem* to want to transfer collective responsibility for the maintenance of their order of freedom to a public authority that is difficult to control (before there was an easily identifiable government nearby; now there is an elusive government far away), and they *seem* to want to blur the features of the community of reference that supports that order of freedom (before, there was a relatively familiar 'nation', now there is a relatively diffuse European 'community' or 'union').

The crossroads

This paradox points to one of two possibilities. After such a long time, and so many dramatic incidents, these countries may be suffering from a kind of fatigue, from *akrasia* or the weakening of the will, including the will to exist. This may be linked to them feeling a lack of self-confidence: they feel unworthy of the confidence placed in them *by themselves*. So there is a tendency to submerge themselves in a whole and obliterate their own identity. This would be congruent with a definition of the horrendous events of the first half of the century as an insuperable traumatic experience. As if they had been mistaken or deceived themselves (letting themselves be carried away by fantasies and delusions of grandeur) too frequently. As if they had led an invasion, been invaded themselves, collaborated with the invader, destroyed or seized the property of others, and killed or been accomplices in death; all of which is

beyond the threshold compatible with self-esteem, or the esteem of others.

On the other hand, this may only *appear* to be the case. That is to say, these countries only *appear* to lack the will or volition to continue existing whereas, in reality, there is no such '*nolition*'. In other words, there is no 'negative volition' that translates into a displacement of responsibility. They wish to continue being *demoi* in the fullest sense of the term, and furthermore they have the momentum and capacity to form the *demos* of a new unitary political community together (though perhaps without much idea of how to do so yet). This would be consistent with a different definition of past horrors. As if they were bad memories or nightmares that no longer have any power because there has been a process of transformation and regeneration, demonstrated by the effective functioning of an order of freedom in the following decades.

At present we are at a crossroads, and which of the two possibilities outlined above proves to be correct may well depend on the decisions that take us in one direction or another. These include: whether to concede more or less importance to memories, and place greater or lesser emphasis on the plural nature of the *demos*; whether to value or overvalue the future, and define politics and its rhythms respectively; whether to increase or reduce the weight of governance in European life, and whether to encourage or obstruct the mobility of peoples within the European space as a whole.

Memory

All historical experience (even the most recent) can be trivialized and forgotten. It can be thrown into 'the dustbin of history' along with yesterday's newspaper (that is now 'only history'). It can be treated as a slip of the pen, a grammatical error, a wrong key on the computer, and all you need to do is press *delete*. Not only does it cease to exist but, basically, we can behave as if it had never existed. It can be used in videos for entertainment; in the two-hour weekly sessions of a local talk-show; as local gossip on the TV soap; it can also be used in educational movies that assemble some dramatic local folktales, sweeten them and add the happy ending.

But trivializing memories has an effect on the kind of citizenship that is created. Civic institutions

and political culture rely on precedents. The rules are what they are because they have been there for some time; and it is hoped they will persist. Public authority is limited because its abuses were corrected or denounced at the time; and the memory of events is retained. The markets function on the basis of expectations nourished by the continuous verification of commitments and the fulfillment of promises. The discourses of public debate are founded on linguistic uses accredited by time. Political strategies are part of broader trajectories and incorporate the teachings of a past that is reinterpreted as a succession of trials and errors, and from which (for that very reason) there is something to be learnt.

The conclusion must be that *if* we want the formation of an alert *demos* and a robust public space to prosper, we must not trivialize the memory of the past. If, on the contrary, this memory is trivialized, the result (intentional or not) is an anomic mass of disintegrated, forgetful individuals, the mass-men of Hannah Arendt (1973, 305ff.), the *individus manqués* of Michael Oakeshott (1975, 274ff.); and the basic material of totalitarian movements.

