THE ENLARGEMENT OF CONTEMPORANEITY

A POST-HEGELIAN INTERPRETATION OF THE
EASTERN ENLARGEMENT OF THE EUROPEAN UNION

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Au moyen d’un atlas, Pécuchet lui exposa l’Europe ; mais ébloui par tant de lignes et de couleurs, il ne retrouvait plus les noms. Les bassins et les montagnes ne s’accordaient pas avec les royaumes, l’ordre politique embrouillait l’ordre physique. Tout cela, peut-être, s’éclaircirait en étudiant l’Histoire.
The aim of this inquiry is to suggest a possible approach to the understanding of the European integration. It is indeed a common opinion that the European Union represents a most relevant innovation in the field of political theory, but exactly because of this innovative character it has proved to be extremely difficult to thoroughly define the change introduced by it since its creation. Does the European integration process really imply the establishment of a new kind of political power likely to overcome the state? Or is it just a new setting of the Westphalian system, in which sovereignty ultimately keeps being in the hand of the states?

In order to contribute to this debate, I decided to analyze the process that in 2004 led to the Eastern enlargement of the European Union. Since it involved eight countries which during the Cold War had been part of a radically different political and economic setting, namely the Soviet bloc, I have thought that this enlargement, more than any previous one, could display in the most possible clear way the rationality underlying the norms and values of the European integration, thus providing a further hint about its core political implications. More specifically, that rationality was the result of thirty years of specific historical development from which the applicant countries had been severed due to the Cold War. It seemed to me that this historico-rational aspect could be crucial for the understanding of the European integration process.

In order to analyze that aspect, I identified a first standpoint in the political philosophy of Hegel. It is in Hegel’s philosophy, indeed, that history acquires for the first time a fundamental role with regard to the legitimacy of the state. However, whereas for Hegel history ‘legitimizes’ the state as its ultimate
institutional culmination, the fact that Hegel’s was just a possible interpretation – an “interpretive operation”, as defined by Ricoeur – allows us to consider historical understanding itself as the possible object of a sovereignty beyond the state. But, as any historical understanding is at mercy of the very historical circumstances in which it gets expressed, any political institution that may rest on it cannot but be hardly likely to affirm its own primacy permanently. The European integration process makes no exception, and I have tried to outline my analysis of the historical understanding underlying the Eastern enlargement on this basis.

Incidentally, the most recent events seem to confirm both the revealing character of the integration in Central and Eastern Europe and the convenience of an approach that, while looking beyond the state, does not consider it to be definitely overcome. While I write this preface, severe frictions occur indeed between some of the main Central European governments and the institutions of the European Union. Just like after 1989, these institutions are now bound to expose their intrinsic features by crafting ad-hoc instruments in order to deal with unprecedented events. The collapse of the Soviet bloc urged the European institutions to develop supporting frameworks such as the PHARE programme and ad-hoc agreements meant to introduce the countries of Central and Eastern Europe to the rationality of the European integration; in these very days, the European Commission has approved for the first time in its history a procedure meant to monitor the rule of law in a member state, namely Poland, and in December the Hungarian Prime Minister Viktor Orbán promised to sue the European Union over the mandatory quotas conceived to cope with the recent migration issues.

These recent events illustrate how the European integration process cannot be considered concluded and any assessment about it cannot be but provisional. I have tried to bear this aspect in mind while conducting this inquiry, and not by chance I have decided to title the concluding chapter “Openings”. The only certainty that can be expressed in such an inquiry is indeed the inner uncertainty of the process it describes. Consequently, I have been urged to take this uncertainty as the ultimate paradigm underlying the following analysis.
The concept of sovereignty is undergoing a deep change. There is, indeed, the increasing awareness that political philosophy, which since the sixteenth century had based its understanding of world politics on the primacy of the nation-state, must now revise its approach to this matter. Especially in the course of the last century, states have consciously agreed to abide by a set of laws higher than their own, either by acknowledging the existence of an informal code of behavior in their relations to other states, or by establishing themselves formal legal frameworks through treaties and organizations. And yet, there is no third-party power presiding this limitation of the states’ sovereignty. There is no authority exerting sovereignty on the states, at least according to the model of sovereignty represented by the modern nation-states themselves. What is the change about, then?

The basic assumption of this inquiry is that contemporary politics is turning its attention from sovereignty as such to the conditions that make it possible to exert it. Once it becomes clear that state’s sovereignty is possible only according to specific conditions, that is, to a system that, notwithstanding its anarchical appearance, responds to a specific logic, any object of sovereignty gets immediately put behind the need to ensure the stability of the conditions that allow sovereignty itself to be exerted.
This pursue of stabilization is what drives the change we observe in contemporary politics. And yet, the new awareness necessarily implies a change in the logic of the system. Whereas modernity in world politics, as embodied by the Westphalian system, was characterized by sovereign actors pursuing interests related to their peculiar situation, contemporary developments see the rise of dynamics concerning the system itself, namely the interest in regulating the rationality expressed by it. For this reason, new political forms appear, reflecting through their peculiar rationality the change international politics is undertaking.

The European Union is perhaps the best example of this tendency. Up to date, twenty-eight states have agreed on delegating part of their sovereignty to a supranational authority which, as such, represents a form of sovereignty that is different from that of the states themselves. The European Union does not hold any authority on territories or populations that are not already under the sovereignty of its member states. And yet, it represents a development in sovereignty exactly because it provides an advanced form of stabilization with regard to the relations among its member states, which in turn acknowledged it as a legitimate source of order.

In this sense, a most revealing event has been the enlargement occurred in 2004, as ten new countries accessed the Union. In addition to its quantitative meaning, the enlargement was revealing because it mainly concerned countries from Central and Eastern Europe, which had been, therefore, part of the Soviet bloc until 1989. Consequently, due to their different origin, the Eastern enlargement had to express the logic at the roots of the European integration project in a more explicit way than in previous enlargements, as for instance those towards Greece, Spain, and Portugal. Notwithstanding their former dictatorial regimes, these countries had already ties, indeed, with Western institutions such as NATO and the European Community itself,
whereas the countries of Central and Eastern Europe were alien to the rationality embodied by the European integration, to the historical development it implied. The Eastern enlargement urged the European Union to expose in the most evident way the meaning of the change in political theory its very existence represents.

To be sure, Central and Eastern Europe has reflected in a relevant way the developments of the modern states system since the first half of the twentieth century. The creation of new states following the dissolution of the great continental empires, which got by the Treaty of Versailles, actually expressed a peculiar concern that had emerged throughout the eighteenth century, namely the bond between politics and the understanding of history. As a matter of fact, as the collapse of the empires of Central and Eastern Europe marked the ultimate blow to the modern political configuration of Europe as it resulted in what Stefano Bottoni defines “the unnatural shattering [frantumazione artificiosa] of political and economic elements which functioned since centuries”, the consequences of such a shattering were faced by the political actors involved according to a point of view that got increasingly influenced by historical considerations.

Actually, the radical break the independence of Czechoslovakia, Poland, and Hungary (among others) implied with reference to the history of that region was followed by a plethora of projects that were meant not just to recover a similar kind of political cooperation, but rather to do it by taking into consideration the historical development occurred in the rest of Europe. In other words, in addition to the typically modern

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1 S. Bottoni, *Un altro Novecento. L’Europa orientale dal 1919 a oggi*, Roma, Carocci, 2011, p. 28. In this respect, it is relevant to notice that, according to P. Kennedy (The Rise and Fall of the Great Powers, New York, Vintage, 1989, p. 275), “[t]he most striking change in Europe, measured in territorial-juridical terms” had been exactly “the emergence of a cluster of nation-states […] in place of lands which were formerly part of the Habsburg, Romanov, and Hohenzollern empires”.


concerns about the establishment of new independent nation-states and the consequent balancing of power in the area, the new settlement got characterized by a rather innovative perspective regarding its meaning and possibilities in historical terms.

Of course, as much as such perspective could be innovative, it could not avoid to get heavily influenced by the already mentioned typically modern concerns. The centuries-old imperial system being dissolved, the backwardness of the area undeniable and the nation-state being a recent achievement, the debate in the area looked at history mainly in terms of economic development or precedents for military defense systems, while getting easily influenced by Russian populism, French anti-modernism, and anti-liberal philosophical currents. In particular, it should be stressed how an “absolute and ineludible cult” of the nation began to urge the intellectuals to grasp and exalt the features that were supposed to highlight the uniqueness of each new state. And yet, all of these aspects got declined according to historical understandings of the new settlement, and resulted mainly in a dialectic between what Bottoni names an “anxiety of Europeanization” and the “aspirations to a Sonderweg”\(^2\) – in other terms, between the conviction that the new states belonged to the same history of their western neighbors, and therefore had to act according to this perspective, and the opposite idea that they had to follow a divergent historical path.

In this case, an example may be given by the ‘Green International’ (Bureau International Agraire), founded in Prague in 1921 following the success of the agrarian movements in Czechoslovakia, Poland, Bulgaria, Romania, and Croatia, and inspired by the idea of a possible ‘third way’ between industrial and financial capitalism and Soviet bolshevism – both poles apart from the instances promoted by the agrarian leaders.\(^3\) A similar idea of


\(^3\) Ibid., p. 31.
regional co-operation as a way to combine the preservation of national independence with the creation of a community of destiny could be found in the proposals by Czechoslovak politicians Rudolf Hotowetz and Milan Hodža. The former actually came up with the idea of a European economic union already in 1907, but it was the crisis smoldering under the ruins of the Great War that urged him to develop his project for a Central Europe united within a Danubian economic community, to be established initially just as an economic union and by avoiding the US model because of its centralization, considered excessive. According to Hotowetz, indeed, the political union could be neglected by looking for it only in the long term.⁴ Hodža’s position was more organic, as he understood Central Europe as a “functional living cultural community with many pressures wanting economical [sic] community, as well”. In his case, however, the region was not to be considered as one with a separate destiny: on the contrary, during his lecture at the Central European Institute in Brno, in March 1931, Hodža even came to assert that the consolidation of Central Europe should have been considered the necessary condition to consolidating the whole continent.⁵ Of course, the debate was extended to the whole region, as can be confirmed by the work of Hungarian scholar Elemér Hantos, which also proposed the re-establishment of a system of cooperation like that of the Habsburg empire on an economic basis,⁶ or by the proposal of Polish minister and military leader Józef Piłsudski, which made for a federation called ‘Międzynarodzko’ (‘Intermarium’), a ‘Third Europe’ whose territory should have comprised Finland, the Baltic states, Belarus, Ukraine, Romania, Hungary, Czechoslovakia, and

⁴ V. GONĚC, “New Central Europe” in Co-operating and United Europe, Czechoslovak Ideas in 1920s and 1930s and Attempts at Coordination with Austrian and Hungarian Ideas, in W. LOTTH and N. PAUN (eds) Disintegration and Integration in East-Central Europe, Cluj Napoca, Nomos and Editura Fundatiei pentru Studii Europene, 2014, p. 82.
⁵ Ibid., p.83.
Yugoslavia in the attempt at reviving the Polish-Lithuanian Commonwealth that lasted from the 16th century to the 18th century, while establishing a solid institutional bloc between a Germany that was still considered a menace and an isolationist Soviet Union which was making claims for areas such as Bessarabia, in disagreement with the decisions of Versailles.

Among these innovative projects, particular attention must be paid to one of the most debated projects in this sense, namely the Pan-European Movement launched in Prague by Count Richard Coudenhove-Kalergi. Based on the need to cope with the European situation following the Great War as well as on the doubts about the efficiency of the League of Nations, this proposal mainly consisted in the creation of an “ad hoc politico-economic federation”. Specifically, as reported by Derek Heater, Coudenhove-Kalergi’s programme recommended a four-stage process: “the calling of a Pan-European Conference of the representatives of the twenty-six European states; the conclusion of treaties for the compulsory settlement of intra-European disputes by arbitration; the construction of a customs union; and, finally the drafting of a federal constitution, about which the Count is exceedingly vague”. The first stage was actually reached already in 1926, as the first Pan-European Congress was held in Vienna. Coudenhove-Kalergi’s project attracted the immediate interests of French Prime Minister Aristide Briand: in those years Paris could be actually considered as the ‘tutor’ of the states emerged from the dissolution of the Habsburg Empire, that French governments considered indeed their own “diplomatic creatures”. Briand would take the project into account in his

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8 Ibid., p. 127.
9 S. Bottini, Op. cit., p. 28. In this regard, it should be also stressed that the political debate following World War I also rested on H. J. Mackinder’s influential book Democratic Ideals and Reality (Washington,
Memorandum of 1929, but, notwithstanding his interest, the project faced soon the difficulty of overcoming the reluctance of Czechoslovak élites to give up the sovereignty Czechoslovakia has acquired only since a few years and through several difficulties: this was a standpoint that was shared in particular by leaders such as Foreign Minister and then President Edvard Beneš, whose pan-European ideas, based on the admiration for the Enlightenment and the French Revolution, did not come up to the point to delegate to a supranational institution the recent independence of their country.\(^{10}\)

The relevance of Coudenhove-Kalergi’s project, as well as of the others mentioned above, lies of course in its refuse of the European modern configuration and in the consequent attempt at overcoming national sovereignty by establishing cooperative systems. Perhaps because of its stemming from the debris of imperial organizations, or of the intellectual turmoil tied to the creation of the new states, Central and Eastern Europe engendered proposals that challenged the political tenets of modern Europe.\(^{11}\) And yet, the problem that possibly made them fail in the end was lay in exactly in the fact that they had been nonetheless conceived according to the same logic that they were challenging. More specifically, the historical considerations that represented the necessary conditions for the rise of such projects did not really come to the fore. Coudenhove-Kalergi could write that “[Für die Weltpolitik wird der europäische Nationalpolitiker ebenso lächerlich werden – wie es einst der Kirchturmpolitiker war. Die Kleinlichkeit und Gebässigkeit der europäischen Politik wird zum Gespütte der Welt werden”, but the implications in historical terms of these words did not turn into explicit objectives in the

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\(^{11}\) It can be remarked in this respect that the Viennese doctor Victor Bauer, author of *Europe: A Living Organism*, defined Central Europe as a “cultural process” occurring on the “border between the West and the East”: see V. GONĚC, Op. cit., p. 85.
actual outlines of his project. The same can be said as regards the other projects: whereas historical considerations were certainly at the roots of both the anxiety of Europeanization and the aspirations to a *Sonderweg*, history as such was not among the matters of debate of the intellectuals of Central and Eastern Europe. Perhaps also because they neglected the historical implications they had, the plethora of projects of co-operation did not actually provide the geopolitical weight they could give to the area: on the opposite, the feeling was that the region was pursuing “forms, models, and ideals of social and economic organization that [were] doomed to remain unattainable”.

Incidentally, it is interesting to notice that the issues posed by the new configuration of Central and Eastern Europe actually engendered a debate about history, but somehow ‘outside’ of it. As a matter of fact, it is among the Russian intelligentsia living in that area after the revolution of 1917 that, in opposition to the Pan-Slavism that had been dominant in Central Europe throughout the 19th century, a new current of though, Eurasianism, takes place by arguing that there was an insurmountable rift between Russia and Europe and by deeming the new Central European states incompatible with regard to a Eurasian project. In particular, one of the most representative thinker of this current was certainly Nikolai S. Trubetzkoy, the famous linguist and co-founder of the Prague School: born in Russia, Trubetzkoy was urged to move abroad following the outburst of the Russian Revolution. A brilliant linguist, in Sofia he joined the circle of Russian émigré intellectuals known as the ‘Eurasianists’, whose political credo was that Russia could not be identified neither with Europe, nor with Asia. In particular, they opposed the European culture, which they dubbed ‘Roman-Germanic’, by arguing that it was moved by a kind of chauvinism which was meant to colonize and civilize the rest

of the world. As remarked by Patrick Sériot, Eurasianism actually was an intellectual reflection of the broader spirit of the age following World War I and the Treaty of Versailles.\textsuperscript{14} The meaningful contribution by Trubetzkoy consisted in shaping this ‘scientific system’, as the Eurasianists defined it, within the framework of a philosophy of history that was, in the words of Sériot, “a teleology which refuses the idea of progress” and revealed nonetheless a Hegelian influence (still according to Sériot) in bestowing on history a sense which had to be understood accordingly with the idea that the development of the former (that is, history) had a character of necessity.\textsuperscript{15} Trubetzkoy’s philosophy of history, however, was not universal: it was rather ‘areal’ inasmuch as it separated the Russian culture from the ‘Roman-Germanic’ one by enclosing them hermetically\textsuperscript{16} and, as already mentioned, rejecting the Slavic countries of Central Europe as an element of the latter.

Just like the federative projects in Central and Eastern Europe, Eurasianism lasted a few years; Trubetzkoy died in 1938. Nonetheless, the shortness of their life should not eclipse their relevance in developing a conception of international politics beyond the tenets of the Westphalian system. As a matter of fact, the idea of establishing confederations in Central and Eastern Europe to overcome the system of nation-states got soon revived as the Allied began to plan the aftermath of World War II, and Czech Beneš and Polish Sikorski even suggested two confederations, the one to be set in Central Europe and the other in the Balkans.\textsuperscript{17} However, the most relevant development in this line should be found in the creation of the ‘spheres of influence’ – significantly


\textsuperscript{15} \textit{Ibid.}, p. 15.

\textsuperscript{16} \textit{Ibid.}, p. 18.

enough, the main reason why the Soviet Union rejected the proposals by Beneš and Sikorski, which were perceived by Moscow as a new ‘cordon sanitaire’ and, consequently, as a hurdle in the establishment of such peculiar domains. Actually, it is known what Stalin said about World War II to a Yugoslav delegation in Moscow in 1945:

> This war is not as in the past; whoever occupies a territory also imposes on it his own social system. Everyone imposes his own system as far as his army can reach. It cannot be otherwise.\(^\text{18}\)

The rejection of the confederative proposals in favor of the principle of the spheres of influence is significant exactly because it marks a detachment from political modernity. The former were still based, ultimately, on the territorial logic on which the modern states system was founded; the latter made for the definitive introduction of history as a political element of control. Stalin spoke of social system, but a social system is determined by the specific historical conditions that led to its establishment: once it is imposed, it is its specific history that is being imposed. It is in this sense that the Cold War can be observed not just as the confrontation of two hegemonies, as it is common in part of political science, but rather as a fundamental development in world politics that saw history come to the fore as an element of sovereignty.

More specifically, the logic underlying the ideological conflict implied a further step with reference to the awareness that international politics, at least in its modern meaning, is possible only inasmuch as its units interact according to a shared rationality. In a broader sense, this latter assertion can be exemplified by the fact that the mutual acknowledgement of sovereign nation-states, which constitutes the pillar of the Westphalian system, implies that such nation-states act according to the same basic

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\(^{18}\) Cited in ibid., p. 111.
principles. With the Cold War, such principles (which, to be sure, constitute the basic framework for the conflict)\(^\text{19}\) got redefined by connecting them to specific historically determined concepts: nation-states’ sovereignty was affected in a relevant way by its ideological belonging. As such ideology reflected a historically determined rationality, its discriminating feature meant that history had become a normative issue.

Central and Eastern European countries did not elude this development, as for them the imposition of the Soviet social system actually meant the effort by their leaders to go through what Victor Zaslavsky defined “institutional isomorphism”, namely the adjustment of their political system and socioeconomic structures according to the model of the Soviet Union, up to the point of writing their new constitutions by drawing verbatim whole paragraphs from the Soviet one, thus impairing at the very core their state sovereignty, meant in modern terms.\(^\text{20}\) Incidentally, this aspect influenced heavily the development of an institution such as the Council of Mutual Economic Assistance (Comecon), which was established in 1949 as the Soviet counterpart of the western organization charged for the implementation of the Marshall Plan. An organism including since its foundation the Soviet Union, Czechoslovakia, Poland, Hungary, Bulgaria and Romania, after the death of Stalin the Comecon became indeed the framework for the economic integration within the socialist sphere. And yet, exactly because of the same dynamics that underlay the aforementioned “institutional isomorphism” throughout the Eastern bloc, the structures of integration were not able to allow the members of the bloc merge under a really shared rationality.

\(^{19}\) It is mandatory, indeed, to highlight that the Cold War was about two conflicting ideologies which stemmed from the same intellectual root, namely the Enlightenment and the development in political thought that, starting from the seventeenth century revolutions in England, and especially through the revolutions in America and France at the end of the eighteenth century, had led to the idea of progress in history. On this aspect, see H. Arendt, \textit{On Revolution}, London \textit{et al.}, Penguin, 1990.

This was not what happened on the other side of the iron curtain, where the primacy of the modern nation-state was called into question in radically different terms. Western European politics following the Second World War clearly revolved around the concept of containment: both as regarded the menace of the Soviet Union and as regarded the risk of a resurgent Germany. Whereas the former was a constitutive aspect of the broader postwar settlement in the western sphere, the latter was of course the object of the debate especially among the leaders of western Europe. It is in this sense that French Foreign Minister Robert Schuman called, in his famous declaration of 9 May 1950, for a High Authority whose decision should have been binding for France and Germany, as well as for the other perspective members, in order to create a “European Federation indispensable to the preservation of peace”. It is therefore of the utmost relevance to notice how, unlike in the Soviet bloc, the integration in western Europe started by establishing an institution whose decisional power was placed above that of the nation-states: as Article 9 of the Treaty constituting the European Coal and Steel Community defines it with a ‘revolutionary’ term for modern political philosophy, such High Authority is exactly “supranational”. With supranationality, the integration in western Europe undertakes a radically different path with regard to the Eastern bloc, as sovereignty is delegated in part to a different kind of institution instead of simply becoming the prerogative of a more powerful nation-state.

In this sense, it could be even argued that nowhere more than here such ‘meta-sovereignty’ could express the increasing role of history as a normative issue, since the

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21 G. J. Ikenberry (After Victory, Princeton, Princeton University Press, 2001, p. 170) refers to the “containment order” as the culmination of a “settlement based on the balance of power, nuclear deterrence, and political and ideological competition”.


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institution of a supranational authority was urged exactly by the need to avoid the repetition of similar events such as the wars that had occurred in the first half of the twentieth century and for whose causes the main accused were the nation-states. On the other side, it cannot be neglected that the creation of such authority could only occur by consent of the nation-states themselves, thus confirming, nonetheless, that the legitimacy of a similar kind of authority had to be based on a historically determined rationality shared by the actors involved.

This radical difference with the rationality (not just the ideology, but rather the very rationality at the roots of the intra-bloc relations) of the Eastern bloc casts a powerful light on the rift that divided the latter and the European Community, as it displays the problem of mutual acknowledgement among two different kinds of ‘meta-sovereignties’. As a matter of fact, whereas the attempts made by Soviet diplomacy in order to gain for the Comecon the same international prestige the European Community had, as well as to establish a relationship between both systems, can be seen certainly as a tacit acknowledgement of the latter, but has to be understood, more realistically, as a strategy meant to hinder any possible bilateral relation between its satellites and Brussels.\(^23\) To be sure, such attempts in establishing a relationship, made in the early Seventies in the broader framework of the general détente, had no success and the first official mutual acknowledgement would have taken place only in 1986.\(^24\)

The problem seems to have a deeper dimension than the willingness by the Soviet leadership to actually establish ties with western Europe. As a matter of fact, the problem lies exactly in the different development represented by the systems. This aspect was clearly explained by a representative of the European Commission, whose


Chairman Edmund Wallenstein had travelled to Moscow in 1975 exactly in order to look for the possibility of mutual exchange: in the words of that representative, the problem basically consisted in the fact that “[i]n contrast with the EEC, Comecon members do not surrender any sovereignty to the organization”, something that had made impossible for Soviet leaders such as Khrushchev “the creation within the Comecon of a supranational planning authority with power to issue binding decisions to the appropriate planning agencies of the member countries”. In other words, whereas the two sides expressed radically divergent political paths, the fundamental problem for their lack communication rested on the historical determinations such paths implied, namely a different understanding of political development with respect to the way to overcome the Westphalian logic.

Of course, this aspect did not prevent the European Community from addressing the European members of the Council (as in the latter extended later to countries such as Mongolia, Cuba, and Vietnam) by setting the aim of the future reunification of the continent in a meaningful way, namely as a ‘historical commitment’. Of course, the assurances made to the peoples of Central and Eastern Europe by the western European leaders – representing both the supranational level and the single member states – that they would have grasped any occasion in order to reach the final unification of the continent could be seen as mere wishful thinking. And yet, it is undeniable that, by hinting at a ‘historical commitment’, such assurances were revealing once more, this time at a discursive level, the historico-political character of the supranational sovereignty gradually arising in western Europe.

It is therefore interesting to look from this perspective how, at the end of the Eighties, such commitment turned into concrete action as the European Community began to establish the first official contacts with the countries of Central and Eastern Europe. As a matter of fact, in 1988 the abovementioned attempts in establishing a relation between the European Community and the Council for Mutual Economic Assistance finally resulted in a Joint Declaration on the Establishment of Official Relations, which – notwithstanding the aforementioned mutual acknowledgement of 1986 by both authorities – was actually useful in ‘Westphalian’ terms, as it was mainly meant to officially allow bilateral trade deals between the members of the two sides; rather consistently, the rapid collapse of the Soviet bloc urged the European Community to implement its program PHARE (Poland and Hungary: Assistance for Restructuring Economies) in 1989, which had the aim of supporting “the process of reform and the economic and political transition in Poland and Hungary” and would have rapidly become “the financial instrument of the strategy of pre-accession strategy leading ultimately to the accession to the EU” of the countries of Central Europe that, following the Essen European Council in December 1994 had become associates to the European Union.26

However, it was only with the unforeseen collapse of the Soviet bloc in 1989 that the ‘historical commitment’ could actually turn in a meaningful historic action, that is, by making a decisive impact in the history of European politics. On the one hand, indeed, it should be pointed out how the “hyperactivity, enthusiastic pledges of support, and consensus that the EU should play a leading role in the transformation process”, 27 were nonetheless balanced by a certain degree of uncertainty about what the intervention of

such a new form of sovereignty would have involved. On the other hand, however, it was certain that the post-Cold War situation in Central and Eastern Europe would have been heavily influenced by what Cécile Robert defines the “administrative leadership” of the European Union, one of whose examples may be identified exactly in the rapid growth of the PHARE Programme, which soon exceeded the abovementioned objects and got concerned in financing “counseling activities close to the Eastern European governments on the matter of reforming the legislative, regulatory, and institutional frameworks in all the domains referring to the transition process”.

More generally, it should be highlighted how this “administrative leadership” set as its own first task that of restraining nationalisms and preventing war on the Central and Eastern European territory. On June 28, 1991, indeed, a protocol signed in Budapest made it official that the CMEA was definitely dismantled, and three days after the same decision was taken in Prague as regards the Warsaw Pact, so that by the end of the year the last Soviet military units had left Czechoslovakia, Hungary and Poland. The immediate threat seemed to consist in the resurgence of those national feelings that had been suffocated during forty years by the hegemony of the Soviet Union. The conflict that began in Yugoslavia in the same years led the western European leaders to remember the instability of Central Europe after the Great War and the failure of the integration projects launched in this regard, even though, as Stefano Bottoni remarks, there was a difference that must be stressed, namely that the aftermath of the Cold War followed the “stabilization of the borders through the ethnic homogenization of the political space” carried out after World War II. In any case, nationalist resurgence and war were perhaps the main issues the European Union had to deal with in coping with

the management of the situation in the East. In this regard, it is therefore relevant to notice how the very debates at the European Parliament in those times often connected the “historical dimension of the EC’s support for democracy in the [Central and Eastern European countries]” to “the Balkan wars and the fear that if the EC fails to promote democratic developments at its doorstep, Europe will face a situation similar to the one in Yugoslavia”: one of the most central issues for the form of sovereignty embodied by the European Union is exactly that the rationality it expresses can have a historic impact only inasmuch as war is rejected.

Once war is prevented, indeed, it is possible look “beyond normalization to a special type of relationship reflecting geographic proximity, shared values and increased interdependence”, as the text of the European Agreements, the first official institutionalization of the ties between Brussels and the Central and Eastern European countries, read. Indeed, notwithstanding their having as their immediate impact the implementation of trade liberalization measures, the European Agreements were of momentous relevance inasmuch as they urged the associated states “to approximate the majority of their economic laws to EC law”, thus facilitating their approach to the rationality of the European Union through the “integration into the single market”. A political approach was therefore implied in this first institutional contact: as the

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30 Ibid., p. 273.
32 Ibid., p. 59: the feeling following the failed prevention of the Yugoslav wars at the beginning of the Nineties was that the then European Community had not been able “to preserve its foundation for the future”.
European Commission itself remarked, the Agreements implied an institutional side as they created a framework of Association Councils “at ministerial level”, whose task was “to monitor the implementation of the Agreements” themselves, with “decision making powers within specific areas”. This had the explicit aim of fostering a “political dialogue” by means of “regular meetings… on all subjects of mutual interest with the aim of supporting the reforms and of achieving convergent views on matter of foreign policy”.35 Ultimately, however, the Europe Agreements have had an overarching function that directed both the economic and the political approaches: the initial deployment of the ‘grammar’ of a specific rationality, namely the juridical order of the European Union, the *acquis communautaire*. The *acquis*, defined by the Thesaurus of the European Union as the “common foundation of rights and obligations which binds together the Member States of the European Union”,36 can be considered indeed, with its bulk of more than 80,000 pages, not just as the actual condition for the European Union’s rationality, but maybe as the very expression of the logic underlying it.

As a matter of fact, the adoption of the *acquis* does not just imply that the state that undertakes it will act according to the values and norms that define that specific rationality, but, more deeply, that that state will conform to the historical conditions that allow such values and norms to be expressed. The case of the enlargement of Central and Eastern Europe is fundamental exactly because, through the change of rationality it implies, it reveals in the end the new political logic embodied by the European Union. A clear example of it occurred, in 1993, as the European Council gathered in Copenhagen asserted that “the associated countries in Central and Eastern Europe that so desire shall become members of the European Union” as soon as they would have been “able to

assume the obligations of membership by satisfying the economic and political conditions required”. Such conditions got synthesized as follows:

Membership requires that the candidate country has achieved stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities, the existence of a functioning market economy as well as the capacity to cope with competitive pressure and market forces within the Union. Membership presupposes the candidate's ability to take on the obligations of membership including adherence to the aims of political, economic and monetary union.

More importantly, the deployment of the logical conditions for the possibility of such rationality is accompanied by a distinct awareness of its historical implications, and this is particularly revealing of the attempt at shifting from the state-centered political modernity to a new political logic. The harmonization to the *acquis*, which underlies the adoption of the other ‘Copenhagen criteria’, is ultimately the harmonization to a the logic and historical development that make the rationality expressed possible. This became particularly evident as the very meaning of being ‘European’ began to refer not just anymore to a geographical condition, but rather to a participation to a specific rationality, embedded within a specific logical and historical context.

This was, indeed, the focus of the debate on the Article 237 of the *Treaty establishing the European Economic Community*, signed in 1957 in Rome, and which clearly states that

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38 *Ibidem*.

Any European State may apply to become a member of the Community. It shall address its application to the Council, which shall act unanimously after obtaining the opinion of the Commission.40

As it got written, the article was obviously meant to leave the door open to possible, future accessions by other countries of the western part of the continent. However, by the time of the Eastern enlargement, the definition of a “European State” had gotten evidently influenced by the political development occurred in the meanwhile, as it now referred to a state that was able to satisfy the “economic and political conditions required” by the historical legacy of the supranational community that is the European Union. In this sense, the logical shift is perceivable, since under this specific logic, the nation-state is acknowledged not as such, but rather according to historical criteria, namely to its fitness with a rationality emerged through a specific historical development.

This casts a peculiar light on the impact the European integration has on the nature of the state, a process which, generally resumed under the concept of ‘Europeanization’, is a matter of increasing interest. As the object of an ongoing debate, this concept may acquire indeed several meanings, ranging from the reference to the “EC political and economic dynamics [becoming] part of the organizational logic of national politics and policy making” proposed by Robert Ladrech to that to a “norm-laden depiction of a macro-political process” meant to “understand or explain domestic political processes that result from EU impulses”.41 More basically, however, the main issue raised by the concept of ‘Europeanization’ is exactly about the possibility for a kind of authority such

as the European Union to make the nation-states involved think international politics according to a specific logic, to make them participate to a specific historical development, making them act, finally, according to a rationality that stems from that understanding of history. It is not surprising, therefore, to read that, according to scholars such as François Bafoil, in the case of Central and Eastern Europe the process of Europeanization can be actually identified with the period following 1997, when the European Commission decided to make the integral adoption of the acquis the conditio sine qua non for the integration and to place the European Union at the head of the whole process. Accordingly, the process can be seen as “affecting at the same time the preferences and the forms of exchange”: specifically, preferences could be affected by supporting the creation of rational bureaucracies to accompany the broader transformations occurring in the area, whereas the forms of exchange could enter into a broader “negotiation” managed according to the rules of the European Union. In the end, as Bafoil argues, the process was to be considered a “radical innovation on the subject of governance” which was perhaps, in terms of functioning of the Community method, more articulated than it ever was in western Europe.

In this sense, the concept of ‘Europeanization’ ultimately expresses the idea of a form of sovereignty that is higher than the nation-state’s and which, in particular, while drawing some aspects of its own functioning from those of the modern nation-state, tends to act at a different stage – a transition that has as one of whose most revealing moments the impact of such new form of sovereignty on the fundamental law (the constitution, that is) of the nation-states it involves.

43 Ibid., pp. 78-80.
In this sense, the countries of Central and Eastern Europe present a most peculiar case. The end of the Soviet hegemony implied indeed that those countries could abandon the former, abovementioned “institutional isomorphism” in order to shape their own new constitutions. And yet, notwithstanding the different path undertaken by each one of them, the perspective of future accession to the European Union influenced, at different degrees, all the constitutional debates, thus revealing the reach of this new form of sovereignty.

This aspect is of particular interest because, notwithstanding the fact that all countries decided to delegate part of their sovereignty to the European Union (although not to the same grade), the Central and Eastern European countries differed from other countries previously involved in the process of ‘Europeanization’ exactly because, following the heavy interference from an external power such as the Soviet one, they could not but accord a great value to state sovereignty. The political discourse of the first years following the collapse of the Soviet bloc was dominated, therefore, by concepts pertaining to political modernity, such as “sovereignty, independence, ethnically defined nation-state and national self-determination”, to the point that, as Anneli Albi notices, the blossoming of literature concerning the impact of the acquis on national constitutions took place only since the late Nineties, with the only exception of Poland, whose adoption of a new constitution in 1997 was preceded by a debate on that subject. The framework for the whole of the constitutional processes in Central and Eastern Europe, in general, kept being decidedly “souverainist”, albeit the official

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44 A. Albi, Op. cit., pp. 20-22; in particular, whereas the South-East European countries decided to write ex novo their post-Soviet constitutions (with the sole exception of Latvia, which re-instated its 1922 constitution as a symbol of the retrieved continuity), the Central European countries initially opted for successive amendments to their Communist constitutions, something that made observers talk, in their case, of ‘refolutons’, that is, revolutions based on reforms.
discourse displayed a clear commitment to join the European Union as soon as possible.45

It is relevant, therefore, to understand how the perspective of renouncing part of the recovered sovereignty could be deemed consistent with such a stance. In this sense, it is interesting to take into account the case of the so-called ‘Visegrád countries’, namely Poland, Hungary, and former Czechoslovakia, which were the first countries of the former Soviet bloc that strengthened their ties with Brussels.

The first Europe Agreements regarding Central and Eastern Europe were indeed those following the decision taken in 1990, by both the European Council and Parliament, to begin “exploratory talks” with those countries. Soon the talks led to the authorization for the Commission to open negotiations since late December of the same year, converging in joint agreements which take into account, “for the first time”, not just aspects of economic cooperation, but also “the political dialogue dimension and a cultural cooperation component”, with the explicit aim of leading to the “future membership of the Community” to the three countries.46 Such dynamics got favored, in particular, by the fact that since the previous decade there had been an increasing commitment to a cooperation among those states, something that cannot be referred to simply as an intergovernmental action but rather as a kind of “intellectual and moral resistance” against Soviet hegemony, performed through the establishment of a community and the feeling of belonging to a same “Central European identity”.47 Interesting enough for this inquiry, this identity got rooted in an explicitly historical

ground. Whereas the first meeting of the Central European leaders in Bratislava, occurred on 9 April 1990, can be considered a sort of failed attempt due to the feeling that the transition that was taking place all the involved countries made their representatives somehow not legitimized,48 the following meeting in Visegrád one year after was based on a legitimizing, historical symbolism. As the official website of the alliance states, “this high-level meeting in Visegrád, Hungary, created an imaginary historical arch linking the idea of this meeting to the idea of a similar meeting, which took place there in 1335” and reflected as its “central motif” the same desire “to intensify mutual cooperation and friendship among the three Central European states”.49

Accordingly to what has been already observed, the related “convergent basic objectives” listed in the Visegrád Declaration reflected a sort of ‘overlapping’ of both a will to preserve the new-found sovereignty and the commitment to pursue the join the European Union. In this sense, it is meaningful that the first points, regarding the “full restitution of state independence, democracy and freedom” and its necessary counterpart, consisting in the “elimination” of all the aspects of the “totalitarian system”, converged to the final point, namely the “full involvement in the European political and economic system, as well as the system of security and legislation” by passing through aspects that overtly anticipated the Copenhagen criteria: “construction of a parliamentary democracy, a modern State of Law, respect for human rights and

48 Ibid., p. 218.
49 http://www.visegradgroup.eu/about/history
freedoms” and “creation of a modern free market economy”.50 Actually, the Declaration itself explained this point as follows:

In unified Europe, to which the three countries wish to actively contribute, it is possible to maintain culture and national character while fully realizing the universal system of human values. A systematic fulfillment of the idea of civil society is the key question to the spiritual and material development of Central European region and an indispensable condition for establishing of a mutually beneficial cooperation with developed countries and European institutions.51

And yet, the possibility to realize the “universal system of human values” by maintaining the features of the modern nation-state presented some evident problems, as proven by the apparent loss of interest in the project during the period going from the signature of the Europe Agreements, in 1993, and the publication of the opinions provided by the Commission concerning the possibility of each country to join the Union, in 1997.52 Whereas the group did not disappear, the feeling was that it had entered a deep crisis as each country adopted an independent approach to the accession path.

For instance, as noticed by Anneli Albi, Poland was the only country in which the new constitution, adopted in 1997, got prepared in accordance with the perspective of accession to the European Union, as results in paragraphs like the first one of Article 9, which allows the delegation “to an international organization or international institution the competence of organ of State authority in relation to certain matters”.53

51 Ibidem.
Consistently, for the provisions of the Europe Agreements to be implemented in the Polish legal order it was not necessary to resort to the harmonization of existing laws, as they could be rather applied directly to several cases, making the text of the Agreement with the European Union a “part of the domestic legal order”.\textsuperscript{54} Because of this, whereas the then Government Plenipotentiary for Poland’s Accession Negotiations to the EU Jan Kulakowski recently explained the process by arguing that “we applied for the membership in a certain club; the club has its own rules that we have to accept”,\textsuperscript{55} and some problems arose with the possible conflicts in fields in which the legislations, due to specific limitations to the delegation of powers, did not coincide,\textsuperscript{56} there is the feeling that Poland did not act as a country complying with norms provided by an external organization, but rather by identifying its own domestic order as a branch of a wider one.

Likewise, as it was the other country which already in 1989 had established contacts with the Community, it should not be surprising that Hungary as well accompanied the process of pre-accession by changing its political system with the aim of “a fast restructuring of the country’s institutions”.\textsuperscript{57} In particular, this was due to a simple argument: “beyond the legal harmonization, the building of the adequate administrative structures became an ex ante necessity in order to proceed with the accession negotiation, as without it, adoption of the acquis would be impossible”.\textsuperscript{58} It should be noticed that these are the words of two people, Peter Gottfried and Peter Györgkös,

\textsuperscript{54} Ibid., p. 42.
\textsuperscript{56} A. Albi, Op. cit., p. 175.
\textsuperscript{57} P. Gottfried and P. Györgkös, The Accession of Hungary to the EU, in G. Vassiliou (ed) The Accession Story, cit., p. 188.
\textsuperscript{58} Ibid., p. 191.
that have been closely involved in the negotiations leading Hungary to the accession to the European Union, and that, consequently, their position is relevant inasmuch as it reflects that of the governments that undertook the negotiations. For this reason, I have to remark that, whereas the country observed a relevant debate on the possibility to ‘surrender’ its own independence, as expressed by the national constitution, to the EU legislation, the attitude of the public opinion in Hungary vis-à-vis the accession has not been among the most approving, the high representatives of the Hungarian state consider as the main “dilemmas” regarding the accession the attitude they should have maintained towards transitional measures considered anyway “necessary” and the target date for the accession itself. As a matter of fact, in considering the problems posed by the adoption of the acquis communautaire, they set the Hungarian tradition within a historical path that led to consider that “the entire continent [was] now following a set of rules that were initiated by Robert Schuman” – and they add that, whereas this set was almost entirely not negotiable, its transposition was anyway in the interest of each country, provided that its leaders “[wanted] to develop a modern country, a normal country”.

The Czech approach was certainly different. The “regulatory role” of the European Union was felt with a feeling of “increasing discomfort” by a relevant part of the public opinion, influenced by a “cunning mixture of nationalism, a feeling of superiority, and

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59 A. Albi, Op. cit., p. 84
60 H. Grabbe and K. Hughes, Central and east European views on EU enlargement: political debates and public opinion, in K. Henderson (ed) Back to Europe, cit., p. 176.
62 Ibid., p. 204.
63 Ibid., p. 205. My italics.
pro-American liberalism”. 64 After all, “it was not always easy to make people realize that the legal harmonization to which they were giving their consent has often very concrete impact on economy, finances, in some cases on social conditions or on the administration itself”. 65 As a matter of fact, the process regarding the adoption of the amendments which would have made the constitution compatible with the requirements of the Europe Agreements proved soon to be difficult, and the reference to the European Union has been often supplanted by addressing the broader subject of “international organizations”. 66 Notwithstanding the vagueness of this reference, which can be spotted especially in the clause that balances the sovereignty asserted by the first article of the constitution by linking it to the respect for the obligations of international law, thus modifying in any case the “constitutional concept of the state”, 67 it is undeniable that the main reference for such obligations kept being the European Union, at least as long as “every sector of political, economic, and social life of the country was scrutinized and assessed” and each one of such sectors got “covered, fully or partially, by the acquis, with the rest coming under the scrutiny as part of the ‘Copenhagen criteria’” – although the Commission would (and could) not have taken any political decision on them, but just drawn its own conclusions about the progresses in those fields. 68 By contrast, the attempt at ‘ignoring’ the role of the European Union surely did not help the Czech public opinion to grasp the actual impact of the EU on national governance. 69

65 Ibid., p. 146.
67 Ibid., p. 128.
The perception of the role of the EU as ‘regulatory’ was particularly relevant also in the case of the Slovak Republic, since Ján Figel’ and Miroslav Adamiš – respectively former Chief Negotiator of the Slovak Republic to the EU and former Director General of the European Integration Section in the Ministry of Foreign Affairs – explicitly admit that they “understood that entry into the Union would mean the transposition and, in some areas, specific adaptation of the acquis communautaire”.

In particular, they refer to the failure in fitting with the Copenhagen criteria, established in 1993 and enhanced in Madrid two years after, as the main reasons of the political changes that took place in the country in 1998, following the creation of a high-level working group born out of agreements between Commissioner Hans van den Broek and Prime Minister Mikuláš Dzurinda. The resulting return “amongst the front runners” was mainly due to an effort by the Slovak government to implement several laws in a broad range of administrative, financial, and political sectors, so that a “positive impact” was to be observed on “domestic reforms, harmonization of the legislation, legal framework, and business environment”, apart from “the preparation of institutions necessary for entry into the Union” – in a nutshell, accession to the European Union was expected to “change the way in which [Slovakia] functions”.

Notwithstanding the different approaches, this brief survey should have illustrated how the states of the Visegrád Group, perhaps the most representative for the enlargement of the European Union towards Central and Eastern Europe, accorded the utmost value to modern political concepts such as sovereignty and national independence, despite the problems this could have caused in dealing with a

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71 Ibid., pp. 319-320.

72 Ibid., p. 341.
supranational authority. And yet, it should have been also noticed in this regard that the accession to the European Union has never been the object of controversy. On the opposite, it could be added that, as highlighted by Anneli Albi, only two parliamentary debates took place in Poland on the subject of European integration, in 1999 and 2000, and something similar can be said about Hungary, where the degree of consensus has been esteemed as very high on the subject, to the point that there was a general agreement on the subject among the parliamentary parties. Admittedly, a more fierce debate could be observed in both the Czech Republic and Slovakia, but, whereas in the former the euro-skepticism from the centre-right Civic Democratic Party did not impair the overall consensus benefited by the goal of EU integration, in the latter it was not accession as such that met with opposition, but rather the way the process was conducted. Ultimately, the opposition between the modern concept of nation-state and the presence of a supranational authority, in other terms, does not seem to have been felt as particularly conflictive: on the contrary, even with regard to the central issues about delegating powers, it could be said that the national and the supranational authorities were felt like acting at different levels.

A peculiar example for this assertion is provided by the fact that, at least up to 2002, party systems in Central and Eastern Europe were characterized by the lack of any cleavage as regards the subject of accession. Whereas the post-communist situation had led to a more or less rejection of the ‘traditional’ left-right axis (with the exception of the Czech Republic, where a strong Communist party had survived the end of the Cold War

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75 Ibidem. Grabbe and Hughes remarked that the skepticism is however more diffused in the extreme wings of the political arch, such as the far right Republican party and the Communist party.
76 Ibid., p.183.
by keeping more than 10% of the votes at all elections), the absence of a relevant debate on the subject of European integration had made the latter a fait accompli. In particular, it could be argued that accession to the European Union could be felt more as the background of party dialectics but not its real object, the policies required for it having been deemed necessary by the almost whole of the new-born party systems themselves. As well as the regime change itself, EU accession lay at the basis of a competition participated by a plethora of catch-all parties.\(^77\)

This aspect should be taken in consideration as well in considering the dynamics of the passage from a modern type of sovereignty to a contemporary one, as is known that all the major changes in modern politics have been the cause of a cleavage.\(^78\) A possible reason for the lack of a cleavage in this case could be found exactly in the fact that the authority embodied by the European Union does not act at the level of the nation-state political strife, but rather sets itself as the rationality for the latter and, by doing this, transposes it in its own historical setting. The fact is, as will be object of analysis later, that the accession did not mean, for the states of Central and Eastern Europe, the mere participation to an international organization. It meant, above all, the integration within a historical political and economic development, from which they had been severed during forty years. This aspect was grasped by the same institutions of the European Union, which in the wake of the events of 1989 agreed on the fact that the speed of the events would not have made only for the need to revise constantly recent accords, as the situation was defined as “a unique chance in history to restructure Europe” as well as a


In Central and Eastern Europe, this aspect could be observed by considering that the essential lack of debate on the EU membership is due to the fact that still in 1999 the public debate did not seem to focus on the technical aspects that made the basis for the controversy on the process of integration, but rather on the historical and geopolitical reasons for joining. As for the economic measures per se, they should not be seen just as a matter of numbers. Of course, by revealing a gap that has to be filled, they implied that the point of reference was the overall development of the European Union, namely that this development was more advanced. There was in it a historical evaluation, which made the economic adjustment actually a historical one. As a matter of fact, studies carried out by relevant organizations such as the International Monetary Fund have even reckoned the time that Central Europe has ‘lost’ due to its inclusion in the Soviet bloc, showing that it could be quantified in the arch of a generation, or twenty years.

This is the essence of a discourse that revolves, from the declarations of the political leaders to the debate in the public opinion, around the concept of the ‘return to Europe’, which implied that Europe was a univocal model (although declinable in several facets) and that such model was expressed by the institutions forming the European Union. For this reason, as Anneli Albi writes about the possibility of a convergence towards a “European constitutional order”, with respect to the fact “that the sovereign state is no longer the only source of authority” because “within the scope

81 The European Council itself, in referring to the transition from the “central planning” of the Soviet bloc to the “market economy”, does not simply consider it as a change in the economic logic, but the explicitly consider it a 'modernization': European Council, Conclusions of the Presidency, op. cit., p. 12.
of EU law, the authority derives from the Treaties” 83, it should be argued that this constitutional order does not have just a legal reach, but is constitutional in terms of determining the historical conditions for a specific kind of political understanding. In other terms, the European integration may be seen as the integration within a specific rationality: consequently, the historical conditions that make for this rationality to exist become the object of the sovereignty that presides the integration. The harmonization to the norms and values of the European Union can be seen, therefore, as being first and foremost a historical harmonization: the harmonization of the applicants’ history with the history embodied by the European Union.

There is not an external power as it was with the Soviet bloc, in which, notwithstanding the “institutional isomorphism”, the order among its members was controlled by the hegemonic state, namely the Soviet Union. On the opposite, the power presiding the order in the European Union is an authority created by the member states themselves: an institutionalization of the logic that underlies their relations, and, consequently, of the historical development that led to such logic.