Now, if we take the memory of the *demoi* seriously, we should know that it is generally a long memory. The new generations usually establish a dialogue with the preceding generation, and the one before that and so on and so forth, making a sequence of generations. They are like the links in a chain or the members of a lineage; and that tends to be the key to their self-understanding. By way of example, the generation of the Spanish democratic transition built up its intervention in collaboration with generations that took part in the civil war; but the war, in turn, was no more than the condensed crystallization of earlier history (which is the cause of the inevitable fascination of evoking it over and over again). As a result, there are continual references to the 1898 generation and to the constitutional restoration of 1875 in the discourse of the present generation. There is also no lack of reference to the Carlist wars (an indispensable referent in the debate on the Basque problem) and the moderates of the 1830s and 1840s, and even to the Spanish War of Independence. Going back further, the attempt at 'dialogue' can be shifted to the thinkers of the enlightenment, and to the *arbitristas* and the *iusnaturalistas* of the School of Salamanca: the witnesses of the extraordinary trajectory (even for Spaniards themselves) of the hegemony and decline

of the monarchy (Pérez-Díaz 1998b). In the discourse of today's generation, references can be found to the origins of modernity, to political unification under the Catholic Kings and to the attempt at parliamentary primacy by the *Comunidades de Castilla*, not to mention references to the diversity of the mediaeval kingdoms that underlie the discourse of self-assertion by the Autonomous Communities.

The Spanish example illustrates the generalization that the formation of the (quasi) civilized nations that make up the European countries of the Union today has taken centuries (in contrast to the short time that has elapsed for the formation of a quasi-*demos* on a European scale), and that traces of this remain in the form of imaginary dialogues with generations long dead. The European *demos* have been created in and around this inter-generational dialogue, that has provided them with a repertory of signs of reference with which to identify their interests, conflicts and agreements.

At the same time, we should remember that this long memory has usually had not just one, but two foci of reference: the nation-state and Europe. As a result, as well as the inter-generational and intra-national dialogues that have affected the formation of the European *demos*, there have also been intra-generational and inter-European ones. All of these have usually worked in unison, and continue to do so today.

It is probable that the distribution of people's emphasis on their practical and emotional interests in their own countries and in Europe has changed over time. After a certain point and for a time, in Spain at least, and I suspect that in the majority of countries, the emphasis has been 'inwards'. People may have *looked* outwards but they have tried to *live* inwards. Thus, it is assumed that the elites at the end of the last century were, first and foremost, attempting to 'improve Spain'. They did so by trying to Europeanize her, or bind her to the European currents of the enlightenment, modernity, the industrial revolution and liberalism, etc. The point is that, when they admitted that Spain was the problem and Europe, the solution, what they meant was that, for them, Europe was the means and Spain, the end.¹⁰

¹⁰ I have said 'after a certain point' because concentrating people's attention mostly on their own country is a (temporary) result of the particular

However, it is probable that we are witnessing a historic moment: a time when there is a relationship of reciprocal remission and reinforcement between the two foci of reference, the nation-state (or member state) and Europe as a whole. Culturally and emotionally, many people are finding that their countries of origin have become too small for them, although they remain in them. The framework of reference of many economic activities has long transcended the borders of individual countries. There are increasing numbers of people convinced that the solutions to many political problems at a domestic level are to be found, time and again, by compensating for local obfuscations with some of the wisdom and common sense originating beyond national borders.

In fact, at this time, it can be seen how those who feel most familiar with the European phenomenon also identify most closely with their own countries; and how those who take the most interest in the political affairs of their own countries, take the same interest in European problems. A recent survey in Spain is illustrative of this (ASP 1999). From its results we can deduce that people who have lived in Europe for some time have a higher level of identification with Europe and (at the same time) with their own country than the rest of their fellow citizens. Their European experience reinforces their Europeanism but, above all, it reinforces their nationalism. It is as though their experience of Europe corroborates their feelings of specific difference. We can also see how, in general, there exists a clear positive correlation between interest in European political problems and interest in domestic politics: those most interested in the one are also the most interested in the other.

Plurality

At the same time, however, this complex *demos* blessed with a long memory (and now combining those two *foci* of reference) is not a unitary collective subject, but a plural *demos*. It is not a question of 'We, the people' who speak with a

historical path opened to this country by the unremitting actions of the state rulers, politicians, civil servants and a state-minded, nation-minded intelligentsia (teachers, clerics, litterati, etc.) working on it for several consecutive generations.

single voice, but of a plurality of different voices. 'We, the people' speak with a unitary voice only in order to establish the game rules; afterwards, there is a polyphony (sometimes a cacophony) of voices.