This inquiry is meant exactly to assay such hypothesis in terms of political philosophy. If the European integration actually reveals the rise of a form of sovereignty conceivable as the institutionalization of the rationality underlying the relations among a group of states and its historical determinations, what are the implications for the modern understanding of international politics? How can this possible transition be assessed? The following chapters are dedicated exactly to provide a possible answer to these questions, by resting on a specific aspect: the possibility represented by this transition to overcome the anarchy that characterizes the Westphalian system. In particular, it will be

inquired what is the object of a form of sovereignty which, by overcoming the mere control of territory and population that was typical of the modern nation-state, is concerned with the very way the states think their own system, the rationality that moves their actions, the historical conditions that allow such rationality. Such considerations will be further scrutinized with particular attention to the way the peculiar constitutive features of this form of sovereignty turn into the concrete preservation of the order embodied by the latter. In turn, this specific matter of interest will lead us to the central aspect of this inquiry, namely how such form of sovereignty, which is based on the preservation of a certain rationality and, consequently, of certain historical conditions, relates to change in world politics: a fundamental aspect, as the Eastern enlargement of the European integration was meant exactly as a way to cope with a relevant international alteration. Only by dealing with this aspect, then, it will be possible to tackle the dynamics of the Eastern enlargement by highlighting how rationality and history become the elements for attaining international political order according to the form and development of this new form of sovereignty. Finally, this will lead us to draw the preliminary conclusions on the most basic aspect, namely the role of the individuals in the course of this momentous change.
Anarchy is the fundamental condition of modern international politics. States do not recognize any institutionalized power superior to them and, while they can commit themselves to international organizations, they do not have to fear any sanction ‘from above’ for their possible defection: as a matter of fact, they just have to be aware of the reaction of their peers. This should make it clear that international anarchy does not necessarily imply a state of anomie. On the contrary, it has been observed that states may form a society due to their consciousness of a shared set of “certain common interests and perhaps some common values”, which make them “respect one another’s claims to independence” and even “cooperate in the working of institutions such as the forms of procedures of international law, the machinery of diplomacy and general international organisation, and the customs and conventions of war”.

However, the lack of a superior, institutionalized power makes it common, for the study of modern international politics, to consider the states acting as if they were in a state of nature. In this respect, it can be argued that modern political philosophy, in particular as expressed by the theories of natural law emerged from the sixteenth to the eighteenth century, bears a close connection with the dynamics of modern international politics.

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politics. The most influential example of how societal dynamics in international politics combine with the tradition of natural law is perhaps provided by the distinction in three peculiar views of international interaction, which mainly refer to Hobbes, to Grotius (or Locke), and to Kant.²

The Hobbesian point of view is based on the idea that international relations are to be understood by means of an analogy with the conditions of those men who, according to the description provided by Thomas Hobbes, “during the time [they] live without a common power to keep them all in awe… are in that condition which is called war; and such a war, as is of every man, against every man”.³ For this reason, world politics is conceived as a permanent conflict in which states do not go further than acknowledging each other, and act out of any morality or legality, since no covenant has established a common power: as Hedley Bull remarks, “[t]he only rules or principles which, for those in the Hobbesian tradition, may be said to limit or circumscribe the behavior of states in their relations with one another are rules of prudence or expediency”.⁴

Nevertheless, this conflictive condition can be tempered by norms and institutions: this is the view that is usually referred to as Grotian or Lockean. Bull, for instance, refers to Grotius as he argues that this view, while sharing the Hobbesian idea that the protagonists of the international system are the states, it opposes to it that they “are limited in their conflicts with one another by common rules and institutions”⁵; equally, whereas the Grotian view does not deny the value of the Hobbesian idea of a natural law meant as anarchy, it associates the Lockean idea of man’s reasonability in arguing

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² As will be clear in the development of this subject, my argument on this point rests on the works of the so-called English School of International Relations, in particular those by Martin Wight and Hedley Bull, and on their re-elaboration in the influential work of Alexander Wendt.
⁵ Ibidem.
that the lack of a common power does not hinder from living together according to reason.\textsuperscript{6}

Finally, poles apart from the Hobbesian view is the Kantian one, which refers in its name on the exposition of its assumptions provided by Immanuel Kant in his *Perpetual Peace*.\textsuperscript{7} Notwithstanding the ironical tone of this pamphlet,\textsuperscript{8} published in 1795 in the wake of the Treaty of Basel, all successive attempts at transcending the conflictive nature of the state system by looking for a universal community of mankind seem to have been influenced by its three major tenets, namely that “the civil constitution of every state shall be republican”, that “international right shall be based on the federalism of free states”, and that “cosmopolitan right shall be limited to the conditions of universal hospitality”.\textsuperscript{9} Moreover, such view rests on the idea that norms and values in international politics can have the Kantian value of ‘moral imperatives’, so that the system of state should be overturned in favor of a “community of mankind” that makes for “the end of object of the highest moral endeavor”.\textsuperscript{10}

Notwithstanding the fact that the references to the theory of natural law are often justified by scholars as mere ‘metaphors’, it must be stressed that concepts such as the war of everyone against everyone as well as projects such as that for perpetual peace stem from broader systems of thought, and that isolating them from those system may


\textsuperscript{8} In remarking the fact that Kant never wrote a political philosophy, and perhaps following Jaspers, H. ARENDT (*Lectures on Kant’s political philosophy*, Chicago, The University of Chicago Press, 1992, p. 7) argues that, the *Perpetual Peace* being the most important of Kant’s political writings, its ironical tone “shows clearly that Kant himself did not take them too seriously”.


\textsuperscript{10} H. BULL, *The Anarchical Society*, op. cit., p. 25.
provide immediately understandable images, but also deprive them of their explicative potential. As a matter of fact, the Hobbesian, Lockean and Kantian tenets actually reflect the historical conditions (and, consequently, the interpretation of such conditions) in which they have been conceived: the conflictive state of nature depicted by Hobbes cannot be conceived without taking into account the civil war in England in 1648, nor can the different description provided by Locke be understood without referencing to the Glorious Revolution or the cosmopolitan view adopted by Kant without bearing in mind the Enlightenment and the wars that made clear the ambitions of the French Revolution. Perhaps more importantly, however, they are parts of broader systems of ideas which in turn refer to the gradual development in natural law. For instance, the famous paragraph in the *Leviathan* which makes it explicit that the lack of a common power leads to the war appears in the introductory chapter dedicated to “the man”, and cannot be therefore alienated from the wider reflection by Hobbes on the nature of man and his reference to that mechanical philosophy that was the subject of many debates at the beginning of the 17th century; in like manner, Locke’s words on man’s reasonability in his *Two Treatises on Government* should be read in the context of his contribution to Rationalism; finally, the tenets of Kant’s *Perpetual Peace* cannot be properly understood without the arguments expressed in writings such as the *Metaphysics of Morals*, that are exactly based on Kant’s development of natural law.

If we are to consider modern international politics as understandable by means of the natural law theory that has accompanied its development, we are compelled to notice a ‘gap’: the most recent ‘reference’ in interpreting the dynamics of contemporary international politics dates back to the end of the eighteenth century. Does this mean that the international system, as well as its concepts such as state, sovereignty and war, is stuck in a configuration that keeps being the same since more than two centuries?
how is it possible for those views to explain political projects, such as the European Union, that seem to transcend the primacy of nation-states while not resembling Kant’s “community of mankind”? Actually, the idea that the dynamics of the international system may be explained according to the theories on the state of nature that got developed from the sixteenth to the eighteenth century certainly cannot lead to their same conclusion. States, indeed, can cooperate or even socialize, but they rarely delegate their prerogatives to superior powers, and it is exactly this point that makes the creation of a common power through a social contract agreed by all the individuals impossible for the states system, let alone the rise of an all-powerful Leviathan. In this sense, the European Union may certainly be a most notable exception to such hesitancy, but it should be stressed how this exception could not be seen just as a transposition of the modern idea of internal sovereignty to the international level. On the opposite, it should be stressed how, since natural law theories make the social contract by the individuals give rise to something different from them, namely the state, anything resembling a social contract among the states should lead, consequently, to a different form of institution. And yet, exactly because it should not be considered according to the modern description of sovereignty, as it could represent instead a possible overcoming of it, any approach to the subject of the European Union should stem from the acknowledgement that it could make for a culmination, and a conclusion, of the dynamics that make international politics describable as a state of nature. The reasons for this approach, however, should be traced back to the broader historical development of natural law itself in international politics, if we want to understand the implications this possible transition might have.

As is known, the first developments of natural law as applied to international politics is generally attributed to Hugo Grotius. In particular, in his De jure belli ac pacis, Grotius
opposes the common saying of his age, according to which there can be no law in war, by saying that this can be true of “those Laws that are Civil and Judicial, and proper for Times of Peace, but not [for] those that are of perpetual Obligation, and are equally suited to all Times”. Such laws of “perpetual Obligation” are those pertaining to the “Law of Nations”, which, although Grotius often distinguishes it from the law of nature that will be developed later by Pufendorf, marks already a watershed for the modern age. Actually, the most important contribution by Grotius lies indeed in a perhaps deeper aspect, namely in that his treatise opens a breach between a divine law and a human law, thus implying that, while God seemingly allows violence, war, and disorder, it is nonetheless possible for men to contain them – even if this means that the principle of order does not belong anymore to the Providence, but to humanity.

In the work of Pufendorf, this concept is reaffirmed by pointing out how natural law, as distinguished from divine law, is strictly connected to human reason: “in truth, we are seeking such a law of nature as will direct the actions of the rational man”. It is on this basis that sovereign authority is defined as necessarily resting on conventions accepted by all individuals and natural law becomes the principle of order on which the political constitutions of the states are founded, and by means of which also wars are to be understood. Such human reason cannot leave aside the role of God, but, as long as the latter will not change his mind, the work of Pufendorf leads to the same conclusion provided by Grotius, namely that natural law and moral theology are to be intended

14 “…since God has so formed the nature of man, that, for the maintenance of His glory, as it were, the natural law was altogether to be observed, we have no right at all to believe that He is willing to destroy or to change it, as long, indeed, as He introduces no change in human nature…”: Ibid., p. 215.
separately, as well as pure reason and revelation. As a matter of fact, as remarked by Simone Goyard-Fabre, in the last book of his *De jure naturae et gentium*, Pufendorf “actually tries to show… that the ‘law of nations’, in its different manifestations, results from the exercise of rational capacities by which man understands and actualizes the theology of the natural law that God has inscribed in the world”. Whereas it is not possible to affirm that international law has its ultimate roots in the work of Pufendorf, it is reasonable to argue with Goyard-Fabre that its relevance lies in the fact that in such turbulent times as the seventeenth century Pufendorf has seen the emergence of a shared basis for international politics, that is, a kind of law that compels all men to assume its obligations in order to realize its requisites and that transcends the boundaries of the states, so that “up to the bellicose situations that tear apart the human existence, such duties impose themselves on the scale of the whole planet”.

On a more general basis, reason as the basis of natural law had been already affirmed by the most important theorist of the modern state, namely Thomas Hobbes. In his *De Cive*, he explicitly defines natural law as “a dictate of right reason” and, in turn, right reason in the state of nature as “the act of reasoning” in opposition to an “infallible faculty”. Now, war intervenes as the individual acts of reasoning do not agree with each other: as Antimo Negri asserts, “the bellium omnium contra omnes… results, then, in being the sign of the logic and gnoseological tower of Babel that presents itself as soon as the prime propositions from which deduction must proceed crumble”. This aspect can be deduced, by the way, by the very fact that the state of war is described in the

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17 Ibid., pp. 208-209.
Leviathan as a “system of representations and manifestations”, therefore making it mandatory to presuppose a society in which such system is understood by all its members and, consequently, establishing a connection between the state of war and the political conditions: as a matter of fact, whereas it is only in primitive societies that the state of nature precedes the birth of civil society, thus making the latter a pre-political situation, in the case of civil war and international politics such state is respectively anti-political and among political entities, anyway having a political point of reference. Accordingly, as a-historical as the state of nature may be, for Hobbes it is not to be identified, anyway, with a primeval condition: on the opposite, it is known that his depiction of it lies in the civil war that the philosopher observed in his own countries, which makes it the situation in which a society falls apart.

Incidentally, it must be highlighted how the increasing ‘secularization’ of the political and historical thought, which can be noticed since these first developments of the natural law theory leading to the understanding of sovereignty in modern terms, is strictly connected to the scientific revolution occurring in the same age and to its underlying development that rejected any divine influence in the affairs of the world we live in. As Alexandre Koyré remarkably illustrates in his masterpiece From the closed world to the infinite universe, the outcome of the development that began with Nicholas of Cusa in the fifteenth century was exactly the Newtonian theory which unwillingly ultimately made God unnecessary for the universe to keep functioning: “the moving force of the universe, its vis viva, did not increase; the world-clock needed neither rewinding, nor mending. The Divine Artifex had therefore less and less to do in the world” and became, consequently, “in quick succession, a conservative power, an intelligentia supra-

20 For these observations, see N. Bobbio and D. Gobetti, Thomas Hobbes and the Natural Law Tradition, Chicago, Chicago University Press, 1993, pp. 41-42.

21 Ibid., p. 43.
mundana, a “Dieu fainéant”. At the beginning of the nineteenth century, therefore, Laplace is able to present his *System of the World* by saying to Napoleon that for his new cosmology he did not need to take God into account even as a hypothesis. Accordingly, already between the sixteenth and the seventeenth century the development of political philosophy led to a conception of a natural law as a law made by human reason independently of divine intervention which was, however, strictly connected to the increasing awareness that the understanding of the universe should have been reversed by rejecting any idea of the centrality of mankind. It was in particular because of this background that the philosophers of the eighteenth century could not but focus on the only subject actually left open to investigation, namely human understanding.

This is all the more true if we consider a thinker like Giambattista Vico, whose work is evidently influenced by both Grotius and Descartes but, above all, finally rebels against them, in the end showing how even what Isaiah Berlin calls the “Counter-Reformation in the history of early modern philosophy” fundamentally could not but share the same starting points even though coming to different conclusions. As a matter of fact, Karl Löwith points out exactly how “Vico adopts and at the same time reverses the methodical doubt of Descartes” as long as he acknowledges that doubt covers the most part of our knowledge, and at the same time replies with its *Scienza Nuova* that some firm

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23 This is true not only for the cosmological view, but also for the history of the Earth. The debate on the fossils occurred throughout the whole eighteenth century finally led to consider that the history of the nations was actually shorter than the age of the planet, and had as its final outcome the ‘death of Adam’: P. Rossi, *I segni del tempo: storia della terra e storia delle nazioni da Hooke a Vico*, Milan, Feltrinelli, 1979.

ground can be nonetheless found. Such firm ground is human history, as explained by Vico himself:

…this eternal light appears, never waning, of this truth, that cannot be anyway called into doubt; that this civil world has certainly been made by men, so that it is possible, inasmuch as it is necessary, to find its principles within the modification of our human mind itself.

This is because, as Paolo Rossi perfectly explains, the ‘civil world’ is not composed “by material and external objects (such as the natural world), nor by fictitious elements (such as the world of mathematics), but by reasons, purposes, actions, terrors, hopes, languages, myths, laws, civil institutions. In front of this world, the man is not a passive spectator: he can know this world from the inside, since exactly he who knows is actor and protagonist in that way”. By adopting the principle of the verum ipse factum, already used by Hobbes, although in a different way, Vico consequently argues that we can only know what human reason has created through the time: accordingly with what has been said above, therefore, this makes a clear distinction with both divine and natural matters, whose inner logic necessarily rests out of the reach of human understanding. “We can know for true only what can be reproduced with adequate experiments” (cuius quid simile per experimenta faciamus), argues Vico echoing Hobbes, and by doing this he actually rebels against the fundamental assertion by Descartes according to which “mathematical knowledge was the paradigm of all knowledge attainable by human beings… the nearest approximation to infallible knowledge to which man had yet attained”.

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28 G. Vico, De antiquissima italorum sapientia, Naples, 1710, Conclusio. I. Berlin (Op. Cit., pp. 12-14) resumes it as “Geometrica demonstramus quia facimus”, and it is relevant for the course of this inquiry to remark that, as Berlin points out, the distinction made by Vico between an ‘outer’ and an ‘inner’
Vico contends that the certainty of mathematical knowledge rests on the simple fact that its ‘user’ is its very creator. According to Löwith, it is exactly this “conversion of the true and the created, realized in the understanding of history which liberated Vico from the starting point of Descartes and led him toward the philosophical truth of all those “philological” certainties which appear in the human world of languages, customs, laws, and institutions”. 29

It is by bearing this development in mind that it is possible to understand the way in which modern natural law finds its end at the beginning of the 19th century. Actually, whereas we know who carries the responsibility for it, namely Hegel, we can say that Vico ‘paved the way’ for him. Let us start, however, by noticing how it is in Hegel’s work, indeed, that natural law finds, at the same time, both its dissolution and its fulfillment: as Norberto Bobbio points out, “[p]aradoxically, Hegel’s philosophy of right, whereas it presents itself as the negation of all systems of natural law, is also the last and most perfect system of natural law”. 30 In his concise but as usual meaningful essay, Bobbio argues indeed that it is above all the concept of ethical totality that makes for the dissolution of modern natural law: on the one hand, because it makes the whole precede its parts; on the other hand, because it sets the former above the latter. In particular, as Bobbio notices, Hegel constantly refers to Aristotle’s assumption according to which the polis precedes the individual, albeit translating in a meaningful

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29 K. Löwith, Op. cit., p. 120.


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way polis as “people” (Volk), and thus reverses the traditional sequence in natural law, which saw the people (as well as the civitas or the state) a product of the individuals. Consequently, it is the theory of the social contract that receives a powerful blow. However, the reversal of natural law by Hegel acquires a particular depth because of the central role played by history in it. Not only because the ethical totality is a historical event, but rather because the state (the modern translation of the polis, that is) must be understood as the culmination of universal history itself: as is known, in his *Introduction to the Philosophy of World History*, Hegel explicitly argues that “[d]er Staat ist die geistige Idee in der Äußerlichkeit des menschlichen Willens und seiner Freiheit. In denselben fällt daher überhaupt wesentlich die Veränderung der Geschichte”. It is in this sense that the state with its own law becomes the watershed between the actual state of nature (that is, the “unrestrainable” state of war that characterizes the international relations and lies beyond, at the end – rather than at the beginning – of the state’s law) and the freedom meant as the obedience to that law. Incidentally, this aspect would make for a development, as well as an overtaking, of what Hobbes already pointed out as he, starting from the premise that “liberty, and necessity are consistent”, assumes that the “liberty of a subject, lieth therefore only in those things, which in regulating their actions, the sovereign hath praetermitted”, thus concluding that “the liberty of the subject consisteth in the unlimited liberty of the

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33 N. Bobbio, Op. cit., p. 26-28. Significantly enough, the famous statement according to which “nur der Wille, der dem Gesetzte gehorcht, ist frei, denn er gehorcht sich selbst und ist bei sich selbst und frei” is to be found, as well, in the *Vorlesungen über die Philosophie der Geschichte* (op. cit., p. 57). In this regard, it could be mentioned what J.-F. Kervégan (*Hegel, Carl Schmitt. Le politique entre spéculation et positivité*, Paris, PUF, 2005, p. 212) stresses, namely that Hegel deemed the state of nature as “une préhistoire”, but “en un sens qui n’est pas seulement chronologique”.

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sovereign”. 34 This notwithstanding, a relevant difference must be pointed out: whereas Hobbes referred to the fact that it is logically consistent for the subjects to feel free under a sovereignty that has been established on the basis of their own rational choice, in Hegel’s political philosophy freedom rests on the very fact that it excludes the sovereignty as the ‘mediation’ between the individual and its own reason, thus making the former free, in a nutshell, as long as it submits and reconciles itself, its own reality, to and with its own history and reason.

Once the state, meant as the solution to the state of nature, gets identified with the “Veränderung der Geschichte”, it becomes clear that the dissolution and fulfillment of natural law performed by Hegel can be explained only by taking into account his philosophy of history. Of course, this is not to deny that the previous developments of natural law theory did not recognize any role to history: on the opposite, Bobbio himself highlights that a philosophy of history can be found already in Hobbes and throughout the whole development of modern politics as identified with the birth of the great nation-states. However, it is only with Hegel’s dialectic, which brings further the idea of history as a triadic movement that was originally conceived by Locke and makes it progressive in the wake of Rousseau, that the state could be identified as the ultimate outcome of history as the culmination of the objective spirit: 35

Die sittliche Welt dagegen, der Staat, sie, die Vernunft, wie sie sich im Elemente des Selbstbewußtseins verwirklicht…36

Once considered in the realm of international politics, the Hegelian break with the tradition of the natural law theory represents a possible, radical change of perspective.

34 T. HOBSES, Leviathan, cit., p. 141.
Indeed, just like up to Hegel natural law theory could be criticized because of the plausibility of the social contract as a historical event, the feasibility of something similar among the states can be judged according to the empirical record of the dynamics of the states system, which can be appreciated by looking at them as a Hobbesian, conflictive situation up to perceiving in them a Kantian communitarian development. On the opposite, Hegel criticized the hypothesis of the social contract in terms of sheer rationality, as for him the universal will comes before the individuals’, thus implying that the latter get constituted by the former and not vice versa.  

From this standpoint, for an institution to embody something above the states, it should also embody something coming before them, just like the state (according to Hegel) did for the individuals. But, from this standpoint, before and above the state there is only history.

As a matter of fact, it is not by chance that Hegel already sketched the content of his philosophy of history in the Philosophy of right, and that he placed it exactly at the end of the chapter dedicated to the state, thus making the universal history (Weltschichte) the third moment of it, after the internal law and the international law: whereas it is relevant to notice in general terms that, by representing the conclusion of the section on the state, the Weltschichte actually represents the conclusion of the treatise itself, it is perhaps more meaningful to highlight how, according to the Hegelian triadic dynamic, the role of the state in Hegel’s political philosophy finds its own decisive moment in its relation with universal history. Notwithstanding the scarce twenty paragraphs accorded to it, which will be extended only years later with the courses on the philosophy of history, the Philosophy of Right makes it already clear, indeed, that history is the ultimate principle of order in Hegel’s political philosophy, determining both its domestic and international sides.

This can be explained, in the first place, by noticing that history, for Hegel, is the process by which not only Reason gets realized, but also the Spirit comes to understand itself. Hegel is clear, indeed, in arguing that “Reason rules, and has ruled, the world” (die Vernunft die Welt regiert und regiert hat)⁴⁸ and that “[Die Geschichte des Geistes ist seine Tat, den er ist nur, was er tut, und seine Tat ist, sich, und zwar hier als Geist, zum Gegenstande seines Bewusstseins zu machen, sich für sich selbst auslegend zu erfassen”⁴⁹ Consequently, it is important to remark that for Hegel history is not to be understood as the “mere historical” consideration of the circumstances that accompany the rise and development of juridical determinations (Das in der Zeit erscheinende Hervortreten und Entwickeln von Rechtsbestimmungen zu betrachten), but rather as the consideration of the “development of the Concept” (Entwicklung aus dem Begriffe), namely as a “justification that is valid in itself and independently” (an und für sich gültigen Rechtfertigung).⁴⁰ Hegel makes it clear, indeed, that:

> eine Rechtsbestimmung kann sich aus den Umständen und vorhandenen Rechtsinstitutionen als vollkommen gegründet und konsequent zeigen lassen und doch an und für sich unrechtlich und unvernünftig sein… Es seien aber auch die Rechtsbestimmungen rechtlich und vernünftig, so ist es etwas ganz anderes, dies von ihnen aufzuziehen, was allein durch den Begriff wahrhaftig gesehene kann, und ein anderes, das Geschichtliche ihres Hervortretens darzustellen, die Umstände, Fälle, Bedürfnisse und Begebenheiten, welche ihre Feststellung herbeigeführt haben.⁴¹

For this reason, indeed, only a philosophical understanding of history can grasp the Concept that makes for the ‘unquestionable’ (that is, “valid in itself and independently”) rationality of the institutions in their development. Actually, philosophy is the “inquisition

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⁴⁹ G. W. F. Hegel, Grundlinien der Philosophie des Rechts, cit., p. 504, §343.
⁵⁰ Ibid., pp. 35-36, §3.
⁵¹ Ibidem.
into the rational [Ergründen des Vernünftigen], and therefore the apprehension of the real and present [das Erfassen des Gegenwärtigen und Wirklichen], not the exposition of a beyond [Aufstellen eines Jenseitigen], which only God knows where it is”.

This is, however, the same definition that can be found in the Lectures on the Philosophy of History: whereas history must be concerned only with “what is, what has been, the events and actions”, to the point that “the more it keeps to the facts, the more it is true” (Sie ist um so wahrer, je mehr sie sich nur an das Gegebene hält), a philosophy of history radically differs in that it adds the “sole idea” that the world and its history are ruled by Reason (Der einzige Gedanke, den sie mitbringt, ist aber der einfache Gedanke der Vernunft, daß die Vernunft die Welt beherrscht, daß es also auch in der Weltgeschichte vernünftig zugegangen ist), and Hegel is clear in keeping this idea ‘immanent’ by defining as the Substanz by which its being and existing (ihr Sein und Bestehen) attains its reality (Wirklichkeit).

Finally, it is in this sense that the ultimate aim of history can be understood as the already mentioned reconciliation between reality and rationality, consistently with the famous statement according to which “Was vernünftig ist, das ist wirklich; und was wirklich ist, das ist vernünftig”.

This is, perhaps, what marks the real shift from the tradition of natural law theory: while the latter found the proper ground for its development in the study of human history, noticing the circumstances in which the “Rules of Reason and Nature” could emerge, but actually describing them fundamentally in a-historical terms, the basis for

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42 Ibid., p. 24.
44 H. Grotius (Op. cit., p. 92) can say, therefore, that “sacred History… teaches us that all Men are descended from the same first Parents. So that in this Respect also may be truly affirmed… That Nature has made us all akin: Whence it follows, that it is a Crime for one Man to act to the Prejudice of another”.
45 Ibidem, p. 93: “the Mother of Natural Law is human Nature itself, which, though even the Necessity of our Circumstances should not require it, would of itself create in us a mutual Desire of Society: And the
Hegel’s political philosophy lies instead in the consideration of history itself as the movement of the spirit in the process of self-knowledge. As Hegel remarks, indeed, “Der Geist ist dies, daß er sich hervorbringt, sich zu dem macht, was er ist. Deswegen seine nächste Gestaltung, daß er wirklich sei, ist nur Selbsttätigkeit”, and “[e]s gibt nichts Höheres als den Geist, nichts, das würdiger wäre, sein Gegenstand zu sein”. Actually, it is more than a mere difference: it is a complete reversal. As a matter of fact, for Grotius, who refers to the “Law of Nations” (the “more extensive Right than the Civil”), history can be simply considered as the progressive ‘consolidation’ of the abovementioned “Rules of Reason and Nature”, since

…the Proofs on which the Law of Nations is founded, are the same with those of the unwritten Civil Law, vīc. continual Use, and the Testimony of Men skilled in the Laws. For this Law is, as Dio Chrysostom well observes, εὑρηƬὶ χρόƬου, the Work of Time and Custom.

On the opposite, for Hegel the content of history is “a content that witnesses itself by means of itself” (Dieser ist ein Inhalt, der Zeugnis von sich selber gibt und in sich selbst trägt), and history must be understood as the totality in which the rules mentioned by Grotius get to be actualized. Whereas Hegel acknowledges the credit for this idea to Montesquieu, he makes it clear, indeed, that the “pure philosophical standpoint” (eicht philosophischen Standpunkt) is the one that considers legislation, both in general and in its particular determinations, not as an isolated and abstract product, but rather as the “dependent

Mother of Civil Law is that very Obligation which arises from Consent, which deriving its Force from the Law of Nature, Nature may be called as it were, the Great Grandmother of this Law also”.

46 G. W. F. Hegel, Die Vernunft in der Geschichte, cit., pp. 73-74.
48 G. W. F. Hegel, Die Vernunft in der Geschichte, cit., p. 29.
moment of one totality” (abhängiges Moment einer Totalität).\textsuperscript{49} However, such a conception of history, as has been observed above, is possible only once history, as in Vico, gets conceived as a merely human creation: in this sense, all human histories become the object of a logic ‘of their own’, of a reason that is not supposed to get out of itself. The very consideration that “Ich ist der Inhalt der Beziehung, und das Beziehen selbst; es ist es selbst gegen ein Anderes, und greift zugleich über dies Andere über, das für es ebenso nur es selbst ist’ cannot be conceived without the previous development brought by Vico,\textsuperscript{50} and, as long as the sittliche Welt gets realized in self-conscience, this is the basis for understanding history as the realization of reason.

This is to say that, with Hegel, history becomes a principle of order not just because it represents the progressive consolidation of the norms and values that legitimize the contemporary sovereign institution, as it was with the natural law theory, but rather because it embodies exactly the rationality from which such norms and values can emerge as rationality. History understood in Hegelian terms becomes a principle of order, in other terms, because it provides the rationality that must precede the political sovereignty and, whereas the introduction to the Vorlesungen über die Philosophie der Geschichte makes it clear that the philosophical reflection on history “hat keine andere Absicht, als das Zufällige zu entfernen. Zufälligkeit ist dasselbe wie äußerliche Notwendigkeit, d. h. eine Notwendigkeit, die auf Ursachen zurückgeht, die selbst nur äußerliche Umstände sind”,\textsuperscript{51} history as such must be regarded as a teleology, since it

\textsuperscript{49} G. W. F. Hegel, Grundlinien der Philosophie des Rechts, cit., p. 35, §3n.

\textsuperscript{50} G. W. F. Hegel, Phänomenologie des Geistes, in Id., Werke, cit., Bd. 3, p. 138. K. Löwith (Op. cit., p. 120) explains the connection between Vico and Hegel as follows: “What [Vico] is really striving for is to overcome the whole Cartesian distinction between theoretical truth and sensuous practical probability by a dialectic of the true and the certain which anticipates Hegel’s “truth of certainty” (Wahrheit der Gewissheit) in the first paragraphs of the Phenomenology”.

\textsuperscript{51} G. W. F. Hegel, Die Vernunft in der Geschichte, cit., p. 29.
contains in itself the ultimate aim ("Wir müssen in der Geschichte einen allgemeinen Zweck aufsuchen, den Endzweck der Welt"),\textsuperscript{52} and this aim is the present of the philosophical understanding.

However, whereas Karl Löwith argued that the significance of any “vision of an ultimate end, as both finis and telos, is that it provides a scheme of progressive order and meaning” since “[n]ot only does the eschaton delimit the process of history by an end, it also articulates and fulfils it by a definite goal”,\textsuperscript{53} exactly because the Hegelian philosophy of history finds its ultimate end in its philosophical understanding, the present that claims for such understanding gets legitimized in a deeper way. As Bobbio explicitly states, indeed, Hegel makes the task of philosophy to justify the state as the “supreme moment of the collective life”, coming up to the point that the aim of such justification is not set as a “programme for the future”, but rather as an “acknowledgement of the present”:\textsuperscript{54} as the preface to the Philosophy of Right affirms, “es [hat] Wirklichkeit nur in der Gegenwart”, and

\textit{Die Vernunft als die Rose im Kreuze der Gegenwart zu erkennen und damit dieser sich zu erfreuen, diese vernünftige Einsicht ist die Versöhnung mit der Wirklichkeit…}\textsuperscript{55}

The present, instead of the future, becomes the vanishing point of such a perspective, and it is exactly this change that marks the radical change that Hegel’s political philosophy represents for the understanding of world politics. As Hannah Arendt argues, “[t]o think, with Hegel, that truth resides and reveals itself in the time-process itself is characteristic of all modern historical consciousness, however it expresses itself,

\textsuperscript{52} \textit{Ibidem.}


in specifically Hegelian terms or not”; any post-Hegelian historical consciousness, therefore, not only cannot exclude history from the understanding of the dynamics of international politics, but actually has to set it as the only element overcoming the primacy of the states. More importantly, however, it is the historical present in which the state act that must be taken into account, as, after all, it has been observed that Hegel sets the development of history within time, and, whereas it must be clear that historical time differs from the organic one since in it “change does not occur only on the surface, but in the concept”, this time is flattened on the Now (Jetzt) while the becoming is meant in an abstract way. It is possible, therefore, to conclude that, if the legitimacy of the states has to be subject to the rationality expressed by history, history itself must be understood as being definitely leveled on the Now.

Not all people, however, live in the same Now. This assertion by Ernst Bloch could represent a most relevant issue in considering international anarchy as related to the idea of a universal history. In this regard, however, the nonsynchronism (Ungleichzeitigkeit) identified by Bloch in the unevenness of modernization in different lands, can find a solution exactly in the Hegelian dialectics, as long as it is “not only unity of contradictions (as for Schelling), but unity of unity and contradictions”. In this sense, universal history, meant in Hegelian terms, actually reflects that notion of order which, according to Émile Benveniste, is widely shared in the Indo-European world and can be

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59 E. Bloch (tr. M. Ritter), Nonsynchronism and the Obligation to Its Dialectics, in New German Critique 11, 1977 [1932], p. 38. In this regard, it could be also pointed out how for Hegel not all states are “perfect” (vollkommen). In particular, in the Grundlinien der Philosophie des Rechts (cit., p. 407, §260z) he explicitly argues that “[die unvollkommene Staaten sind die, in denen die Idee des Staates nach eingebüßt ist und wo die besonderen Bestimmungen der selben nicht zu freier Selbständigkeit gekommen sind”.

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resumed as the “close adaptation among the parts of a whole”: in other terms, from a Hegelian standpoint history as the overarching element of political understanding requires its subjects to share the reason it expresses.

This is because, ultimately, universal history restrains the anarchy of world politics within the limits of a sole logic. It is Alexandre Koyré who remarks, indeed, that “l’identité de la logique et de l’histoire a été le fondement non seulement de la philosophie de l’histoire, mais de tout le système hégélien”: an assertion that, once understood in its cultural context, becomes particularly revealing for our inquiry. Actually, Koyré is among the main representatives of that wider movement that appeared in France during the Thirties, known as the Hegel-Renaissance. As a Antonio Bellantone remarks, in addition to the rediscovery of works like the Phenomenology of Spirit or Dilthey’s Jugendgeschichte Hegels, thanks to new translations, this movement was fundamentally influenced by the works of Husserl and Heidegger and revolved around the need to find an answer to the crisis of knowledge that was felt at the beginning of the century, mostly as a development of Marxism and looking for the traditional meaning of philosophy. More specifically, as Bellantone argues in his history of Hegel’s fortunes in France, there were two reason for many French philosophers to reconsider Hegel: on the one hand, the rise of irrationalism made it mandatory to sustain a logic within which the practice of philosophy could occur, and Hegel’s system seemed to offer a perfect tool to “circumscribe irrationalism”; on the other hand, and even more importantly, in facing

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60 E. BENVENISTE, *Le vocabulaire des institutions indo-européennes : 2. Pouvoir, droit, religion*, Paris, Les éditions de minuit, 1969, p. 101. Benveniste also remarks, however, that, while it is true that “nothing of what concerns man, in the world, escapes the empire of “order””, being it “the religious as well as moral foundation of every society”, the breadth of its possible application makes it necessary for each field to which it is applied to bestow on it a particular distinctive term.


irrationalism, the reappraisal of Hegel made the latter a philosopher of the becoming as well as the first post-metaphysical thinker.  

Indeed, according to Koyré’s short essay titled Hegel à Iena, published in 1934, “l’effort principal de Hegel a été celui de « comprendre le devenir »”: the underlying idea is indeed that Hegel founded its own system by according time a relevant role, so that, in describing Spirit as “essentially historical”, this implies that its development takes place “essentially, within time”. In this regard, Koyré’s assumption of the central role of time in Hegel’s thought can be considered revolutionary for his age, in particular since it made dialectics the very structure of time, as exposed in the following excerpt:

…il semble bien que la révélation de l'historicité de l'esprit ait marquée un moment décisif dans l’histoire de la pensée hégélienne. Et que l'autre moment, non moins décisif, l'ait été par la découverte du caractère dialectique du temps. Car c'est seulement parce que l'esprit est temporel et le temps, dialectique, qu'une dialectique de l'esprit est possible. Or la philosophie de Hegel semble bien, dans ses intuitions les plus profondes, avoir été une philosophie du temps.

Moreover, with regard to our starting point, it is interesting to notice that in the following lines Koyré intensively reports excerpts of Hegel’s Jenenser Logik in order to explain how young Hegel tried to unravel the complex relation between finite and infinite, in which the dialectic of the latter reproduces that of time, whose fundamental moment – Koyré remarks – is the present: a present (maintenant) that denies itself, without

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63 Ibid., p. 125. Incidentally, the definition of Hegel as a “post-metaphysical thinker” can be justified, for instance, by his abovementioned definition of philosophy as something concerned with the “real and present”, and not with “a beyond, which only God knows where it is”

64 Ibidem.

65 This is, indeed, the opinion expressed by A. Bellantone (Op. cit., p. 163).

66 A. Koyré, Hegel à Iena, Cit., p. 163.
depth and essentially oriented towards the future. It is by developing the implications of such dialectic of time, by revealing the structure of indifference that underlies the relationship of past, present, and future, that Koyré comes to the ultimate reification of time. In particular, Koyré points out that “[l]e passé seul, en effet, est achevé, et seul ce sur quoi l’avenir n’a plus de prise est véritablement et effectivement du passé”, in a passage that seems to reveal the influence of Heidegger, who noticed that a fragment of past can still be present if we consider that “[a]s Vergangene gehört unwiederbringlich der früheren Zeit an, es gehörte zu den damaligen Ereignissen und kann trotzdem noch »jetzto vorhanden sein, zum Beispiel die Reste eines griechischen Tempels”, but which, more importantly, leads to assume the ‘paralysis’ of the ‘achieved time’ within the exteriority that makes the time ‘real’ as long as it is expressed by the things that surround us: “[l]e temps, en effet, est espace”. Koyré concludes, therefore, that the Hegelian dialectic is “a phenomenology” (une phénoménologie), and that Hegel refers to a time that is essentially human, even in the later developments of his thought, such as those of the Encyclopedia: it is us, indeed, who project ourselves into the future by denying (or rather by sublating) the present and, consequently, that past that is the achievement of the present.

This conclusion by Koyré, however, leads to consider a relevant deadlock in the consistency of Hegel’s system. Indeed, whereas the latter rests on a dialectic of time that is ultimately projected into the future, thus intrinsically excluding any final achievement, the philosophy of history that emerges from this logical framework implies nonetheless a stop for the dialectics underlying it: in Koyré’s words, “[l]a philosophie de l’histoire, qu’on le veuille ou non, en est un arrêt”).

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67 Ibid., pp. 175-176.
68 Ibid., p. 178.
69 Ibid., pp. 188-189.
As the philosophy of history is, for Hegel, the act of understanding that legitimizes the state by acknowledging the present that makes it the ultimate sovereign institution, the deadlock faced by Koyré acquires, of course, the utmost relevance in understanding how Hegel’s overcoming of the natural law theory can allow a better understanding of world politics. A similar argument is, perhaps, what lies behind the famous interpretation of Hegel’s *Phenomenology of Spirit* provided by Alexandre Kojève during his lectures at the *École pratique des hautes études* in Paris, from 1933 to 1939, which, by moving from the basis set by Koyré, had as its conclusion that history had already reached its end. Nevertheless, what is interesting for us is that Kojève was completely aware that such assertion could be made only by infringing the system exposed by Hegel in the *Phenomenology*.

As is known, Kojève refers to the advent of Napoleon in order to individuate the end of history as indicated by Hegel in his work, but it is nonetheless equally known that Kojève was perfectly aware of the arbitrariness of his interpretation, as he admitted, in a letter addressed to Tran Duc Thao on October 7th, 1948, that he did not really care to know what Hegel actually meant in his book, and that he even moved away from the German philosopher as he wanted to “shake the spirits” (*frapper les esprits*) by exposing what he considered to be the truth instead of what he considered erroneous in the work of Hegel. By doing this, however, Kojève was bringing further Koyré’s argument. In opposition to the latter, for whom time, being finite, was at once the opposite of the infinite and nonetheless concerned with the indefinite future, Kojève not only resolved the aporia by arguing that infinitude was not the contrary of time, but the solution to the self-negation of time’s finitude, thus providing to the latter an eschatological outcome,

71 Ibid., pp. 230-231.
but, more importantly, he did this by shifting to a different perspective, namely that of language. As explained during the seminar on Hegel’s *Phenomenology*, indeed, “[l’Être (Sein) précède sa Révélation (Sprache, Logos), mais l’accomplissement de l’Histoire ne peut s’opérer que par une prise de conscience de l’Être, qui s’exprime par le Langage”.*\(^2\) In particular, Kojève argued that the *Phenomenology* itself should be read as a consequence to the end of history as identified with the rise of Napoleon, and therefore as a description of the post-historical reality: it is in this sense, indeed, that he maintained that what was needed was a ‘Phenomeno-logy’ that be able to discursively define “everything revealing itself through those phenomena, namely everything constituting the meaning or the concepts (=Logoi) implied in the latter”.\(^7\) Or, as he already explained in his *Introduction*,

> La Vérité, c’est le réel révélé par la connaissance, et cette connaissance est rationnelle, conceptuelle. Elle est donc exprimable par un discours rationnable (Logos).

> Réalité = Réalité révélée = Vérité = Concept = Logos. La réalité dont nous parlons implique notre discours (Logos) puisque lui aussi est réel.\(^7\)

Such a ‘phenomeno-logy’, however, in its being an ‘enhancement’ of Hegel’s thought, could not have been possible but in the wake of the influential works by Husserl and Heidegger, from which Kojève explicitly draws its standpoints. As a matter of fact, whereas he even comes to say that Hegel can be considered as an empiricist, if not a positivist, as long as he “regarde le Réel et décrit ce qu’il voit, tout ce qu’il voit et rien d’autre que ce qu’il voit. En d’autres termes, il fait « l’expérience » (Erfahrung) de l’Être et du Réel dialectiques, et il fait ainsi passer leur « mouvement » dans son discours qui les décrit”,\(^7\) Kojève is mainly focused

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\(^{5}\) Ibid., p. 453. Incidentally, it is interesting to notice that a similar consideration can be found in the work of K. LOWITH, who (Op. cit., p. 51), albeit from a radically different point of view, explicitly argues that,
on providing a “contemplative and descriptive” understanding of the historical process, to which he refers as ‘Husserlian’.

The relevance of Kojève’s interpretation lies exactly in the fact that, by ‘distancing’ himself from Hegel’s philosophy of history, to the point of rejecting any philological accuracy in order to expose those parts that seemed to him most suitable to interest the French philosophical milieu of those years, he comes to make it an interpretive tool for the present, directly subjecting the features of his own time to the light of Hegel’s book. As a matter of fact, provided that the philosophical understanding of history can provide the basis for a political project overcoming the modern system of states, any interpretation will be always bounded in turn to its own historical circumstances. Albeit in a somehow rudimentary way, Kojève anticipates what Paul Ricœur will state later, namely that it was not possible anymore to maintain the equation between development (développement) and present (présent), which is at the core of Hegel’s philosophy of history. For this reason, Ricœur can identify the end of Hegelianism as an “event of...
thought” (événement de la pensée): by making historical conscience the object of its own understanding (“la compréhension par elle-même de la conscience historique, son auto-compréhension”), it resolves the the deadlock met by Koyré, at least at the historico-philosophical level. As a matter of fact, by introducing this conclusion as a “hermeneutical phenomenon”, Ricœur argues that

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\text{Avouer que la compréhension par soi de la conscience historique peut être ainsi affectée par des événements dont, encore un fois, nous ne pouvons pas dire si nous les avons produits ou s'ils nous arrivent simplement, c'est avouer la finitude de l'acte philosophique en quoi consiste la compréhension par soi de la conscience historique [...] il faut oser dire que la considération pensante de l'histoire tentée par Hegel était elle-même un phénomène herménénique, une opération interprétante, soumise à la même condition de finitude.}\]

In a more concise way, every historical understanding is both historical knowledge and historical being, thus implying that the very act of understanding history implies the fact of being in history – which is the basis of the definition of ‘historical conscience’. The consciousness of one’s own presence (that is, one’s own being present) is definitely the consciousness of one’s own finitude, and this is perhaps the real limit of any understanding of history in the sense of Hegel. It is the “historical” (geschichtlich) condition of history (Historie), explains Ricœur, the Wirkungsgeschichte, which affects the “reflexive conscience of the methodology” and is, basically, “la conscience d’êtres exposés à l’histoire et à son action, d’une manière telle qu’on ne peut objectiver cette action sur eux, parce que cette efficace fait partie de son sens en tant que phénomène historique”. It is the impossibility to detach ourselves from our own historical framework and its effects that calls into question any

79 Ibid., p. 298.
Hegelian ‘absolute knowledge’ and, at the same time, makes any hermeneutical philosophy a “philosophy of finitude”.

Of course, this development regarding Hegel’s philosophy of history has deep implications for political philosophy. From a merely Hegelian standpoint, the state as the utmost outcome of history: when the spiritual element (das Geistliche) degrades its existence in the worldly reality and the worldly element (das Weltliche) elevates itself to the rationality of right and law (zur Vernünftigkeit des Rechts und Gesetzes), the objective reconciliation has been attained, in which

\[\text{den Staat zum Bilde und zur Wirklichkeit der Vernunft entfaltet, worin das Selbstbewußtsein die Wirklichkeit seines substantiellen Wissens und Wollens in organischer Entwicklung… findet.}\]

And yet, the awareness that any historical understanding is affected by its own historical conditions allows Ricœur, indeed, to state that “Hegel, saisissant un moment favorable – un kairos – qui s’est dérobé à notre vue et à notre expérience, avait totalisé seulement quelques aspects éminents de l’histoire spirituelle de l’Europe et de son environnement géographique et historique”. For this very reason, Ricœur can also suggest that Hegel’s conception of history, as resting on the idea of a ‘totality’, got invalidated not just because of theoretical reasons, but also because of specific political events such as the “suicide” committed by Europe first with the First World War and later with its progressive retirement from world politics. Indeed, according to Ricœur, the Eurocentrism characterizing Hegel’s political thought would have been wiped away by the events of the early twentieth century. The historical events, in other terms, have called into

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82 G. W. F. Hegel, Grundlinien der Philosophie des Rechts, cit., p. 512, §360.
83 P. Ricœur, Temps et récit III, cit., p. 296.
84 Ibidem.
question the validity of the philosophy that was meant to comprehend them. And yet, it is exactly this aspect that reveals the deepest meaning of a Hegelian perspective as regards political philosophy with regard to world politics, as it highlights how “composer une histoire philosophique sera lire l’histoire, principalement politique, sous la conduite d’une idée que seule la philosophie légitime entièrement”.

Accordingly, the awareness that any historical conscience is characterized by finitude should make any political power founded on the legitimation provided by a historical conscience be concerned with the historical circumstances that make the latter possible. Of course, such circumstances are those of the present in which such political power works.

The present, in other terms, is the moment in which the sedimentations of history can be forced to reveal the meaning that is buried (verborgene), can be the object of a presentification (Vergegenwärtigung), and, according to Ricœur, this is the apprehension of a teleological oneness of history. In this sense, even the same anarchy of the states system can be accorded a sense in retrospect, by trying to harmonize the Ungleichzeitigkeits embodied by the international anarchy with the present a specific interpretation of history expresses not just through the interpretation as such, but also

85 P. RICŒUR, Temps et récit III, cit., p. 284.
(and perhaps more importantly) through the historical conditions that make it possible and rational. By referring to Hegel, Kojève seemed to foreshadow this aspect of contemporary politics as he affirmed that an “eternal present” was “not anymore a possibility still to come, but a certainty that is already present”, \(^88\) and remarked that

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\text{[e]n observant ce qui se passait autour de moi et en réfléchissant à ce qui s’est passé dans le monde après la bataille d’Iéna, j’ai compris que Hegel avait raison de voir en celle-ci la fin de l’Histoire proprement dite. […]}
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Ce qui s’est produit définit ne fut qu’une extension dans l’espace de la puissance révolutionnaire universelle actualisée en France par Robespierre-Napoléon. Du point de vue authentiquement historique, les deux guerres mondiales avec leur cortège de petites et grandes révolutions n’ont eu pour effet que d’aligner sur les positions historiques européennes (réelles ou virtuelles) les plus avancées, les civilisations retardataires des provinces périphériques.\(^89\)

What Kojève did not seem to grasp was that this ‘alignment of the provinces’ to the “European historical positions” meant the introduction of history as an element of contemporary sovereignty. In particular, by referring to the “universal revolutionary force” of the French Revolution as an embodiment, Kojève was revealing his Hegelian perspective, considering history as something preceding the primacy of the states and able to align them according to its own development. On the opposite, a post-Hegelian perspective must take into account what Paul Ricoeur affirms, namely that

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\text{… nous disons l’histoire, l’histoire au singulier, parce que nous attendons qu’un sens humain unifie et rende raisonnable cette histoire unique de l’humanité… mais nous disons aussi les hommes, les hommes au pluriel, et nous définissons l’histoire comme la science des hommes du passé, parce que nous attendons que les personnes surgissent comme des foyers radicalement multiples d’humanité.}\(^90\)
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\(^89\) Ibidem.

Consequently, the legitimacy of the states ultimately rests not just on the historical conditions that legitimize them, but on the “thinking consideration of history” (consideration pensante de l’histoire) that undertakes such legitimizing hermeneutical operation. In this sense, what might be the further effect of the wars that upset especially Europe in the twentieth century, namely the establishment of an authority higher than the states embodying the idea of a united European history, can be seen as an example of this possible development.

What should be taken into consideration, however, is that any philosophy of history following Hegel implies the affirmation of a specific logic: both the Philosophy of Right and the Philosophy of History are to be considered, indeed, expressions of a system whose deepest core resides in what is perhaps the least political work written by Hegel, that is, his Science of Logic. This identity of logic and history, on which Koyré even made the whole Hegelian system rest, represents the ultimate meaning of the understanding the role of history in contemporary politics. We have already seen, indeed, that history for Hegel is the progressive revealing of rationality: what must be pointed out now is that such rationality (Vernunft) is strictly connected to the way we think, and logic (die Logik) is exactly “the science of thought, its determinations and laws” (die Wissenschaft des Denkens, seiner Bestimmungen und Gesetze). In this sense, logic constitutes the fundamental part of the Hegelian system and it becomes clear why history is a central element of the Hegelian political philosophy: as Jean Hyppolite highlights, it is exactly history that connects the realm of the objective spirit to the logic that underlies the broader Hegelian system.