Now, the *demos* capable of coming to an understanding of itself by comprehending the process that gave rise to it and its development throughout history, is not a simple, ecstatic subject, only concerned with mere self-affirmation. Nor it is a prop for ghostly voices. Its plural voice, even though it is infinitely varied and often a little erratic and contradictory, contains enough discernible arguments to avoid the trap of just becoming 'A darkling plain/ Swept with confused alarms of struggle and flight,/ Where ignorant armies clash by night' (Arnold 1994 [1867]).

Therefore, the whole can be carefully broken down into groups, and as the process of individuation proceeds further, in the final instance, it becomes a question of individuals. At least, within our Western tradition at the present time each individual feels, thinks about and decides their political allegiance; and, if necessary, dies in its cause (and if one dies, one obviously dies alone, whether it happens in bed at home, on the battlefield or in a death camp).

Thus, there is a certain distance between the plurality of individual agents of each generation and the *concept* of 'nation' that the preceding generation has propounded. This distance involves the possibility of changing one's allegiance by joining another political community. It involves the possibility of substantially weakening or setting aside this allegiance, because one rejects collective action. And it involves the possibility of a combination of allegiances, because one feels (and the decisive factor is the feeling) that one has two or more collective identities that require a complex emotional compromise.¹¹

The future

The success of the European *demos* also partly

¹¹ There are variations on the intensity of collective identification. Perhaps the high intensity that corresponds (or corresponded in the past) to an intensity of previous experiences like that of the European national states is not easy to replicate. Neither is it impossible; nor is it clear that it would be desirable, at least within the framework of an order of freedom.

depends on whether or not we decide to overvalue the future (at the cost of the present), or to overvalue the political elites and their vision of politics and its rhythms (at the cost of their citizens).

The framework of a society in the midst of a profound crisis of identity, during the years of the Great War and the next two decades, provided an apparently plausible structure for a philosophy of the *Ec-sistence* of the individual subject projected into the future (from the past and through the present); and even for an attempted transposition of the individual's situation to that of the 'us' as a nation or as a 'totality'.¹² And the somewhat anachronistic persistence of this vision of society (even after the second world war) is understandable in the intellectual circles of those countries that have been through the kind of humiliating experiences in their recent past that they *wish* 'to be projected' away from or, to be more exact, that they wish to *escape* from. These tacit assumptions give a futuristic air to the definitions usual in the inter-war and (immediate) post-war philosophies according to which mankind is a project; human life is a project; man's existence precedes his essence, which would be the result of his acts orientated towards the future; and collective human life is also a project, defined by a future to be achieved: by a universal destiny.

Such a definition of reality, not for what it is today or what it was in the past, but for what it will be in a 'still-to-be-established' future, leads to a devaluation of the present (not to mention the past) and is allied to a conception of politics as an exercise in 'constructivism' or 'rationalism' (to use Friedrich Hayek's or Michael Oakeshott's terms), that emphasizes the protagonism of political elites.¹³

It is true that there is a certain elective affinity between this 'futuristic' way of interpreting politics, on the one hand, and the habits and outlooks of *those segments* of the political class, and those clerics, journalists, scholars and students who have a vested interest in the devaluation of the present and the over-valuation of the future, on the

¹² As was the case for Martin Heidegger before and after the second world war (Safranski 1998; Farias 1989) but also of Jean Paul Sartre (later on) as shown in his *Critique de la raison dialectique* (1960).

¹³ See Hayek 1985 (3ff.), Oakeshott 1991(5ff.).

other. They are interested in attaining a state of perfection (or felicity or justice) in the eventual future, in transcending reality, in telling-and-forgetting in order to tell it again (moment by moment), in understanding it through its (supposedly) underlying tendencies, and in considering given reality to be the result of an earlier generation, and (in this sense) an obstacle to be overcome in order to make their own mark.

There is also a certain apparent plausibility in the distress of 'futuristic politicians' (and their hangers-on) when they consider the condition of some European nations that seem to them to 'have no future' because they no longer (seem to them) to have the resources necessary to create that state of perfection (felicity or justice) to which they aspire. In this case, to their way of thinking, neither the labor of politics, nor they themselves as politicians, make much sense.