91 See also P. Ricoeur, Temps et récit III, cit., p. 283: “la philosophie de l’histoire suppose le système entier”.
92 J. Hyppolite, Logique et existence, cit., p. 245: “le savoir absolu est le fond du savoir qui apparaît dans l’histoire, et l’histoire ouvre cette dimension; l’histoire est le lieu du passage de l’esprit objectif temporel à l’esprit absolu et au Logos”.
"[d]ie Weltgeschichte stellt … die Entwicklung des Bewußtseins des Geistes von seiner Freiheit und der von solchem Bewußtsein hervorgebrachten Verwirklichung dar. Die Entwicklung führt es mit sich, daß sie ein Stufengang, eine Reihe weiterer Bestimmungen der Freiheit ist, welche durch den Begriff der Sache hervorgehen. […] diese Notwendigkeit und die notwendige Reihe der reinen abstrakten Begriffsbestimmungen wird in der Logik erkannt". 93

In this sense, any philosophical interpretation of history not only has political implications, as may be deduced by Ricoeur’s words, but, as a “thinking consideration of history”, should be traced back to a broader framework of “determinations and laws” concerning thought. Consequently, from a Hegelian perspective, states should not be seen just as subject to history, but rather to a logic any political attempt at overcoming the Westphalian primacy of the states should be aware of. Indeed, notwithstanding the anarchical features of the Westphalian system, the Hegelian approach illustrates how relations among states do not represent a “logic and gnoseological tower of Babel”, as Hobbes described any human society without a common power. On the opposite, by acknowledging each other, states think each other and, ultimately, themselves as institutions legitimated in specific historical terms, thus revealing how it is an equally specific logic that lies at the roots of the states system. Consequently, any political project meant to overcome the logic underlying the current international dynamics cannot neglect that such a change would imply a the affirmation of a new understanding of history.

Such understanding, however, should reflect, in turn, the historical conditions that make it possible. Ultimately, therefore, any institution trying to overcome the primacy of the state should be able to act on history as such. And yet, the idea of such a possible development poses several questions, because, whereas the post-Hegelian turn may

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93 G. W. F. HEGEL, Vorlesungen über die Philosophie der Geschichte, cit., p. 86
allow to understand how history cannot be meant as “creator of itself” anymore,\textsuperscript{94} the same cannot be said for logic. As Hyppolite remarked, indeed, “\textit{cette création est là temporelle, ici elle est création éternelle}”: the Logos that is the subject of Hegel’s \textit{Science of Logic} exceeds history as the former contains the latter as well as what lies outside of it, namely nature.\textsuperscript{95} This rift between the finitude of the historical conscience and the infinitude of logic, which constitutes the extreme reach of the hereby proposed post-Hegelian perspective, must be now taken into consideration if we want to understand what kind of institution could be able to oppose the state of nature in international politics.

\textsuperscript{94} It was J. Hyppolite (\textit{Logique et existence}, cit., pp. 245-246) who, by referring to Hegel, stated that “\textit{l’histoire est créatrice de soi, comme le Logos}”.

\textsuperscript{95} Ibidem.
SECOND CHAPTER

Defending the present

At the core of Hegel’s philosophy of history, according to Paul Ricœur, lies the affirmation according to which “le philosophe peut accéder non seulement à un présent qui, en résumant le passé connu, tient en germe le future anticipé, mais à un éternel présent, qui assure l’unité profonde du passé dépassé et des manifestations de la vie qui déjà s’annoncent à travers celles que nous comprenons parce qu’elles achèvent de vieillir”.¹ As a matter of fact, already for Hyppolite, Hegel’s philosophy of history represented a stop (un arrêt) for a dialectic which was otherwise oriented towards the future. In a similar sense, Ricœur argues that the Hegelian identification of the present with the effective (effectif) abolishes the difference between past and present and, consequently, the equation between present and development.² Once history gets understood, it also gets ‘flattened’ on the eternal present of its understanding.

However, it has been pointed out how the finitude of this understanding of history ultimately refers to a logic that, on the opposite, is unachievable – at least for the

² Ibid., p. 296.
individual.³ The object of logic, as the “idea in the abstract element of thought” (Idee im abstrakten Elemente des Denkens), stands in dialectical opposition to Nature, meant as the “idea in its otherness” (Idee in ihrem Anderssein).

In dealing with this dialectic of sense and sensible in Hegel’s work, and following the introduction on the subject of the possibility of absolute knowledge with respect to non-knowledge, Jean Hyppolite comes to consider that dialectic as the “double mouvement” that makes Nature, that is, the sensible as a “au-delà du savoir”, become Logos as a “langage signifiant”, and he defines such language as “pas seulement un système de signes étranger au signifié, il est l’univers existant du sens, et cet univers est aussi bien l'intériorisation du monde que l'extériorisation du moi”.⁵ Above and before history, therefore, logic expresses itself as linguistic creativity – a creativity that can be seen as ‘eternally creative’.

In this sense, the already mentioned interpretation by Kojève represents a borderline case. As a matter of fact, after having identified the French Revolution, and in particular the Napoleonic empire, as the completion (Vollendung) of history, Kojève argues that this final stage in history leads man as such to suppress himself, exactly because his finitude cannot fit with the “eternal present” of the end of history, of history having understood itself:

-Le Selbst, c'est-à-dire l'Homme proprement dit ou l'Individu libre – est le Temps ; et le Temps est l'Histoire, et l'Histoire seulement. (Qui, d'ailleurs, est « das wissende Werden », « le devenir connaissant » de l'Esprit, c'est-à-dire en fin de compte évolution philosophique). Et l'Homme est essentiellement Négativité, car le Temps est le Devenir, c'est-à-dire l'anéantissement de l'Être ou de

³ H.-G. Gadamer (Hegel’s Dialectic. Five Hermeneutical Studies, New Haven and London, Yale University Press, 1976, pp. 81-82) points out how Hegel himself could not complete the description of his logic and made clear that, “in an absolute sense”, it could not be completed.


Such suppression, of course, is not intended to mean a physical suppression. In the famous note added to the second edition of his Introduction, Kojève argues instead that it is man as a discursive being, or, in other terms, Discourse (Logos) which definitely gets suppressed. In particular, Kojève seems to refer to the reduction of man to an animal form of life – we could say, a reduction of the \textit{bios} to the \textit{zoon} – for which “its arts, its loves and its plays must themselves become ‘natural’ again”, so that “men will make their buildings and their artworks like birds make their nests and spiders their webs”. On the whole, the “eternal present” as the result of the end of history would be expressed at its worst by the “American way of life” and understood as a return of man to “animality”, or at its best by the complete formalization of values as in the Japanese society, where each act is totally devoid of any human content and historical meaning.

Kojève’s description is a borderline case because it presents a situation in which the states have been definitely overcome by a ‘homogeneous and universal’ empire, a Hobbesian ‘logical and gnoseological community’ in which history has come to its own final understanding by getting rid of all the \textit{Ungleichzeitigkeit} of world politics. However, the actual situation seems to be far from presenting similar conditions, especially after the decline of the Eurocentrism which, according to Rieicür, made for the end of the Hegelianism. Any attempt at overcoming the states system based on a homogeneous

\footnote{A. KOJEVE, \textit{Introduction à la lecture de Hegel}, Paris, Gallimard, 1979, p. 435.}

\footnote{It will be recollected that Kojève argues that “\textit{les deux guerres mondiales avec leur cortège de petites et grandes révolutions n’ont eu pour effet que d’aligner sur les positions historiques européennes (réelles ou virtuelles) les plus avancées, les civilisations retardataires des provinces périphériques}”. See supra, p. 64.}
historical conscience must necessarily meet the anarchy of the former, along with its implications in terms of historical understanding. For this reason, the Logos, far from having been suppressed, becomes of paramount relevance in the necessary dialectic between the logic of the historic institution and the Ungleichzeitigkeit it has to cope with.

Because, as opposite to Kojève, this dialectic reveals how any logic must still meet with something external, language keeps being necessary for the former to think the latter. As Hegel himself explains in the preface to the second edition of his Science of Logic,

> Die Denkformen sind zunächst in der Sprache des Menschen herausgesetzt und niedergelegt; es kann in unseren Tagen nicht oft genug daran erinnert werden, daß das, wodurch sich der Mensch vom Tiere unterscheidet, das Denken ist. In alles, was ihm zu einem Innerlichen, zur Vorstellung überhaupt wird, was er zu dem Seinigen macht, hat sich die Sprache eingedrängt, und was er zur Sprache macht und in ihr äußert, enthält eingehüllter, vermischter oder herausgearbeitet eine Kategorie... 

Language, in Hegel’s Science of Logic, expresses universality (“die Sprache, als Werk des Verstandes, nur Allgemeines ausspricht”) because it allows thought (das Denken) to understand (verstehen) what lies outside it as by bringing it within its own logical determinations. In this sense, language bears a “logical instinct” (logische Instinkt), something that Gadamer describes as an “unconscious, but unerring tendency towards a goal”, which is exactly “the logical” (das Logische). In this respect, Gadamer suggests that

[w]hat is thought and what is said is so constituted that one can point to it, as it were, even if one takes no position with regard to the truth of what is said and so that, on the contrary, even where the question of its truth is left unasked, the tendency of reason to objectify is

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actualized and precisely that gives thinking and speaking its special character of being universally objectifying.\textsuperscript{10}

Consequently, whereas anarchy in international politics, if compared with the state of nature in Hobbes’s work, is to be understood fundamentally as a logical and gnoseological divergence among the individuals, it is relevant to stress how language in a Hegelian sense may prove to be fundamental in setting a shared logical and gnoseological framework that be ultimately able to transform the \textit{multitude} into a \textit{communitas}. However, it should be pointed out how, by now, language cannot be considered neutral: as the expression of a sense against the anarchy of divergent senses that can be given to history in retrospect, any linguistic operation should be regarded as the claim of a particular understanding for its own universal validity. Starting from the assumption that every description is an interpretation, it is Gadamer who notices indeed that every language actually determines our vision of the world not simply because of its linguistic features, but rather because it expresses and passes on (\textit{überliefert}) a specific content:

Sprachliche Form und überliefelter Inhalt lassen sich in der hermeneutischen Erfahrung nicht trennen. \textit{Wenn eine jede Sprache eine Weltansicht ist, so ist sie das in erster Linie nicht als ein bestimmter Typus von Sprache, (wie der Sprachwissenschaftler Sprache sieht), sondern durch das, was in dieser Sprache gesprochen wird bzw. überliefert ist}.\textsuperscript{11}

In this sense, although it is perhaps a hazardous deduction, it could be argued that the ‘double movement’ described by Hyppolite as regards the relationship of the Logos with Nature, which makes the former a ‘meaningful language’, can be understood in our case

\textsuperscript{10} H.-G. GADAMER, \textit{Hegel's Dialectic}, cit., p. 91. Incidentally, Gadamer describes the Hegelian “logical” as “that tendency of reason to objectify which was the essential characteristic of the Greek logo”.

exactly as the movement that a political power expressing itself through a hermeneutical action undertakes toward the ‘state of nature’ characterizing the international system. This sort of action would allow such political power to bestow a specific meaning on the state of nature by describing it (that is, interpreting it) according to its own vision of the world. Superficially, this would consist of course in a radical difference with the image provided by Hegel, according to which it is the Spirit that moves along the land in order to come to the freedom of all in the Christian-Germanic world. By contrast, however, the background of this image lies exactly in an understanding of world history that, by making the histories of other lands a preliminary phase of the political development occurring on the European ground, actually submits them to a Weltansicht that belongs to the European framework of meaning. In this sense, if we are to consider Hegel’s philosophy of history as the ultimate outcome of the Science of Logic, we can appreciate the value of language as the instrument though which a specific way to think reality may turn into a concrete political assertion based on a ‘conscious’ interpretation of history.

Exactly with regard to the anarchy of world politics, the ‘double movement’ that connects the Logos with Nature may have further implications in an attempt at overcoming it through such an hermeneutical action. In Hegel’s system, indeed, Nature is as fundamental as it, being other than the thought,\(^{12}\) actually contributes to the self-knowledge of the Spirit, which only through the negation of the negation represented by Nature itself can reach the awareness of its “concrete universality” (konkrete Allgemeinheit); the definition of the “Concept of the Spirit” (Begriff des Geistes) is possible

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\(^{12}\) Hegel (Enzyklopädie I, cit.) argues that “[der freie und wahrhafte Gedanke ist in sich konkret, und so ist er Idee, und in seiner ganzen Allgemeinheit die Idee oder das Absolute” (p. 59, §14) and he defines Nature as “[die] Idee in ihrem Anderssein” (p. 61, §18; the definition is repeated at §247).
only inasmuch as it is a return from Nature (Zurückkommen aus der Natur). The philosophy of nature, in other terms, is necessary to introduce the subjective spirit, which in turn precedes the objective spirit. In this regard, we are induced by this short digression to suggest that language, as the meaningful expression by which the Logos refers to Nature, cannot but be shaped as well by the determinations of this “idea in the form of otherness”, that Hegel describes as a combination of necessity and contingency which lacks of freedom: “[die Natur zeigt daher in ihrem Dasein keine Freiheit, sondern Notwendigkeit und Zufälligkeit”. And, in this respect, we have already observed that, for Hegel, the philosophical reflection on history has the sole scope of getting rid of contingency, which is the same as the ‘external necessity’. As the meaningful expression of the Logos, therefore, language should be the instrument by which the contingency gets comprehended by Reason, that is, by which the conciliation (Versöhnung) between reality and rationality is accomplished.

Moreover, since language, according to Hegel, is already from the very beginning of the conscience (Bewußtsein) “das Werk des Gedankens”, because of which “kann auch in ihr nichts gesagt worden, was nicht allgemein ist”: still in the Phenomenology of Spirit, indeed, Hegel argued that “Als ein Allgemeines sprechen wir auch das Sinnliche aus; was wir sagen, ist: Dieses, d. h. das allgemeine Diese, oder es ist, d. b. das Sein überhaupt. Wir stellen uns dabei freilich das allgemeine Diese oder das Sein überhaupt vor, aber wir sprechen das Allgemeine aus”. It is exactly this expression of the universal through language that lays the foundations for history as a process in which the potentiality of contingency gets

13 G. W. F. Hegel, Enzyklopädie der philosophischen Wissenschaften im Grundrisse II and III, in ID. Werke, cit., Bd. 9, pp. 537 (§376) and Bd. 10, p. 17 (§381).
14 G. W. F. Hegel, Enzyklopädie II, cit., p. 27 (§248).
15 G. W. F. Hegel, Enzyklopädie I, cit., p. 74 (§20n).
actualized in the universal. Virno argues, indeed, that what Hegel describes in this chapter is a “treatise on prehistory”, and he rests on Benveniste as he remarks that the words used by Hegel in the very first stages of his *Phenomenology* are deictics which provide the tool for the “conversion of language into discourse”, that is, a threshold between potentiality and actuality, that can be resumed by saying that “before the enunciation of language there is only the possibility of the language”. Furthermore, Virno adds to this definition that the features of this conversion are “exquisitely temporal” as they refer to the passage from an “undetermined ‘before’ (language as a faculty)” to a “punctual and univocal ‘then’ (discourse as execution)”. As a matter of fact, ‘Now’ implies the exit from the “inactuality of potentiality” and, ultimately, all deictics implicitly refer to the ‘Now’: “the ‘this’ is always the ‘this’ that I am saying ‘Now’”.  

Language, then, is the fundamental passage in actualizing the potentiality, and its most extreme result might be identified in what Ricœur sees as the abolition of the notion of history itself by erasing past into a present that is identified with the effective:18 as a matter of fact, Kojève could describe the annihilation of language only because he was speaking of an eternal present, that is, a situation in which no further actualization was possible due to the homogeneity and universality of the empire. On the opposite, as Virno argues, the “historicity of experience” is founded on “the permanent rift between potentiality [*potere-fare* ‘can-do’] and actuality [*fatti compiuti* ‘accomplished facts’]”, whose only alternative, if something similar to the Hegelian philosophical arrest to history can be attempted, is to ignore such rift by “giving the present the form of the “then””, thus setting the former in an “indefinite past, without dates, that never was actual”. Virno

18 P. RICŒUR, *Temps et Récit III*, cit., p. 296: “La notion même d’histoire est abolie par la philosophie, dès lors que le présent, égalé à l’effectif, abolit sa différence d’avec le passé”.

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identifies such mechanism, which he likens to Kojève’s interpretation, with the déjà vu, meant as a paralysis of human action due to an excess of memory such as to ‘eradicate’ the future (as in the famous literary example of Borges’s *Funes el memorioso*) and make history come to a stop because the past, by losing its connection with the future, becomes the only focus for men, who “let themselves get hypnotized by memories”.¹⁹ Since, as Virno says, “no authentic past is such authoritative as to impose a similar dependency”, the object of memory becomes exactly the present – a present which, as in the déjà vu experience, by getting the form of the “then” downsizes potentiality to “performances that have been accomplished in the past”.²⁰ The Hegelian effectiveness of the present becomes the threshold for potentiality to get actualized as part of a past that is a ‘reflection’ of present itself.

This point is, basically, similar to Aristotle’s description of the future contingents. In the famous ninth chapter of his *On Interpretation*, Aristotle explains the problem as follows:

> A sea-fight must either take place tomorrow or not, but it is not necessary that it should take place tomorrow, neither it is necessary that it should not take place, yet it is necessary that either should or should not take place tomorrow. Since propositions correspond with facts, it is evident that when in future events there is a real alternative and a potentiality in contrary decisions, the corresponding affirmation and denial have the same character.

> This is the case with regard to that which is not always existent or not always nonexistent. One of the two propositions in such instances must be true and the other false, but we cannot say determinately that this or that is false, but must leave the alternative undecided. One may indeed be more likely to be true than the other, but it cannot be either actually true or actually false. It is therefore plain that it is not necessary that of an affirmation and a denial one should

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be true and the other false. For in the case of that which exists potentially, but not actually, the rule which applies to that which exists actually does not hold good. The case is rather as we have indicated.  

In our case, though, the present is not the time in which affirmations are made whose truth can be decided only by the future. On the contrary, the present in Hegelian system is the time in which Reason decides on the actualization of the potentiality of the past – of course, not of the events in themselves, but of the manifold interpretations that accompany them and, nonetheless, must be ‘distilled’ in order to attain a rational understanding of history that, in turn, be able to legitimize the present reality.

I quote again Aristotle:

…reality is so constituted that it may issue in either of two opposite directions. Again, if a thing is white now, it was true before to say that it would be white, so that of anything that has taken place it was always true to say 'it is' or 'it will be'. But if it was always true to say that a thing is or will be, it is not possible that it should not be or not be about to be, and when a thing cannot not come to be, it is impossible that it should not come to be, and when it is impossible that it should not come to be, it must come to be. All, then, that is about to be must of necessity take place.

For Aristotle, it is the actualization of the present that decides on the truth of statements made in the past. If a sea-battle takes place today, it was true in the past to say that it would have taken place. The actualization is a ‘decision’ that, by concerning the roots of the meaning of past assertions (that is, their being true or false), assumes the tone of necessity. This is why the past gets achieved in the present: notwithstanding the custom of judging the necessity of our present out of the events of the past, what

21 ARISTOTLE, On interpretation, 18d.
22 Ibid., 18b.
we are really doing is the opposite, namely interpreting the past as necessary by actualizing its meaning in the present.

In Hegel’s political philosophy, this linguistic actualization takes place especially though the state as the utmost expression of history in the objective spirit:

…der Staat erst führt einen Inhalt herbei, der für die Prosa der Geschichte nicht nur geeignet ist, sondern sie selbst mit erzeugt. Statt nur subjektiver, für das Bedürfnis des Augenblicks genügender Befehle des Regierens erfordert ein festwerdendes, zum Staate sich erhebendes Gemeinwesen Gebote, Gesetze, allgemeine und allgemeingültige Bestimmungen und erzeugt damit sowohl einen Vortrag als ein Interesse von verständigen, in sich bestimmten und in ihren Resultaten dauernden Taten und Begebenheiten…

In this sense, the multitude of facts (“Verwicklungen, Kriege, Umstürze, Untergänge”) coming before the state, notwithstanding their contribution to the “Verbreitung und Ausbildung des Reiches der Laute”, cannot but remain voiceless and mute (lautlos und stumm) until there is no rationality that is able to lead them all toward a scope pertaining to both reality and substantial freedom (einen der Wirklichkeit und zugleich der substantiellen Freiheit angehörigen Zweck) – even if this means the reduction of the potential expressiveness of the language, for “[s] ist ferner ein Faktum, daß mit fortschreitender Zivilisation der Gesellschaft und des Staats diese systematische Ausführung des Verstandes sich abschleift und die Sprache hieran ärmer und ungebildeter wird”. In fact, according to Hegel, “[d]ie Voreiligkeit der Sprache und das Vorwärts- und Auseinandertreiben der Nationen hat erst teils in Berührung mit Staaten, teils durch eigenen Beginn der Staatsbildung Bedeutung und Interesse für die konkrete Vernunft gewonnen”.

Why is potentiality “lautlos and stumm”? Because it can be contradictory to the point of being meaningless. In particular, it has been repeatedly observed that, for Hegel, the understanding of history lies in the basic task of “removing contingency” (das Zufällige zu

23 G. W. F. HEGEL, Vorlesungen über die Philosophie der Geschichte, cit., p. 83.
24 Ibid., pp. 85-86.
entfernen), and now it becomes clear that such contingency can be identified with the “lautlos und stumm” potentiality that Reason is meant to polish (abschleifen) by reducing it to a language that is certainly “ärmer und ungebildeter”, but is nonetheless an act, a real and rational presence. In this sense, the Hegelian state represents the moment in which it is possible to bring the ‘pre-historical’ contingency back to Reason, and therefore turn it into history, and this moment is particularly meaningful as it rests on language as actualization of a wider potentiality.

Historical actualization in the Hegelian system, however, is possible only up to the level of the state with its laws and commands. The state, indeed, represents the highest form of the objective spirit, that is, the Hegelian equivalent of the Greek polis, in which all individuals are free as long as they belong to the same communitas, and are united, therefore, under the same Weltansicht by sharing the same logical and gnoseological background.25

However, the same cannot be said for the Westphalian states system, which, notwithstanding the increasing awareness of sharing certain logical tenets, from a Hegelian standpoint can be seen only as a Hobbesian multitude. No common power is present, and, as pointed out by Ricœur, it is exactly the absence of a state at this level that makes for the shift from the philosophy of right to the philosophy of history:26

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25 It is known, indeed, that young Hegel’s work was particularly concerned with the institutions of the polis because of the influence exerted by Hölderlin and his circle. In this case, I refer to the relevance of the objective spirit as the reality, meant as a “world that has to be produced and is produced by” the spirit (als einer von ihm hervorzubringenden und hervorgebrachten Welt [ist]), in which “freedom presents itself as existing necessity” (in welcher die Freiheit als vorhandene Notwendigkeit ist): G. W. F. HEGEL, Enzyklopädie III, cit., p. 32, §385). The reference to the Greek polis rests on the fact that freedom was identified by the ancient Greeks exactly with their own self-determination as citizens of a specific state (G. REALE, Il pensiero antico, Milan, Vita e Pensiero, 2001, p. 9).

26 P. RICŒUR, Temps et Récit III, cit., p. 296.
whereas even leagues of states are possible, for Hegel, only against a common enemy, there can be no superior power above them but history and, in this sense, states can be subordinated only to the philosophy of history that legitimizes them as its own utmost expressions. However, it has been already observed how even the Hegelian philosophy of history is a hermeneutical phenomenon, which and is ultimately a sense among others in the ‘nonsynchronous’ anarchy of world politics resting on the Now of the historical conditions that allow it to be conceived. Could it be possible, therefore, for a sovereign institution to impose a similar philosophy of history in order to counter the contingency of world politics?

A possible answer to this question could be found exactly in the dynamics that regulated the life of the polis, more specifically in a peculiar concept that has been the object of an interesting philological survey led by Gennaro Carillo, namely the one expressed by the Greek verb katechein. According to Carillo, in fact, this verb leads to the identification of “a constant problem in ancient democracy, that is, at least as constant as the metechein (the ‘participation’) to the affairs of the polis: the need to ‘restrain’ the multitude (the plethos: the majority) within the due measure”. As Carillo points out by referring to Herodotus (who nonetheless refers, in turn, to a distant

27 G. W. F. HEGEL, Grundlinien der Philosophie des Rechts, in Id., Werke, cit., Bd. 7, pp. 493-494, §324 Zusatz: “Kant hat so einen Fürstenbund vorgeschlagen, der die Streitigkeiten der Staaten schlichten sollte, und die Heilige Allianz hatte die Absicht, ungefähr ein solches Institut zu sein. Allein der Staat ist Individuum, und in der Individualität ist die Negation wesentlich enthalten. Wenn also auch eine Anzahl von Staaten sich zu einer Familie macht, so muß sich dieser Verein als Individualität einen Gegensatz kreieren und einen Feind erzeugen”.

28 G. W. F. HEGEL, Enzyklopädie III, cit., p. 347, §548: “Der bestimmte Völkgeist, da er wirklich und seine Freiheit als Natur ist, hat nach dieser Naturseite das Moment geographischer und klimatischer Bestimmtheit […] er hat eine Geschichte innerhalb seiner. Als beschränkter Geist ist seine Selbständigkeit ein Unterordnetes; er geht in die allgemeine Weltgeschichte über, deren Begleitzeiten die Dialektik der besonderen Völkergeister, das Weltgericht, darstellt”.

Persian past, therefore to a historical context that is not his own), the *katechein* describes the political action that, in the archaic Greece, is meant to preserve the unity of the *koinon*, namely the common sphere, against the risk of internal feud, namely the *stasis*. In particular, as Carillo turns to Pericles’s famous *epitaphios logos* as reported by Thucydidès’s *History of the Peloponnesian War*, his scrupulous survey of the several translations published through the centuries leads to focusing on the passage in which Pericles “freely controled the multitude” (as Hobbes translates it). There is something strange, in fact, in the combination of the words ‘freely’ and ‘control’. While the latter refers exactly to the verb *katechein*, the former refers to what Carillo defines as the keyword of Greek democracy, namely *eleutheria* (liberty): according to him, the seeming oxymoron may be better formulated by saying that what withholds the *plethos* is, at the same time, what keeps it free, and explained by point at the identification of Pericles himself as the ‘brake’ that withholds the danger represented by the “excesses of passion” of the Athenians themselves, which have already led to an internal feud. However, as Pericles belongs to the community of the Athenians, although he has oligarchic preferences, the control he exerts for the sake of the *demos*’s freedom is, in the end, the expression of the reason subtending the community itself, as can be argued by pushing forward the analysis of Emmanuel Terray.

It is in the Middle Ages, however, that the political concept of *katechein* comes to the fore of world politics and, more importantly, assumes a historical meaning. Carl Schmitt describes indeed the Christian empire of the Middle Ages as “capable of historical power” (*einer geschichtlichen Macht fähig*) and defining it with the concept of *katechon* since

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such power is “able to restrain the end of the present eon” (das Ende des gegenwärtigen Aon aufzuhalten vermag). The political order that presents itself as a katechon, in other terms, hinders the eschatological solution of history by imposing its own present existence. For this reason, Schmitt argues that “the political or juridical constructions of the perpetuation of the Roman Empire are, compared to the doctrine of the Katechon, not the essential”. The essential (das Wesentliche) is the continuity that subtends them, and such continuity must be identified with the Now embodied by the katechon. As Massimo Cacciari explains, resting on the obvious fact that “[e]very earthly power, each one of its laws, want and have to stay”, such staying is reduced exactly to the moment and that all moments must be subsumed in the Now of the katechon.

However, the “political or juridical constructions” mentioned by Schmitt actually witness the fact that the katechon cannot deploy its historical power without establishing a territorial order. As a matter of fact, the institution expressing such power is constitutionally urged to do it in order to make its own rationality as universal as possible. In this case, it has to be understood as a real ‘authority’, since “its civitas is angescens, or it is not”, and the katechon has to be understood as a “ministry” whose “most authentical mission” is to support the universalization of its system. It is obvious that, by doing this, the katechon ultimately makes for the overcoming of the political anarchy and establishes a close connection between the Ordnung and the Ortung.

34 Ibid., p. 30.
36 Ibid., p. 30. It should be reminded, in fact, that auctoritas etymologically comes from augeo (to increase), although BENVENISTE: (Le vocabulaire des institutions indo-européennes : 2. Pouvoir, droit, religion, Paris, Les éditions de minuit, 1969, p. 149) points out that the increase implied in the concept auctoritas is meant as the act to produce something outside oneself, and that it is originally conceived as the privilege of gods and great natural forces.
the order and the territory. What is relevant for our inquiry, it identifies itself as a *nomos* because it expresses a human rationality against the *physis* represented by the state of nature of international anarchy: it stresses, in fact, the “artificial, conventional, man-made nature of the laws” binding the community it describes. Or, to put it into other terms, if we are to understand the *katechon* ‘simply’ by its etymological meaning, namely as a ‘brake’, we can refer to Vico in suggesting that it is what tames the ‘ferine community’ of the ‘exlex’, the a-historical state that comes to an end in the state of nature. Even though from a different point of view, also in Vico history presents a brake that is meant to delimit what lies outside the *Ortung*, here meant as “that ‘localizing’ and ‘temporalizing’ event, which traces the limit between form and Chaos… possibility and impossibility of the science”.

However, the concept of *katechon* presents even deeper implications, that are already present in the source to which Schmitt himself makes an explicit reference in referring to the emergence of such term, namely the Second Epistle to the Thessalonians, traditionally attributed to Paul, where it reads:

9 Don’t you remember that when I was with you I used to tell you these things? 6 And now you know what is holding him back, so that he may be revealed at the proper time. 7 For the secret power of lawlessness is already at work; but the one who now holds it back will continue to do so till he is taken out of the way. 8 And then the lawless one will be revealed, whom the Lord Jesus will overthrow with the breath of his mouth and destroy by the splendor of his coming. 39

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39 TH 2: 2,5-8.
As a matter of fact, what these lines make perfectly clear is that, while the second and final advent of the Lord (parousia) still has to come, there is another power that is “already at work”, and such power is anomic, as it is the “power of the lawlessness”. While, on the one hand, this aspect confirm that the institution embodying the katechon has to be understood as an expression of the nomos, on the other hand the mere existence of this opposition makes it clear that this nomos owes its own presence (literally meant as ‘being present’) to the lawlessness it opposes. Its essential role, indeed, is not that of annihilating the lawlessness, as this is the privilege of the Lord. On the opposite, the katechon is etymologically meant to restrain the lawlessness. But, by the very fact of restraining it, of posing a limit to it, it necessarily conforms to the several manifestations of such lawlessness. As Paolo Virno remarks: “it resists to the pressure of the chaos by adhering to the latter, just like the concave adheres to its own convex”. 41

Somehow, adds Virno by quoting Roberto Esposito, according to this logic it can be said that the katechon even “restrains the evil by containing it, by maintaining it, by detaining it within itself”. 42 This is particularly the case of international politics, as the evil that has to be detainted can be easily identified in the perpetual, latent conflict that lurks in the state of nature and continuously threatens the stability, and thus the existence, of the sovereign powers that preside over it. More importantly, however, is that the fact that, by arguing that katechein is less the act of restraining than that of containing within oneself it is possible to state that such a power should be understood as a force who “took possess of the space it now occupies” and keeps all his elements within its own borders, the lyra. 43

41 P. VIRNO, E così via, all’infinito. Logica e antropologia, Turin, Bollati Boringhieri, 2010, p. 188
42 Ibid., p. 187.
The evil opposed by the *katechon*, therefore, can be understood as immanent to it. This is the reason why Carillo’s abovementioned reflections about the act of *katechein* with respect to the dynamics of the *polis* should be taken into particular consideration, although we should avoid to establish the appealing parallelism according to which what the *katechon* is with reference to the multitude equals, if we are to move from a Hegelian point of view, what the state is with reference to the state of nature.\(^{44}\) In fact, nothing could be more wrong. Moving back to the Christian development of the concept, it is indeed interesting to notice with Virno that, whereas modern political theory (from Hobbes to Schmitt) has identified the restraining force that can be understood as the *katechon* as an attribute of the state sovereignty, the *katechon* actually exceeds the latter and can be even opposed to the concept of state sovereignty. As a matter of fact, whereas the state establishes its own legitimization on the exit from the state of nature, attained by the adoption of a the set of rules implied by the founding covenant, the *katechon* actually *coexists* with the lack of rules (the lawlessness), thus embodying a kind of institution mediating between the state of nature and the reason that tries to restrain it.\(^{45}\) Accordingly, as Virno argues that by virtue of its being “doubly tied to circumstances and occasions” (just like the Hegelian Logos is tied to Nature through a “double

\(^{44}\) Cacciari (Op. cit., p. 22) actually asks whether every established power, “effectively in force”, does not actually belong to the “dimension of the *katechon*” and, in this sense, he argues that such power should be compared to the “Hobbesian mortal god, creator of a peace that is exclusively earthly, in whose body all *cives* are kept”. As for our inquiry, in the terminology used by Carillo we can glimpse some words that could help us in connecting the whole excursus on the subject of the *katechon* to modern politics. For instance, in the very introduction of Carillo’s explanation of *katechein*, the words *polis* and *multitude* assume a particular relevance, and it has been already observed that, while the former is a relevant inspiration for the Hegelian conception of *Volk* and, later, *Staat*, the latter, exactly with regard to the such Hegelian translation, stands as the natural law counterpart of the embodiment of the ethical totality, as indicated by Bobbio.

\(^{45}\) P. Virno, *E così via, all’infinito*, cit., p. 191.
movement” – and makes it a “meaningful language”) the *katechon* is not dissimilar to other “irregular institutions” characterizing the multitude, following the binary provided by Carillo it is even possible to add that the *katechon* could be conceived as the normative instrument that, using Hobbesian terms, makes the multitude become a *civitas*, the unconscious gnoseological society become an aware gnoseological community. In fact, as regards the abovementioned translation of Thucydides by Hobbes, Carillo notices that the latter adopts exactly the word ‘multitude’ to translate *plethos*, and he indicates that, by doing this, he implicitly rejects the meaning of ‘the many’ in favor of that, more ‘unifying’, of ‘community’, in accordance with Thomas Aquinas’s *multitudo*.\(^6\) Resting on both interpretations of the concept, then, it seems possible to me to suggest that it is exactly its being a connection between facts and norms, as well as its role in gathering the multitude as a gnoseological community, that makes the *katechon* the concept that better explains the nature of a sovereignty based on a historical conscience, that is, on the attempt at conciliating (*versöhnen*) reality and reason, *Wirklichkeit* and *Vernunft*.

And yet, exactly because of its being “doubly tied to circumstances and occasions”, the *katechon* is meant to act in a certain moment in order for its action to be successful: still according to Carillo, the act of *katechein* must rest on the individuation of its *kairos*, that is, the moment in which potentiality can become actuality, in which – in our case – historical reason can impose its dominion on the factual reality. As Carillo perfectly illustrates, such a concept may have a purely political effect. As a matter of fact, it is Aristotle who says that *kairos* is “the good (*tagathon*)… in time (*en chronoi*)”, thus leading to consider the temporal value of this moment as a *normative* value, a “value of

\(^6\) G. CARILLO, *Katechein*, cit., p. 97.
interdiction”. According to Carillo, it is with regard to the *kairos* that the remaining time is defined: “the remaining time retreats to being fear of waiting, to being time of postponement, of either not being able *yet* to or not being able *anymore* to act”. For instance, in his work on *katechein*, Carillo refers to the effort by Pericles to keep the polis in the state of *besychia*, in that quiescence that, according to Georg Rechenauer (as quoted by Carillo), is a state in which the state is “well ordered” and “all historico-political processes take place in the framework of the requirements for the public good, managed by the regulative forces of intellect and according to the categories of continuity and stability”: it is relevant to notice with Carillo that Rechenauer sets a connection between *besychia* and *eunomia* with regard to the quiet of the body politic meant as a whole.

More broadly, however, if we are to consider the *katechon* not only as a single act, but rather as the effect of an institution, it is necessary to understand how the individual *kairoi* can form a protracted period of time while preserving their fundamental uniqueness. According to Cacciari – who, it must be reminded, refers to the Christian conception of *katechon* – the political institution that holds this power “must be able to effectively promote his claim to the establishment of the destiny of an *epoch*”, where “*epoch*” is meant as *epoché* and “means arrest, an insisting on the same”. It is in this sense, he argues that


48 Ibid., p. 125.

Epoch is a long duration, all of whose moments can be nonetheless attributed to an essential unity, whose fundamental features do not change, whose events are not at all occasional, but always lead, instead, to the meaning of the whole. With the term epoch we indicate, therefore, a time in which history almost seems to have been achieved, in which the becoming seemingly assumes the seal of the being.50

As it seems, this inquiry on the katechon has led again to the understanding of a possible post-Westphalian order as the imposition of a historical reason. However, just like Hegel, at least according to Ricœur, could turn some aspects of the European history into a totality exactly by grasping the opportunity of a kairo, of a “moment favorable”, and by making this present the overwhelming element of his philosophy of history, the katechontic imposition of a historical reason lies exactly in the preservation of the Now, thus revealing its dependence on the persistence of a threat to its Now, to its Epoch. If the Hegelian kairo is the favorable moment in which reality can be reconciled with reason through historical understanding, then the katechon is the institution that is meant to preserve this reconciliation against the risks embodied by the anomie of the Ungleichzeitigkeit.51

And yet, the concept of katechon contains in itself the seed of the crisis for any attempt at establishing a political situation comparable to the Hegelian ethical totality in the field of international politics. Indeed, by overcoming the ‘nonsynchronism’ of the Westphalian system, the katechon aims at leveling history on its own Now, at making reason (Vernunft) out of the reality (Wirklichkeit) of its own present (Gegenwart) and presence. Its nomos, that is, must constantly adhere to the anomie lying on its outside. As a matter of fact, whereas it has been seen that the katechon exists only inasmuch as it is

51 In this sense, consistently with the definition of auctoritas provided by Benveniste (see note 16), the katechon expresses its authority by producing a historical order outside its Now.
meant to oppose its nomos to the anomie that lies on its outside that threatens to destroy it, it rapidly becomes clear that the condition for such ‘historical power’ is that of a state of exception: exactly because the katechon “exhibits the relation between regularity and rules, namely the twine of natural life and political praxis”, Paolo Virno even affirms that it is “the institution that fits better with the state of exception”, meant as the “partial indistinction… of matters of right and matters of fact”. 52

Both the katechon and the state of exception, indeed refer to the same situation, namely a situation of necessity and contingency, the reaction to which by the established institution, therefore, cannot be prescribed. Consequently, even though the notion of state of exception is closely intertwined with that of politics perhaps since the latter was born, there is no unique definition for it: in this respect, François Saint-Bonnet is clear in stating that an ‘a-temporal definition’ would rapidly define the state of exception as what “lies at the core of the relation between the pressure of facts and the stability of the juridical order” (a definition that, incidentally, fits with what we have already observed with reference to the katechon), but also adds that the exceptionality “does not have any sense but in relation to a juridical order and as a function of an aim”, which are the elements “that change”. 53

In this sense, the “modern model” for this notion, according to Saint-Bonnet, arises only with Hobbes and his systematic definition of sovereignty that the theory of the state of exception, as already sketched by Machiavelli and Bodin, finds a “modern model”. However, following the already observed development which makes that, according to the political thought of the seventeenth century, institutions are to be considered as founded not by divine right, but rather by man with respect to his own

52 P. VIRNO, E così via, all'infinito, cit., p. 191.
reason, by making the exit from the gnoseological chaos of the state of nature (that is, where facts are not limited by rules) possible only inasmuch as the multitude can become a *communitas* and delegate the power to a sovereign that is, by then, identified with the state of peace, Hobbes ultimately excludes the possibility of any state of exception. As a matter of fact, as such legitimization of sovereignty rests on the idea that the sovereign cannot possibly break the convention that allows him its own prerogatives (“every subject is author of every act the sovereign doth”⁵⁴), and that there could not be any act against him but in a state of nature (thus creating an aporia, since there can be any sovereign in the state of nature), the system established by Hobbes excludes on a mere logical basis the existence of the necessity for the sovereign to act in the framework of the state of exception.⁵⁵

Hobbes, therefore, assumes sovereignty as an all-encompassing concept. The further development of natural law theory, however, increasingly takes into account the fact that there are unforeseen circumstances and occasions that, in the end, allow the possibility of a state of exception also where the state of nature has been substituted by a social contract, and, in this sense, implies that there are limits also for juridical positivism.⁵⁶ It is in this sense, in other words, that the understanding of sovereignty as a *katechon*, together with the assumption that such definition necessarily implies that this sovereignty rests on a permanent state of exception, casts a brighter light on Bobbio’s interpretation of Hegel, according to which, while the state achieves the ethical totality, the state of nature keeps being actual outside of (or even after) it. Once history is meant as the actualization of reason, the political institution embodying such history and such reason finds itself obliged to manage both its own norms, that is the rational actuality,

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⁵⁶ Ibid., p. 266.
and the facts, namely the potentiality that are not yet ‘synchronized’ with the institution’s Now, that is, that are not actualized yet. The state of exception, yet, implies that such actualization cannot be foreseen neither as regards its nature, nor as regards the way the sovereign institution will cope with it. Just like any philosophy of history cannot be prescriptive, but only descriptive as regards the events it comprises in its own rationality, the ‘historical power’ of the sovereign institution lies exactly in the fact that it must be able to transgress its norms in order as much as it is necessary in order to make the facts fit with the rationality that subtends such norms. Therefore, whereas in modern political theory the state of exception is meant to preserve the state, in our case it is meant, to put it into Hegelian terms, to reconcile the reality of the present with the reason on which sovereignty rests. As a matter of fact, as Gadamer remarks, “reason exists for us only in concrete, historical terms: i.e., it is not its own master, but remains constantly dependent on the circumstances in which it operates”.\footnote{H.-G. GADAMER, \textit{Wahrheit und Methode}, cit., p. 281.} This is why, however, Gadamer himself also states that it is impossible, for a finite and historical conscience, to identify itself with its object, since “this conscience is always immersed in historical influences”.\footnote{H.-G. GADAMER, \textit{Le problème de la conscience historique}, Paris, Seuil, 1996, p. 39.} The Hegelian Absolute Knowledge is not possible, and a kind of sovereignty which aims at managing a ‘historical power’ is bound to cope with the historical reality that informs the reason on which it wants to found its own legitimization. But, as Ricœur reminds us, the philosophical credo subtending Hegel’s work is exactly that
la raison n’est pas un idéal impuissant, mais une puissance. Ce n’est pas une simple abstraction, un devoir-être, mais une puissance infinie qui, à la différence des puissances finies, produit les circonstances de sa propre réalisation.60

The close relation between the state of exception and the understanding of history, however, had already been indicated by Walter Benjamin, who clearly affirmed in the eighth thesis of his famous Über den Begriff der Geschichte that “the tradition of the oppressed teaches us that the ‘state of exception’ in which we live is the rule”, then adding that the substitution with what he calls a “real” (wirkliche) state of exception is a political act since Fascism gets legitimized exactly by the fact that, in the current state of exception, “the opponents, in the name of progress, treat it as a historical norm [at seiner historischen Norm]”, whereas it should be understood by recognizing that the conception of history (die Vorstellung von Geschichte) from which such situation stems is untenable (nicht zu halten ist).60 As long as this consideration is taken within the debate against Carl Schmitt, it is necessary to bear in mind that the latter articulates his ‘decisionist’ theory exactly because he considers the state of exception as the real feature of the concept of sovereignty.61 In this sense, as he extends to the domain of historical understanding the concept of the state of exception, Benjamin seems to suggest that, as long as, for Schmitt, “the sovereign is he who controls the exception”, sovereignty ultimately comes to the control of the historical reason that acts on that exception.

In this sense, the sovereignty of the katechon can be identified exactly in the control of that “nobody’s land between public law and political fact, between juridical order and

life” that is the exception, according to a definition by Agamben.\textsuperscript{62} Whereas states represent the achievement of rationality through history, any possible sovereign institution higher than the state must act on the relation between this rationality and the lawfulness it opposes, thus preserving the actuality of the former by adjusting it to the potentiality of the latter. A conservative power, the katechontic sovereignty is urged to progress in order to meet the potentiality it must restrain. The lawlessness it opposes may be either a different historical rationality or a sheer lack of order: in any case, it would imply not just an \textit{a-nomie}, but rather a \textit{de-nomie}, namely the desitution of the law, and therefore the reason, of the order preserved by the \textit{katekon}. For this reason, just like in Hyppolite’s interpretation of Hegel the dialectics between Logos and Nature lead to the production of a meaningful language, the state of exception urges the katechontic sovereignty to constantly reassert the meaning of its order. As a consequence, however, the order gets constantly suspended in order to be re-enacted according to the changing form of the chaos, and such suspension is mandatory, indeed, as the rules of that order, if ‘static’, would not provide for the inclusion of those facts that would otherwise destroy the order itself. This perpetual condition of necessity, in turn, leads us to a paradox: a sovereignty that is meant to express an consistent reason is preserved by its being constantly in a state of exception.

This apparent paradox gets revealed exactly with language, and in this sense characterizes contemporary international politics. The dynamics intended by the state of exception would lead us, indeed, to think that the system on which the related sovereignty works by decision and not according to a system of stable and codified norms. And yet, codification is perhaps one of the main features of contemporary international politics. As a matter of fact, it has been observed in the first chapter how

the institution with which we deal here presents a codification, the *acquis communautaire*, that is not only extremely extended, but whose adoption is also considered one of the main requisites for joining the institution. This would seem, therefore, inconsistent with what we have observed up to now, if it were not for the fact that a Hegelian overcoming of the conception of international relations as occurring in a state of nature cannot leave aside the fact that, in Hegel’s political philosophy, codification is highly valued, as in Hegel’s age it was meant as the “watershed that divides rationalism from juridical historicism”, and was the outcome of a process whose culmination took place in the previous century with the request of codifications meant as systemic rationalizations of law.\(^{63}\) In particular, Hegel already ‘answers’ the paradox by excluding that the codification may imply that law ceases to be ‘living’: he argues, indeed, that “*die geltenden Gesetze einer Nation dadurch, daß sie geschrieben und gesammelt sind, nicht aufhören, ihre Gewohnheiten zu sein*”.\(^{64}\) The real problem, yet, emerges a few lines after, as Hegel asserts that, a properly so-called code (*ein eigentlich so genanntes Gesetzbuch*) is characterized by the fact that it thoughtfully gathers and expresses the principle of jurisprudence in their universality, and therefore in their determinacy (*daß dieses die Rechtsprinzipien in ihrer Allgemeinheit und damit in ihrer Bestimmtheit denkend auffaßt und ausspricht*).\(^{65}\) It is clear, therefore, that what is puzzling for our inquiry is exactly the way a Hegelian understanding of international relations can combine the universality of the principle gathered by a codification (which would be consistent with the idea of a reason claiming for an all-encompassing actuality) with the idea that such codification is constantly cast into question by an ‘external’ reality that calls for the enforcement of a state of exception.


\(^{64}\) G. W. F. HEGEL, *Grundlinien der Philosophie des Rechts*, cit., p. 362, §211.

\(^{65}\) Ibidem.
Again, it is to the relation between Logos and Nature that we have to turn in order to find an answer to this deadlock. The basic fact is that the relationship of the Logos with Nature is above all influential for the former. The Logos, indeed, relates to Nature by taking into constant consideration its moments, in order to adhere to them, there is as well a mutual relationship between the one who expresses a logic by means of its language and the object that this language wants to ‘interiorize’ by adhering to it. This is what Hyppolite calls the “memory of language”:

\[
\text{C'est pourquoi cette mémoire qui intériorise le monde n'existe que par l'autre mémoire qui extériorise le Moi.}
\]

In this sense, the idea of the extension of the ‘ultimate’ development brought by the Napoleonic empire to the “late civilizations” (civilisations retardataires) described by Alexandre Kojève reflects in a certain way this dynamic. However, as long as even the Napoleonic empire had its own boundaries, the presence of an outside implied the fact that it was not universal, let alone the embodiment of the ‘end of history’. Consequently, what the interpretation by Kojève left out was how the extension of the Spirit along with the Napoleonic empire had dealt with the otherness it was going to interiorize and bring to its own present. This is relevant in particular as I have mentioned above the concept of nonsynchronism coined by Bloch, and the clarification drawn from Virno on the deictic ‘Now’ should have provided a wider meaning to that concept, making it not just the fact that “[n]ot all people live in the same Now”, but rather the situation in

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which a political power that aims at extending its own ‘Now’ understands the rest of the world as the potentiality that must be brought within the dominion of language and actualization, that is, its own interpretation of history.

By facing the unexpectedness of potentiality, language as the main instrument of actualization is urged to re-actualize even itself, to make its order adhere to the chaos of anarchy and make it meaningful. For this reason, as for the sedimentations seen in Virno’s suggestions on the subject of déjá-vu and history, it can be said with Ricœur (who assumes here a Husserlian point of view) that language “n’est plus le résultat d’un passé chaotique de faits linguistiques indépendants, mais un système dont tous les éléments concourent à un effort d’expression unique tourné vers le présent ou l’avenir, et donc gouverné par une logique actuelle”.67 As in this case the “memory of the present”, indeed, the past gets reshaped as a reflection of the present, which, however, is not understood as an inauthentic sedimentation of the past, but rather oscillates between actualization and potentiality, losing any perspective of a real historical development.