Nevertheless, the situation is quite different *if it is understood* that fundamentally politics consists of the preservation of an order of freedom and its continuous adaptation to new (unforeseeable) circumstances. In this case, the politics of the member-state (and its 'sub-state' or 'sub-national' units) continues to make sense and to have a 'future'.

The nature of politics and its rhythms

This translates into a different vision not only of the nature of politics, but also of what its *rhythms* are. The typical propensity of the political elites is to accelerate these rhythms, driven by energetic decision-making, and to search for short cuts to arrive sooner at their destination. However, historical experience of the formation of national states suggests that, in these matters (the formation of a public space and the corresponding *demos*), short cuts are usually few and far between, and anyway to pursue them may be counterproductive, because the formation of the *demos* depends on the permanence of institutions and the cultivation of habits or dispositions that require nurturing. This, in turn, requires relatively long periods of growth and development to allow for the gradual consolidation of local experiments, voluntary associations, the functioning of markets, a multi-layered system of governance, and dispositions that are a combination of individualism and a communitarianism that corresponds to a measure of forms of solidarity that can encompass a number of

collective identities on very different scales. And even when the time comes for momentous political decisions, there is a world of difference between 'seizing the moment' by making decisions which have been long nurtured by society, and taking it as an opportunity for a 'short cut' imposed on their fellow-citizens by 'men with a vision'.

It is probable that the formation of a pan-European *demos* will be a long and complicated historical operation *for which there are no short cuts*, and that to force the pace of the process will be counterproductive. People have to go at their own speed. Naturally, an institutional framework has to be in place and the process set in motion. But the fact that the record of what has been undertaken so far should be so modest gives us food for thought.

In the mid-seventies, Aron (1974) claimed that national states were in fine fettle, and that the European Community was a highly convenient complement but no substitute for those states. In other words: it was not the principal center from which a responsible public authority establishes a dialogue with a citizenry that elects it and calls it to account, and can also shape its agenda and provide it with momentum and basic orientations. Twenty years later, the European Union is a much more powerful historical entity, but has still not become that center.

This is not only, or even mainly, because there is no institutional framework that allows for it, or because the structure of political opportunities deriving from what there is, is too restricted. Although this structure is not very extensive, it does exist and it is getting larger.¹⁴ But the *use* made of that structure reflects the present state of the orientational structure of feelings and interests of the European *demoi* 'actually in existence', that is, *average Europeans*. They continue to demonstrate their prevailing interest in local politics which, to this day, is the only level that they have any control over. That is *not* the orientational structure of the *Euro-activists* (or the 'futurists') of the political parties, the churches, the interest groups or the communications media.

¹⁴ See Nentwich 1996, and Shaw 1997 for a description and an analysis of the institutional evolution that underlies the gradual extension of the structure of political opportunities for the formation of a European *demos*.

It is reasonable to suppose that, sooner or later, the initiatives of these Euro-activists will affect the rest of the population, but their influence will have to be patiently negotiated with the citizenry, case by case, for a long time. At the end of the day, these negotiations will decide the nature of the European *demos* that is being forged, and the shape of its involvement in the political architecture of the EU: whether citizens' involvement will consist merely of their 'manipulation' by activists, or their 'voluntary participation' on their own behalf.

In other words, the options for Europeans when it comes to progressing towards a European *demos* is choosing between an accelerated mode (or short cut) promoted by Euro-activists, that might speed up our arrival at a state of perfection but endanger the nature of the *demos*; or a slower mode that allows for a process of institutional and cultural nurturing that will provide people's 'life experience' of 'being European' with *density* and guarantee its nature, but will slow down the journey to the state of perfection and make our 'impatient divines' uneasy.

The aim of governance and the nature of its policy contents

Whether the European *demos* is successful or unsuccessful and whether it is affirmed as such or degraded to the level of a population subject to one or several (accumulated) levels of government depends, among other factors, on two strictly political ones: the aim of governance and the nature of the prevailing policy contents.