Consistently, it is exactly with reference to the déjá vu that Virno writes that “the past-in-general is, first of all, the language”7 and that one of the typical features of déjá vu is that

According to psychiatrists, people subject to déjá vu are, without exception, inclined to find familiar words strange. Their vocabulary is immobilized, stopping the phrase in its tracks: derailed from its habitual use, it comes into sharp relief, and produces a sort of echo. We are suddenly struck by certain among its material characteristics (the excess of vowels in “queue,” for example), or by the obviousness of its etymology, or by a previously unnoticed homonymy. The familiar word is split in two: we use it to say something, but, at the same

67 M. MERLEAU-PONTY, Signes, Paris, Gallimard, 1960, p. 139-139.
time, we put it in inverted commas, as if it were a quotation. It is used but also mentioned; perceived in its actuality, and together with this remembered as something virtual.68

As a matter of fact, the problem keeps being the way in which the finitude of historical conscience, of the language that pertains to it, can cope with the infiniteness of potentiality in order to preserve its own existence as presence. The relevance of this aspect, which will be observed in detail later, lies in the fact that, by actualizing the potentiality that lies outside the logical system, it is the latter that becomes, for an instant, potentiality to be re-actualized. In a nutshell, this is fundamentally the functioning of the state of exception. In other words, in order to preserve the presence (Gegenwärtigkeit) of a logical system, it is necessary to make it act like a katechon, that is, to make its finitude and actuality resist constantly to the infiniteness of potentiality by adhering to it or even funneling it (that is, by making the chaos of potentiality the source for its process of actualization) at the same time, as we observed with both Virno and Carillo in the previous chapter. As a matter of fact, this process is the same of the Hegelian spirit:

…der Geist ist das Bei-sich-selbst-Sein. Dies eben ist die Freiheit, denn wenn ich abhängig bin, so beziehe ich mich auf ein Anderes, das ich nicht bin; ich kann nicht sein ohne ein Äußeres; frei bin ich, wenn ich bei mir selbst bin. Dieses Beisichselbstsein des Geistes ist Selbstbewußtsein, das Bewußtsein von sich selbst. Zweierlei ist zu unterscheiden im Bewußtsein, erstens, daß ich weiß, und zweitens, was ich weiß. Beim Selbstbewußtsein fällt beides zusammen, denn der Geist weiß sich selbst, er ist das Beurteilen seiner eigenen Natur, und er ist zugleich die

As long as the Hegelian spirit displays its process of self-knowledge through history, it is possible to see history itself as the perpetual process making potentiality \textit{(an-sich-sein)} into actuality \textit{(bei-sich-sein)}. In this sense, it can be understood why Virno points out that, notwithstanding the fact that the concept of \textit{katechon} has been usually associated to the theorists of the modern state, it actually overcomes the latter: it is, indeed, the institution which “checks the two fundamental forms of crisis of the presence: the \textit{excess of semanticity}, namely that state of indiscriminate potentiality in which omnilateral violence takes root; the \textit{defect of semanticity}, namely the repetition compulsion, the stereotypy of behaviors and discourses”. This is made possible by the fact that the \textit{katechon} oscillates, respectively, between the lack of rules in favor of regularity and its opposite, thus allowing, according to Virno, the constantly deferment of the end of the world.

However, according to the inquiry of this chapter, the foremost expression of this political power is definitely language: language as the bridge that connects the infiniteness of the possible historical interpretations with the finitude of the state, that urges for the actualization of a rational and univocal history. Nonetheless, as long as the potentiality concurs in defining this actualization through the \textit{katechon}, the \textit{communitas} cannot be but subject to a state of exception, and language is the place in which such condition is most clearly displayed. As in the case of \textit{déjà-vu}, the customary use of language within an institution is necessarily subject to a ‘suspension’ that makes it still valid, but – as in Virno’s words – within brackets. Words are forced to constantly acquire, if not a new meaning, a further nuance that is exactly provided by the

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\textit{\textit{Vorlesungen über die Philosophie der Geschichte, cit., pp. 30-31.}}
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\textit{\textit{E così via, all’infinito, cit., p. 190.}}
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circumstances with which the institution (and, therefore, its linguistic system) must cope at a certain moment. In turn, this nuance is going to increase the meaningfulness of the word, and this requires the logical system that subtends the language to call into question its own internal consistency, as it is urged to make the new nuance consistent with the ones accumulated previously. For this reason, the state of exception is to be found, finally, in the aspect of language as the expression through which reason emerges as history and in history: as history inasmuch as language expresses Reason as the consistency that ties together the events, in history inasmuch as the same language through which reason gets hold of the events is a product of time. But, as long as language is an actualization, it is constantly at odds with the potentiality that allows it to exist and, at the same time, is contrasted by it. This leads us again to refer to the dialectic between finitude and infinitude that, firstly approached from the standpoint of history, finally reveals itself in the nature of language:

Truly, our human nature is so much determined by finitude that the phenomenon of language and the thinking wherein we seek to get hold of it must always be viewed as governed by the law of human finitude. Seen in this way, language is not a transitional form of thinking reason which is perfected when thought becomes completely transparent to itself. It is not a self-effacing and temporary medium of thought or merely its "casing." And its function is not at all limited to merely making plain what is being thought of beforehand. On the contrary, a thought first attains determinate existence in being formulated in words. Thus, it turns out that the movement of language goes in two directions: it aims towards the objectivity of the thought, but it also returns from it in the reabsorption of all objectification into the sustaining power and shelter of the word.71

Language as the “concretization of the conscience of historical determination” (Konkretion des wirkungsgeschichtlichen Bewußtseins) is, therefore, the fundamental matter of interest in understanding the way a political institution can legitimize itself on the basis of historical interpretation. As Gadamer argues, “[d]er Wesensbezug zwischen Sprachlichkeit und Verstehen zeigt sich zunächst in der Weise, daß es das Wesen der Überlieferung ist, im Medium der Sprache zu existieren, so daß der bevorzugte Gegenstand der Auslegung sprachlicher Natur ist”.

This makes the Hegelian ‘eternal present’ rather different from the end of history, as the latter would be, in the words of Kojève, a world in which humanity has been substituted by an ‘animality’ characterized exactly by the lack of an articulated language, that is, of a discourse. We have observed, instead, that language is not eliminated, but is constantly ‘suspended’ and ‘re-enacted’ in order to substitute the contingency of historical potentiality with the logic of a ‘thinking history’. The law of the katechon, as opposed to the ‘lawlessness’ that lies outside, is basically the law that regulates language, and gets constantly suspended in order to adjust the Logos to the external contingency that lies before and around it, if not at its end.

A political institution that aims at exerting a ‘historical power’, that is, at acting as a katechon, is therefore necessarily concerned on the use of language. But how does this language refer to the reality that such institution wants to interiorize within its own rationality? What kind of sovereignty is that in which rules and contingency interact perpetually by suspending and reinforcing the consistency of its own discourse?

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72 H.-G. GADAMER, Wahrheit und Methode, cit., p. 393.
The key concept for the understanding of contemporary politics seems to be, by now, that of *contingency*. At the same time, it also seems the concept which marks the difference with respect to modern political philosophy, which, as has been observed, arose by focusing instead on the role of man’s rationality, which was the core of the coeval scientific development. As a matter of fact, we have seen how in modern science the arbitrariness of the divine intervention gradually turned into the conservative action of a divine ‘watchmaker’ until the definitive marginalization of God as a “*Dieu fainéant*”. Likewise, in the realm of political philosophy the modern nation-state gradually overcame the divine legitimization that was typical of the universally oriented sovereignties of papacy and empire by gaining its legitimacy as the rational solution to the conflictive nature of man. Whereas contingency was certainly relevant in this line of thought, its role was overshadowed by the centrality of human reason and its ability to assert itself against the former.

In this sense, it is already Machiavelli who compared fortune (*fortuna*) in politics with those “destructive rivers” whose anger can be contained only if man gets prepared to it in the quiet times that precede the flood: similarly, fortune “shows its force where virtue
is not ordered to resist it” (dimonstra la sua potenzia dove non è ordinata virtù a resisterle).¹ However, whereas fortune in Machiavelli could be ultimately identified with the irrationality of the circumstances with which man is compelled to deal, this fundamental aspect of sovereignty radically changed exactly with the definitive affirmation of the modern age, in which contingency was to be found within the exclusive reach of human nature. Consequently, in the work of Hobbes the order embodied by the sovereign is not meant to get rid with the uncertainty of nature or of fate, but rather with the risks represented by the unreasonable side of human nature. The “equality of ability”² that characterizes the situation that precedes the advent of civil society (“the inequality we now discern, hath its spring from the Civill Law”³) makes for a situation in which “an invader hath no more to fear, than another man’s single power” and, consequently, he cannot be sure of the “convenient seat” he possesses, because “others may probably be expected to come prepared with forces united, to dispossess, and deprive him, not only of the fruit of his labour, but also of his life, or liberty”.⁴ The final aim that leads to the covenant among the individuals is the preservation of one’s own life, but life has to be preserved not from a risk coming from the reverses of a wayward fortune, as in Machiavelli, or from the hostility of nature, but rather from the inner nature of man and its social dynamics.

It is from this standpoint, then, that Hobbes the salvific role of reason can be understood and appreciated. Indeed, whereas it is common to emphasize the ‘absolutism’ of Hobbes, whose sovereign is meant to rule without opposition on the multitude that has made itself a “commonwealth”, or a “civitas”, by authorizing “the

¹ N. MACHIAVELLI, Il principe, Ch. 25.
³ T. HOBBES, De Cive (Philosophical Rudiments Concerning Government and Society), Ch. 1, III.
⁴ T. HOBBES, Leviathan, cit., p. 83.
great LEVIATHAN” to assume the right of governing that originally belonged to the individuals,

it is less common to remark that this such ‘absolutism’ is nothing but the political expression of the mathematical reasoning that subtends the whole of Hobbes’s philosophical system. And yet, Hobbes’s philosophy is deeply imbued with the scientific revolution of his century, and it is on this basis that, moved by the need for order that reflects the upheaval of English politics in the seventeenth century, Hobbes is urged to reject the mere empiricism by listening instead, as Antimo Negri points out, also to “the ineludible instance of rationalism”: accordingly, his logical construction is necessarily “always founded on prime propositions, which never crumble under the pressure of experience, in particular of a new experience”.

In other terms, it is the reasoning itself that cannot allow oppositions to its own results, and the cause of it must be the strict logic of its development.

As regards the political outcome of this approach, this is made perfectly clear by the opening chapter of the Leviathan, dedicated to the subject of man, in which reason is defined as “nothing but reckoning (that is, adding and subtracting) of the consequences of general names agreed upon, for the marking and signifying of our thoughts”. “The use and end of reason”, Hobbes argues, “is not the finding of the sum, and truth of one, or a few consequences, remote from the first definitions, and settled significations of names; but to begin at these; and proceed from one consequence to another”. And yet, such reason is not innate. Hobbes argues that it can be attained only “by industry”, that is, “first in apt imposing of names; and secondly by getting a good and orderly method in proceeding from the elements, which are names”. In other words, reason has as its ultimate result science, defined as “the knowledge of consequences, and dependence of

5 Ibid., p. 114.
7 T. HOBBS, Leviathan, cit., pp. 28-29.
one fact upon another”,  and that, for Hobbes, “is called also PHILOSOPHY” and, as it regards the “[c]onsequences from the accidents of politic bodies”, “POLITICS and CIVIL PHILOSOPHY”.9

Consistently, none of the concepts exposed by Hobbes are evident by themselves, as they are, instead, obtained by means of mathematical consequence: Bobbio remarks, indeed, that even “the knowledge of the final aim itself, namely peace, is not an immediate knowledge, obtained by a naturalis ratio”, but is instead, “consistently with the Hobbesian gnoseology, a knowledge drawn from a reasoning that proceeds from principles and consequences”.10 It is in this sense that it becomes obvious why Hobbes considers among the main causes of conflict the divergence of opinions that characterizes the multitude out of the civil society and represents the main hindrance for it to attain unity: “since the combate of Wits is the fiercest, the greatest discords which are, must necessarily arise from this Contention”.11 For Hobbes, indeed, once the individuals have delegated their prerogative to a superior power, namely the sovereign appointed to the government of the “great LEVIATHAN”, the power of the latter cannot be contested without implicitly reintroducing the confusion that preceded the deliberation: it has now become clear, in fact, that the sovereign embodies not just a kind of order, but the rationality that pervades that order, and it is not possible to oppose that order without falling again in the realm of irrationality.

Of course, successive theorists will temper this close identification between civil society and strict rationality: whereas for Hobbes the “liberty of disputing against

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8 Ibid., p. 31.
9 Ibid., p. 56.
11 T. Hobbes, De Cive, cit., Ch. 1, V.
absolute power” is amongst the causes of dissolution of the commonwealth, already for Locke there are cases such as tyranny and usurpation in which resistance is allowed: “force is to be opposed to nothing but to unjust and unlawful force”. And yet, it is meaningful to remark that the founding work of modern political philosophy identifies the absoluteness of power with that of mathematical physics, if only for the fact that this rationalism actually pervades the political theory of the modern age: the very theory of social contract rests ultimately on the rational choice that leads the individual to agree on a covenant, and this aspect is quite important as it founds sovereignty not on a divine imposition or on the heritage of an age-old hierarchy of powers, but on a matter of reason and scientific proceeding.

Actually, it is known that Hobbes tacitly ‘anticipates’ in his work a principle that will become fundamental in Vico, namely that of verum ipse factum: what mankind holds for true is actually what mankind itself has created, and Hobbes’s philosophical system formally begins with the assertion in De corpore which states that “philosophy is such knowledge of effects of appearances, as we acquire by true ratiocination from the knowledge we have first of their causes or generation: And again, of such causes or generations as may be from knowing first their effects”. I have previously observed with Berlin, though, that in Vico this principle is brought further, as it comes to indicate, fundamentally, that human reason is able to know only what it has created through time: consequently, even the mathematics on which Hobbes founds its method (consistently with the intellectual discourse of his century) is to be considered nothing more than a

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12 T. HOBSES, Leviathan, cit., p. 221.


14 T. HOBSES, On body, ch. 1, I.
'constructed' truth. This reversal has deep implications, and its final outcome, as has been pointed out, is to be found in the end of natural law at the hands of Hegel.

To be sure, we have seen that, not unlike Hobbes, Hegel is determined to legitimize a certain political system by making it rest on the consistence of reason. As he makes his philosophical understanding of history culminate in the state (which, in the Philosophy of Right, is basically the Prussian state), he starts by saying explicitly that such understanding “has no other aim but to move contingency off”. Just like Hobbes, for whom outside of the covenants “liberty, and necessity are consistent” since “every act of man’s will, and every desire, and inclination proceedeth from some cause, and that from another cause, in a continual chain”, 15 Hegel asserts that “Zufälligkeit ist dasselbe wie äußerliche Notwendigkeit, d. h. eine Notwendigkeit, die auf Ursachen zurückgeht, die selbst nur äußerliche Umstände sind”. 16 Again, just like Hobbes describes the “liberty of a subject” as lying “only in those things, which in regulating their actions, the sovereign hath praetermitted”, 17 Hegel clearly states that “only the will that obeys the law is free” (nur der Wille, der dem Gesetze gehorcht, ist frei). 18 In both Hobbes and Hegel the argument is similar: the establishment of an institution as a way to get rid of the contingency of lawlessness is the outcome of a rational choice, and, therefore, to obey to the laws of that institution is to enjoy the freedom of the rational choice that has created it. 19 And yet, their positions could not be further from each other. For Hobbes, the Leviathan

15 T. Hobbes, Leviathan, cit., p. 140.
17 T. Hobbes, Leviathan, cit., p. 141.
19 While Hobbes explains that “nothing the sovereign representative can do to a subject, on what pretence soever, can properly be called injustice, or injury; because every subject is author of every act the sovereign doth”, Hegel is blunter in arguing that, by obeying the law, the will “obeys itself and is free by itself”.

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can be considered as determined ‘a-historically’, since it is the result of a reason that works according to the tenets of such an equally ‘a-historical’ science as mathematics (and, as a matter of fact, the state of nature from which it stems is a condition that lies outside of history). For Hegel, instead, the state is the literally historical expression of the process in which the Spirit comes to self-consciousness: it is not a case that the words on freedom through obedience actually appear in the *Philosophy of History*, and, indeed, Hegel does not speak of ‘subjects’, but of the Spirit itself: “[Wenn das Gesetz ist die Objektivität des Geistes und der Wille in seiner Wahrheit”.

And yet, as much as he has refuted the theory of natural law, Hegel does not consider the reason that, according to him, subtends history as a diachronic process, but rather as a synchronic one. For Hobbes, in fact, we have seen that reason is a method that ‘proceeds’ from the “prime propositions” onwards. For Hegel, instead, this can apply to Nature, which in the *Encyclopedia* is defined indeed as a “system of grades” (*System von Stufen*), where “*eine aus der andern notwendig hervorgeht und die nächste Wahrheit derjenigen ist, aus welcher sie resultiert, aber nicht so, daß die eine aus der andern natürlich erzeugt würde, sondern in der inneren, den Grund der Natur ausmachenden Idee*”, but Reason refers to the reality it aims at reconciling, and is therefore concerned only on its own contemporaneity, on the ‘determined infinite’ (*bestimmtes Unendliche*) that, since it “*ist, und ist da, present, gegenwärtig*”, is the reality (*das Reale*). For Hegel, the dialectic of the determination cannot occur but in terms of presence, of *Dasein*. Its movement (because, as it is a dialectic, it is necessarily a movement) does not occur along the succession of the particular events, but rather comprehends the particulars within its own (always present) universality: “*Der Verstand bestimmt und hält die Bestimmungen fest; die Vernunft ist negativ und dialektisch, weil...*”


she the Bestimmungen des Verstands in nichts auflöst; sie ist positiv, weil sie das Allgemeine erzeugt und das Besondere darin begreift”.\(^{22}\) Consistently, in the *Philosophy of Right* (which, after all, explicitly rests on the *Science of logic*), Hegel argues that “in der Wissenschaft der Begriff sich aus sich selbst entwickelt und nur ein immanentes Fortschreiten und Hervorbringen seiner Bestimmungen ist”,\(^{23}\) so that

In spekulativerem Sinn ist die Weise des Daseins eines Begriffes und seine Bestimmtheit eins und dasselbe. Es ist aber zu bemerken, daß die Momente, deren Resultat eine weiter bestimmte Form ist, ihm als Begriffsbestimmungen in der wissenschaftlichen Entwicklung der Idee vorangeben, aber nicht in der zeitlichen Entwicklung als Gestaltungen ihm vorgegeben.\(^{24}\)

This is particularly true for history and for its political outcome: it is true that the ‘owl of Minerva’ flies only at dusk, but it is equally true that the observation the owl will be able to make will be made only at the light of dusk: in other terms, the events of history do not acquire their ‘true’ meaning but in the light that the present casts on them. History, therefore, finds its truth only within the logic that determines its presence, its reality: “Aber in der Vorstellung ist die Vernunft das Vernehmen der Idee, schon etymologisch das Vernehmen dessen, was ausgesprochen ist (Logos), – und zwar das Wabren”.\(^{25}\) This logic subtilts

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\(^{25}\) G. W. F. Hegel, *Vernunft in der Geschichte*, p. 78. It is in this sense that the philosophical understanding of history differs from the other kinds described by Hegel, that is, the “original” (ursprüngliche) and the “reflecting” (reflektierende): as remarked by P. Ricoeur (*Temps et récit III. Le temps raconté*, Paris, Seuil, 1985, pp. 285-286), “d’un côté, l’individu se dirige vers des buts déterminés et finis ; de l’autre, il sert à son insu des intérêts qui le dépassent. Quiconque fait quelque chose, produit des effets non voulus qui font que ses actes échappent à son intention et développent leur logique propre. […] Par recours à cette intention seconde et cachée, Hegel pense s’être rapproché de son but, qui est d’abolir le hasard. Pour l’histoire « originaire » et l’histoire « refléchissante », en effet, cet autrement que visé serait le dernier mot. La « ruse » de la Raison, c’est très précisément la reprise de cet autrement que… dans le dessein du Weltgeist”.

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the whole course of history, but the way in which it accomplishes the reconciliation between reality and rationality will be clear only in the present in which the Spirit will acquire the conscience of itself. Only in that present the reality of history will be clear, because its inner rationality will be attained. History will have attained its own aim, namely the understanding of itself, of its own rationality: the ablation of contingency.

And yet, as has been observed in the previous chapters, the dialectic between the rationality of Logos and the contingency of external necessity cannot be arrested, for the fundamental reason that Logos finds its raison d’être exactly in its act of ablating contingency – in fact, contingency cannot be but ablated, since its annihilation would annihilate the Logos itself, as the exasperation theorized by Kojève illustrates with the concept of ‘animality’. This peculiar aspect can be quite surprising with respect to the ‘rational absolutism’ which normally characterizes the perception of Hegel’s philosophy. However, it can be easily pointed out how the role of experience, namely of the contact with Nature as the counterpart of abstract reason, is clearly expressed as necessary for the Hegelian system, from the literally fundamental role of the sensible certainty (sinnliche Gewissheit) in the Phenomenology of Spirit, from which the Now emerges as the abovementioned threshold between potentiality and actuality, to the relevant statements of the Encyclopedia in which Hegel ultimately affirms that “[i]n Beziehung auf die erste abstrakte Allgemeinheit des Denkens hat es einen richtigen und gründlichen Sinn, daß der Erfahrung die Entwicklung der Philosophie zu verdanken ist”.26 It is because Nature with its contingency becomes as relevant as the Logos with its order that it can be said with Hyppolite that the latter’s creation is eternal: indeed, it is the unceasing dialectic resulting from this relation (the ‘double movement’ highlighted by Hyppolite himself)

26 G. W. F. HEGEL, Enzyklopädie der philosophischen Wissenschaften im Grundrisse I, in ID., Werke, cit., Bd. 8, p. 57, § 12z.
that urges the equally unceasing creative process of language, as the expression of such
dialectic, in order to allow the Logos to affirm itself by actualizing the potentiality of
contingency and, thus, to make itself present as Dasein.

This presence, nonetheless, becomes the fulcrum of the paradoxical balance intrinsic
to Hegel’s philosophy, which on the one hand identifies this present as the absolute
knowledge, namely the definitive affirmation of reason upon contingency, and on the
other hand admits that the logic behind this overarching understanding is in itself
unachievable. Such paradox will be solved only once the first term, namely the idea of a
stable and definitive universal knowledge will be discredited by contemporary thought,
once again mainly reflecting the development of human understanding of nature. The
end of the modern age, indeed, can be marked with the abandonment of the utopia
represented by the episteme, that “knowledge whose content succeeds in staying, imposing
itself, in its stillness, on everything that would like to rouse it and call it into question;
and which, exactly because of this staying of its, is truth”, as the avowal of the superiority
of science and its resting on the “experience of world’s becoming”.27 In particular, it is
its identification as “the law that makes it impossible for the contingency to take place,
and therefore remains a powerless domain of the becoming” that ultimately condemns
any form of knowledge identifiable as an episteme,28 to the point that its claim to be
conclusive gets overcome by the acknowledgement of its provisional character: it is
apparently in this sense that Michel Foucault could argue that the episteme does not have
to be understood as the “connaissances décrites dans leur progès vers une objectivité dans laquelle
notre science d’aujourd’hui pourrait enfin se reconnaître”, but rather as “les configurations qui ont
donné lieu aux forms diverses de la connaissance empirique”, namely the conditions that make

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27 E. Severino, _Legge e caso_, Milan, Adelphi, 1979, p. 13. Consistently enough with our inquiry, Severino
describes (p. 19) the episteme also as “the place, the space that does not oscillate” (my italics).
28 Ibid., p. 58.
certain knowledges possible. The awareness that reason is not anymore, as in Hobbes, the necessary outcome of a mathematical argumentation, but rather tied to the field of knowledge emerged from certain historical circumstances (in Hegelian terms, that reason emerges as the result of history’s self-conscience), makes it clear for the sovereign institution that gets its legitimization from that field of knowledge that such legitimacy will be subject to the institution’s ability to restrain the contingency of the world’s becoming. It is in this sense, then, that such power will be forced to act as a katechon, namely to “effectively promote his claim to the establishment of the destiny of an epoch” (as affirmed with Cacciari in the previous chapter), and that the arrest implied by the word epoché (which should remind us of Koyré’s words according to which “la philosophie de l’histoire, qu’on le veuille ou non, en est un arrêt” and perhaps underlies the epochal character of the concept in Foucault) against the world’s becoming ultimately leads, nonetheless, to a constant state of exception in which reason oscillates between the ‘defect of semanticity’ of its consolidated discourse and the ‘excess of semanticity’ of the potential alternative discourses.