What we have at present in Europe is a four-tiered system of governance comprising a series of local and regional governments, the member states and the European Union. Citizens play different though compatible roles at each level. So far the member states have remained central to this complex political architecture. However, the problem is that all these levels combined may easily tend to increase the role of governance and reduce individuals' margins of freedom to a considerable extent. This brings us to the question of the contents of European Union policy.

If the European political community is constituted within the framework of a debate that, in the final analysis, leads to public support for consolidating the kind of policy whose content involves *increasing the weight* of the role of

government, with the correlative reduction in vitality of an order of freedom, this will lead, in the end, to the creation of an aggregate of European subjects, subject to an articulated hierarchy of public authorities, not to a European *demos*.

In order to avoid this, the EU should be charged with the role of ensuring the *lightness* of all these levels of governance. In this sense, the EU would become, above all else, the guarantor of an order of freedom for individuals that would protect them from the excesses of their respective governments. Specifically, it would guarantee the application of the rule of law (by means of 'case law' in the Court of Justice) and the correct functioning of the markets (under the surveillance of the corresponding directors of the Commission and especially of the European Central Bank). It may be argued that this has been the most effective and promising way in which the EU has asserted itself in the recent past, and should assert itself in the future.

In particular, it should reinforce the system of incentives and reduce the corresponding disincentives for the mobility of individuals throughout Europe. This mobility is of prime importance. It is the only factor that will one day be able to ensure the formation of an authentic community of feeling in Europe that will not be confined to the privileged elites of the moment; and the only one that will be able to guarantee the freedom of everyone in the long term. Without the capacity to get out and move around, people are locked into the structures of the local, regional or national authorities, the captive markets, and the zones of influence agreed between the corresponding left or right-wing elites. Curiously enough, it was that kind of European society that European emigrants were escaping from when they crossed the seas to create a *New Europe* in other lands.

Since time immemorial, under countless names, elites of every hue have experimented with the means of keeping individuals under control. The most recent discovery has been the system of incentives/disincentives that consists of subsidized jobs handed out and paid for with taxpayer's money, that minimize the chances of social mobility. These jobs create situations that are difficult to change, and limit people to relatively rigid local or sectorial contexts. They look like a post-modern way of achieving an ancient project:

keeping people in their own territories, like the serfs of the Early Roman Empire. The recent innovations are the use of massive quantities of state funds and, above all, a discourse of justification with a universalist air.

The fact is that a large number of European social segments and sectors are being kept in a state of semi-citizenship, being given hand-outs and subsidies that make them feel dependent (which reduces their ambition and self-esteem), being flattered (which disconcerts them and reduces their ability to defend themselves), and being left more or less where they were (which makes them vulnerable). It is what is happening to the unemployed, who could be working in other European countries, but cannot because of the many barriers erected in the name of solidarity; to women, when they are directed towards subsidized jobs in an artificially inflated public sector that is then justified as a woman-friendly state; to farmers, whose numbers are gradually going down by a slow process of asphyxia, though they are allowed a ritual outburst of intermittent *jacqueries*; to the inhabitants of relatively poor regions, when they are made dependent on subsidies dispensed by the local power alliances, under cover of exalting territorial roots or regional identities; and to cultural consumers, when they are obliged to consume the products of their corresponding local elites, in the name of a threatened European culture.

But *if* these (and other) social segments are forced out to the peripheries of an emerging European society, *and if* the political classes together with the higher circles of civil servants and business and social elites are pulled into the center-stage and they are allowed to construct an elaborate system of mutually beneficial understandings, *and if* the public space remains underdeveloped, *then* a system of concentric social circles would be allowed to develop that, if unchecked by any opposing forces, would lead in the direction of a singular polity and a variant of a 'court society'. As we know, court society was the kind of society that existed at the end of the *ancien régimes* and preceded modern civil societies. It was organized around an exemplary center (in control, or under the control, of a fairly powerful administrative machinery), which distributed prestige, resources and activities among its members supposedly as a function of their distance from it. We should be aware that it may well be that such a society is an anachronism in the

conditions of Europe by the end of this second millenium; or that certain features of a variant of that society may be reproduced inadvertently *chez nous*.¹⁵

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