In particular, this katechontic aspect is made clear by Severino as he argues that, since the threat for the possibility of dominion consists in the “absolute unpredictability of the world’s becoming”, it is necessary to “contain” (arginare) it by “making somehow predictable the unpredictable”:

30 It is M. CACCIARI (Il potere che frena, Milan, Adelphi, 2013, p. 27) who points out that the word epoché has such meaning, then adding that “[epoch is a long duration, all of whose moments can be traced back, however, to an essential unity, whose fundamental outlines do not change, whose events reveal nothing occasional, but always refer, instead, to the meaning of the whole. With the term epoch we indicate, then, a time in which history almost seems to have concluded, in which the becoming seems to assume the seal of the being”. It seems to me that this description fits with that of the episteme provided by Severino. I owe instead to a remark by B. LIEBSCH the reference to Foucault’s concept of episteme as an epochal concept.
It is possible for the dam [argine] to resist only if the forces that make pressure on it are not something that is absolutely unpredictable and unknown. Instead, the original dam is the prediction itself, namely the will to anticipate, ante-capere, pre-capture the events that show up.31

In this sense, science since Galileo gradually becomes not just a mere speculation occurring outside human life, but rather “moment de cette vie”, as Jean Cavaillès wrote in his *Sur la logique et la théorie de la science* by countering the Husserlian consideration according to which the mathematization of the world introduced by the post-Galilean physics would hinder the comprehension of the living reality by sterile idealization. On the opposite, argues Cavaillès, modern physics represents a progressive element for life because in it

[p]révoir n’est pas voir déjà, nier l’événement en tant que nouveauté radical, le réduire à du déjà vu comme manifestation régulière d’une essence permanente. La dialectique de la prévision est celle de l’action réglée : elle… suppose le mouvement comme irréductible, donc le risque d’un départ de soi, d’une aventure vers l’Autre, à la fois déjà là et non déjà là, qui peut décevoir bien qu’on l’attende, qui marche à son allure propre.32

Of course, Cavaillès was aware of the risk for modern science represented by the ambitions to a comprehension of the world that be both consistent, in which mathematics, taken as the “coordination de prévisions spontanées” for such comprehension, could lead to a merely tautological system, ruled by sterile logic.33 What hindered this possibility, however, was the fact that any well-defined logical system (in particular,
“toute théorie contenant l’arithmétique des entiers”) allows within itself the formulation of propositions whose validity is undecidable because they are neither a consequence of the system’s axioms, nor contradictory with them.\textsuperscript{34}

This unavoidable consideration introduced by Kurt Gödel, which implies the presence of something an actualized logical system cannot decide, is central for our inquiry because of at least two reasons. First of all, it consolidates contingency an ineradicable part of logic. Consequently, no logical system can be complete if it is meant to be consistent. By implying the risk of a “departure from oneself”, the prediction of the radical novelty means exactly what distinguishes, in Severino’s analysis, modern science from the episteme, namely the willingness of the latter to meet its own failure.\textsuperscript{35} In this sense, failure does not really concern the validity of modern science as such, but rather that of the logical system modern science sets out for its prediction; as for modern science, it can be said what Henri Poincaré once pointed out, namely that “[Â]’expérience est la source unique de la vérité: elle seule peut nous apprendre quelque chose de nouveau; elle seule peut nous donner la certitude”.\textsuperscript{36} The experience, as noticed by Severino, implies in its own etymology (experientia) the exposure to a danger (periculum) and, more broadly, the trial (πάρηξις) each event brings along for the logical system that was not able to predict it.\textsuperscript{37}

It can be noticed, then, how this aspect overcomes modernity. The system described by Hobbes, which opened the theoretical development of modern political philosophy, was constructed indeed in order not to crumble against experience. It was meant to rest exactly on that kind of epistemic logic according to which the becoming could be predicted because of the strict logical consequence of its own assumptions: in this sense,

\textsuperscript{34} Ibid., p. 72.
no new experience could affect its validity. By contrast, the logic supporting contemporary science rests exactly on the unpredictable events as an ineradicable possibility in order to test the validity of its logical constructions. This marks the projection of that logic in history, contrary to the already observed ‘a-historicity’ of Hobbes’s abstract mathematical proceeding, since the unpredictability of the new experience implies that the emergence of the latter will urge the redefinition of the system in order to deal with it. The historicity of this constant redefinition, however, is intrinsically characterized by the impossibility to claim for a definitive totality to aim at, because its development is admittedly moved exactly by the awareness of the system’s incompleteness. In this sense, also the Hegelian way to think history is called into question in favor of what could be defined, with a détournement of an expression by Ricœur, as “la médiation ouverte, inachevée, impaire, à savoir un réseau de perspectives croisées entre l’attente du future, la réception du passé, le vécu du présent, sans Aufhebung dans une totalité où la raison de l’histoire et son effectivité coïncideraient”. 38

This leads to the second implication of the Gödelian turn for our inquiry, namely the fact that, as Cavaillé puts it, “en vertu du même résultat de Gödel, la non-contradiction d’une théorie ne peut être démontrée qu’au sein d’une théorie plus puissante”. 39 The historical dynamics implied by the redefinition of the system according to the unpredicted experience it copes with excludes the idea that it will be definitely sublated within a totality, but by doing so it also reveals the presence of a logic overseeing the redefinition of the system itself. In this sense, if we were to shift this fundamental conclusion to the realm of world politics, we could ask ourselves whether the ‘theory’ (in Cavaillé’s words), the


logic that rules the international system (what could be resumed as the Westphalian system) can be actually mastered by a superior theory, and, consequently, whether this superior theory can be embodied by a specific form of sovereignty, just like the lower theory is embodied by the sovereignty of the nation-states.

In this sense, by focusing on the ultimacy of the state in history, what Hegel ultimately missed in his historicopolitical philosophy was the radical change in European politics that could have brought his understanding to a further stage. In 1815, in reaction to the failed attempt by Napoleon at unifying under one empire the whole of Europe, the main ambassadors of the continent reunited in Vienna to discuss the new setting for Europe. Of course, Hegel was aware of this political event: this notwithstanding, he could not grasp its real meaning as regarded the political issues of his philosophy. For Hegel, as I observed previously, disregarded any project for a league of nation, such as Kant’s essay on the Perpetual Peace or the Holy Alliance, since he believed that different states could unite only as they could find a common enemy. He did not see, instead, that the value of the Congress of Vienna was fundamentally historic, as it intended not just to restore the situation preceding the Napoleonic wars, but rather to set the basis for a durable peace, that is, for the establishment of a lasting order among the states: as John G. Ikenberry introduces it in his After Victory, “[t]he Vienna settlement departed from earlier postwar settlements in the way the leading state attempted to use institutions to manage relations among the great powers”, in particular as it made use of “institutions that were designed to provide some measure of restraint on the autonomous and indiscriminate exercise of power by the major states”. 40 Basically, the Congress of Vienna represents the first attempt at overcoming the state as an instrument of order and, perhaps more importantly for this inquiry, in focusing on the preservation of the postwar status quo, it

implicitly represented an attempt at managing the historical conditions of politics in Europe, that is, at establishing and preserving a determined ‘political present’.

In particular, what Hegel possibly missed from his philosophical standpoint was that, as much as the state was the outcome of history, that is, the objectivity in which history accomplished the creation of itself, the political development of his very age was beginning to subvert this paradigm, projecting an institution that did not depend on history (like the state), but was rather able to manage it for its own legitimization. After all, it has been observed in the previous chapter that, according to Ricœur, the “thinking consideration of history” made by Hegel was itself an “hermeneutical phenomenon, an interpreting operation subject to the same condition of finitude”: consequently, just like Hegel came to justify the Prussian state by interpreting history according to his own philosophical system, it should not be striking that a similar “interpreting operation” could become the very object of a political institution such as the Congress of Vienna, that is, that politics could become somehow ‘hermeneutical’. If state could be justified as the ultimate outcome of history, then the management of interstate relations should have required to make history the subject of sovereignty.

The Congress of Vienna, indeed, was the first stage of a development in Western politics meant to introduce a principle of order in the international system, that is to make it conform to reason. It is meaningful that the “critical turning points” for the establishment of such kind of settlement, which Ikenberry identifies with the years of 1815, 1919, and 1945, all occur after major wars. For Hegel, whose system ‘culminated’ in the state, wars could be considered rational as they were not “a merely external accident” (eine bloß äußerliche Zufälligkeit) and contributed, instead, to the ablation of contingency, since, by taking place “where they are in the nature of things” (wo sie in der Natur der Sache liegen), they were “the moment in which the ideality of the particular
receives its right and becomes reality” (das Moment, worin die Idealität des Besonderen ihr Recht erhält und Wirklichkeit wird).\textsuperscript{41} Furthermore, the rationality of war within Hegel’s system was tied to the assumption that, also in this situation characterized by lawlessness, violence, and chance (Zustande der Rechtlosigkeit, der Gewalt und Zufälligkeit), states had to comply with the bond of recognizing each other as such (die Staaten sich als solche gegenseitig anerkennen), and this made for the fact that war was necessarily transitory (ein Vorübergehensollendes) and must contain the possibility of peace (die Möglichkeit des Friedens).\textsuperscript{42}

Incidentally, this was a further development with respect to Hobbes, for whom peace seemed to be the simple ‘negative’ moment of war (“the notion of time, is to be considered in the nature of war… all other time is peace”),\textsuperscript{43} but was certainly overcome by the idea subtending the settlements like the Congress of Vienna, according to which war is exactly what their principles of order oppose. In other terms, the reason they express is founded on the rejection of war, which could upset the delicate institutionalization of the balance of power among the states: if contemporary politics is meant to manage history, in Hegelian terms war becomes the contingency that must be ablated. As a matter of fact, peace can be actually considered as just the epiphenomenon of what the postwar settlements following the Congress of Vienna actually pursue, that is, a shared logic that may inform international relations.

More prosaically, as Ikenberry explains, a winning postwar state is faced with a choice as it finds its own power preponderant at the end of the conflict: it can dominate, it can abandon, or “it can try to transform its favorable postwar power position into a durable order that commands the allegiance of the other states within the order”; the third

\textsuperscript{41} G. W. F. Hegel, Grundlinien der Philosophie des Rechtes, cit., pp. 491-494, §324.
\textsuperscript{42} Ibid., p. 502, §338.
\textsuperscript{43} T. Hobbes, Leviathan, cit., p. 84.
choice characterizes all the situations following major wars in the modern age. But the order the winning states shape necessarily implies two aspects: the acceptance by the other states of a certain way to think international relations, that is, the sharing of a certain Weltansicht that legitimizes the new order, and the preservation of the conditions that allow such way to think to be considered rational. It can be considered, as already anticipated, a hermeneutical task. By imposing its order, the winning state is actually imposing its interpretation of the international system, and, consequently, its historical conscience, its Now. Therefore, for the order that it shapes, it can be somehow valid what Merleau-Ponty once wrote:

Dans chaque civilisation, il s'agit de retrouver l'Idée au sens hégélien, c'est-à-dire non pas une loi du type physico-mathématique, accessible à la pensée objective, mais la formule d'un unique comportement à l'égard d'autrui, de la Nature, du temps et de la mort, une certaine manière de mettre en forme le monde que l'historien doit être capable de reprendre et d'assumer. Ce sont là les dimensions de l'histoire. Par rapport à elles, il n'y a pas une parole, pas un geste humains, même habituels ou distraits, qui n'aient une signification.

It is in this sense that, if reason emerges from history as the objective spirit that makes for the self-conscience of the latter, the logic that subtends a political order (just like Hegel’s Philosophy of Right heavily rested on his Science of Logic) should be considered the core of this attempt at establishing an ‘objective spirit’ among the states. Consistently, the common enemy Hegel required for a number of states to unite their forces becomes the risk of war, as an expression of the contingency that threatens the annihilation of the political order (that is, the logic) those states share and according to which they act.

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44 J. G. Ikenberry, After Victory, cit., p. 4.
45 M. Merleau-Ponty, Phénoménologie de la perception, Paris, Gallimard, 1945, p. XIII.
46 It should be noticed that there is no ‘philological’ contradiction in applying the idea of ‘objective spirit’ to the level of the states. In the already mentioned Zusatz to §324 of the Philosophy of Right, it is Hegel himself who describe states as individuals, and their possible alliance as a family.
the same time, the awareness that contingency is an ineradicable part of the system, implies that a possible sovereignty among the state would be as intrinsically incomplete as always in the need of re-actualizing itself to cope with the unpredictability of contingency, thus reasserting its own presence by putting its own dominion to the trial of the experience.

This seems to be the main result, in political philosophy, of the logical development at the roots of political theory: not just the possibility of a political power such as the *katechon*, meant to preserve the historical present of the system against contingency, but rather the increasing awareness that the logical background of such power implies that the same contingency is an ineludible part of the system and a motive for its dynamics. In particular, the idea that a possible sovereignty supervising the logic of the states system would need to ceaselessly redefine the system in order to adjust to the experience it was not able to predict entails the idea that, by doing this, it is actually its own presence that such form of sovereignty re-appropriates. In other terms, this embodiment of the historical order of the international system would constantly put the conditions of its own existence to the trial represented by the experience, thus continuously ‘presentifying’ itself by means of its openness towards the latter.

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47 This assumption rests on a passage by J. DERRIDA (*De la grammaatologie*, Paris, Minuit, 1967, p. 20), according to which “À l'intérieur des cultures pratiquant l'écriture dite phonétique, les mathématiques ne sont pas seulement une enclave. […] Cette enclave est aussi le lieu où la pratique du langage scientifique conteste de l'intérieur et de façon de plus en plus profonde l'idéal de l'écriture phonétique et toute sa métaphysique implicite (la métaphysique), c'est-à-dire en particulier l'idée philosophique de l'épistéme ; celle aussi d'istoria qui en est profondément solidaire malgré la dissociation ou l'opposition qui les a rapportées l'une à l'autre lors d'une phase de leur cheminement commun. L'histoire et le savoir, istoria et épistéme ont toujours été déterminés… comme détours en vue de la réappropriation de la présence”.

48 As the work by Derrida is influenced by Husserl and Heidegger, it should be noticed indeed that for the former, present as *Gegenwart* etymologically stems from ‘waiting towards’ (*gegen-warten*) and can relate to both what is temporally present and what is spatially present (as in the expression ‘in presence of someone’): consequently, he coined the verb *gegenwürtigen* in order to maintain both the spatial aspect of *gegenwärtig*, normally to be found in the verb *(sich) vergegenwürtigen* (literally, ‘to make present to oneself’) and its
Consequently, it could be argued that the role of contingency as a constitutive part of the logic would result in a present leaning on a ‘not yet’, looking towards what Reinhart Koselleck defined as the Erwartungshorizont.\footnote{49}

Of course, this dynamics ultimately implies a relevant hermeneutical effort. Not only must the ‘not yet’ get actualized, but with the new experience it brings it is the system itself that has to be re-interpreted. Whereas for Hobbes political sovereignty was the outcome a logical reasoning determined by mathematical necessity, and for Hegel it expressed a reason that was certainly human but ultimately moved above the individuals in order impose itself on contingency, the outcome epitomized by modern science definitely highlights how contingency is not only ineradicable, but even constitutively determines through its unpredictability any comprehension of the world. Any normative claim by a sovereign power that is meant to provide such a comprehension is therefore bound to acknowledge its incompleteness, that is, its inability to predict the challenges posed by contingency. This acknowledgement, however, also represents the margin by temporal aspect, which is expressed by the verb gewärtigen (‘to expect, await, be prepared for’) (see M. J. Inwood, \textit{A Heidegger dictionary}, Oxford, Blackwell, 1999); for the latter, gegenwärtigen is meant as “letting what is present [\textit{Anwesende}] come to meet us [\textit{gegennugen}] in a present [\textit{Gegenwart}”:\footnote{49} M. Heidegger, \textit{Sein und Zeit}, in Id., Gesamtausgabe, Frankfurt a.M., Klostermann, 1977, p. 431.

\footnote{49} “…auch Erwartung vollzieht sich im Heute, ist vergegenwärtigte Zukunft, sie zielt auf das Noch-Nicht, auf das nicht Erfahrene, auf das nur Erschließbare.”: R. Koselleck, \textit{Vergangene Zukunft}, Frankfurt a.M., Suhrkamp, 1979, p. 355. In this regard, it could be mentioned as well what Ricœur (op. cit., pp. 304-306) explicitly takes into consideration about Koselleck’s approach to the horizon of expectation: the themes which, contributed to develop a new horizon of expectation, which in turn “has transformed the space of experience in which the assumptions of the past [\textit{les acquis du passé}] settled”, namely new time (\textit{Neuzeit}), acceleration of progress and disposability of history. As a matter of fact, Ricœur notices that the term Neuzeit deprives time of its neutrality by making it a “force of history” oriented toward the progress (“\textit{Le present n’est jamais nouveau, au sens fort, que dans la mesure où nous croyons qu’il ouvre des temps nouveaux}”; in turn progress is strictly connected with the idea of an \textit{accelerated} history in which an improvement of mankind is implied and which makes human upheaval the evidence of the revolution occurring in the civilized world; finally, Koselleck’s “temporalization of history” implies that history is to be made and can be made: “\textit{si en effet un future nouveau est ouvert par les temps nouveaux, nous pouvons le plier à nos plans : nous pouvons faire l’histoire}”
which such sovereign power can re-interpret its normativity according to the new experiences it must meet. It is the margin for what Ricoeur defines the “open, unachieved imperfect mediation”, a mediation which concerns in the first place its own normative issues.

Since the *katechon* is opposed to the lawlessness, to the anomie, it “cannot conceive itself but in the spirit of the *nomos*”: as Cacciari remarks, indeed, “what does restrain, safeguard, preserves, indeed, but law? […] What is at stake here is a nomothetic will, the awareness of the duty to oppose a *nomos* to the anomie”.⁵⁰ This is all the more true as regards the Greek use of the verb *katechein*, since, as Carillo notices, it is law that allows the necessary stability for the collective deliberation resulting in the government of the majority (plethos) to be recomposed in a whole against any possible *stasis*, to the point that it is possible to name such system a *nomocracy*: by quoting Gehrke, Carillo reminds that the Greeks were completely aware of the fact that “to be subject to the laws was for them a warranty of their freedom”.⁵¹ In the end, however, if the law is at the roots of the *katechon*, its determination must necessarily pass through its relations with the anomie it opposes. The possibility of the unpredictable must necessarily concur to the logic the law of the *katechon* expresses. Consequently, once the unpredictable takes the shape of the experience, the law can face the danger the former represents only if it is able to re-interpret itself in this new light, and in order to do this it cannot be the expression of a stable form of knowledge (an *episteme*), but rather of a form of dominion that is essentially open to the contingency. What the law ultimately regulates is the possibility of its own re-interpretability with respect to the new experiences, the ability to re-actualize the conditions of its own validity.

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It is in this sense that it is possible to approach the ‘normative power’ represented by the European Union, and consequently its deployment in the course of its eastern enlargement. As is known, during the Seventies the then European Community was named ‘civilian power Europe’ by François Duchène, who by this meant that the political project born after World War II was “long on economic power and relatively short on armed force”.$^{52}$ The concept has been later elaborated by other scholars (for instance by Hanns Maull, who integrated it with the ‘civilizational hexagon’ – *zivilisatorisches Hexagon* – drawn by Dieter Senghaas but nonetheless used it to describe ‘national’ civilian powers such as Japan and Germany) but the fundamental meaning has remained essentially the same, namely that Europe’s role in world politics could have been that of getting rid of power politics and of influencing international relations by ‘civil’ means such as economic and political action. However, as reminded by Ian Manners, Duchène (as well as other scholars) was interested in the way such ‘civilian power’ could actually have had normative effects as an “*idée force*”, and such subject should reflect “the desire to move the debate over state-like features through an understanding of the EU’s international identity”.$^{53}$

In his influential article, Manners quotes indeed the preamble to the Treaty establishing the European Communities in arguing that

The EU was created in a post-war historical environment which reviled the nationalisms that had led to barbarous war and genocide. Because of this the creation of Community

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$^{53}$ Ibid., p. 239.
institutions and policies took place in a context where Europeans were committed to ‘pooling their resources to preserve and strengthen peace and liberty’.\textsuperscript{54}

The centrality of peace and the idea of liberty, according to Manners, are the two oldest ‘‘core’ norms within this vast body of Union laws and policies which comprise the \textit{acquis communautaire} and \textit{acquis politique}’ and have been the ‘‘defining features of west European politics in the immediate post-war period’’, being followed by the norms of democracy, rule of law and human rights as a way ‘‘to distinguish democratic western Europe from communist eastern Europe’’.\textsuperscript{55} However, according to the picture I have drawn up to now, it is possible to say that peace and liberty cannot be considered norms: on the opposite, they are conditions who allow the European logical order to work and whose preservation, at the same time, is the ultimate aim of the norms stemming from such logical order. The question, therefore, is not how peace and liberty are diffused by the European normative power, as Manners seemingly argues, but rather what is their relation with the logical order of the European Union, that is, how they are conceived within that gnoseological framework and how the normative outcomes of the latter can allow them to be ‘preserved and strengthened’.

As a matter of fact, in the European logic both peace and liberty are conceived in close relation with the overarching aim of avoiding war. While it could seem a tautology that peace and liberty must go along with the marginalization of war, it should be noticed, following the content of the previous chapters, that it is the latter which acquires a particular meaning in the framework of the European Union project. Actually, the reason is quite simple: consistently with the already mentioned words of Hobbes, modern political philosophy has identified peace as a ‘residual’ moment with

\textsuperscript{54} \textit{Ibid.}, p. 240.
\textsuperscript{55} \textit{Ibid.}, pp. 242-243.
reference to war. The whole development of post-war institutions described by Ikenberry, in fact, can be considered less as an effort to obtain a lasting peace than to consolidate the favorable conditions for the winning power against the risks represented by war. As already observed, war is the moment in which a gnoseological and logical community collapses, and the logical order on which it was founded loses its own legitimacy. For this reason, as the European Union is meant to represent a overcome the modern features of international politics due to the excesses of nationalisms during the twentieth century, its fore task is to marginalize war by constantly reaffirming the presence of its logic.

I have noticed, though, that such reaffirmation is actually based on a certain historical interpretation (that is, a hermeneutical action) since, as Gadamer notices, “Alles Sichwissen erhebt sich aus geschichtlicher Vorgegebenheit, die wir mit Hegel >Substanz< nennen, weil sie alles subjektive Meinen und Verhalten trägt und damit auch alle Möglichkeit, eine Überlieferung in ihrer geschichtlichen Andersheit zu verstehen, vorzeichnet und begrenzt.”56 And, indeed, memory is a fundamental, as well as often neglected, focus of the European policy. As a study commissioned by the European Parliament’s Committee on Culture and Education explains, “[a]ttempts to add a transnational layer to existing national collective identities and memories have been made by European political elites ever since the beginnings of European integration”, focusing on three main aspects, namely “generic notions of ‘European heritage’ that stress the role of a common culture as the crucial element of European identity”, “the two World Wars, the horrors of which gave momentum to set up ‘Europe’ as a supranational peace project” and “European Integration itself, the historical achievements of which function as a source of self-legitimacy for the

Union”. However, as Aline Sierp notices, “the EU’s aim is not necessarily to commit all divergent memories to one master narrative but instead to establish a forum where different European experiences can be exchanged and heard”, even though it is evidently necessary to promote a common framework for such forum if, as highlighted by the programme ‘Europe for Citizens’ launched by a decision of the European Parliament and of the Council in 2006, the promotion of an “active European citizenship” must rest on the transnational implementations of such goals as “bringing together people from local communities across Europe […] to learn from history and to build for the future”, “fostering action, debate and reflection related to European […] common history and culture” and “promoting Europe’s values and achievements, while preserving the memory of its past”.

There is, in other terms, the necessity to provide a historical reason to the political order established in western Europe since the end of World War II. As I have observed, however, the necessity to cope with the contingency of an international system functioning as a ‘state of nature’ makes it impossible to promote a consolidated episteme because it could crumble against every unpredicted situation: it is therefore understandable that, notwithstanding the promotion of a community of history and values, there is no attempt at establishing once and for all a univocal interpretation. The aforementioned preservation of peace and liberty, in fact, does not lie on the affirmation on a manifest univocal epistemic imposition, but rather on the ability to provide a logic that be able to cope with unpredicted situations without losing consistency. This is why

the kind of sovereignty displayed by the European Union and overcoming the modern concept of it is to be considered, ultimately, scientific: by allowing a certain possibility for historical memory to be debated and reviewed, it exposes itself to the danger of experience and, consequently, constantly reaffirms its own presence, thus legitimizing again and again its own norms by operating on them a constant hermeneutical action. It is a constant ‘katechontic’ action that we observe, meant to counterbalance contingency with the reaffirmation of a historical power: in this sense, peace is not something that can be preserved, but should be regarded as a moment (a “jetzt”, a Now) in which the logical and gnoseological community acknowledges itself through the reconciliation of historical memory. In turn, liberty is nothing but the necessary condition for the logic to fit with the challenges of contingency: it is only by leaving its own consistency “open, unachieved, imperfect” (as in the cited words of Ricœur) that the logic system can be preserved against contingency. It is as well in this sense that the abovementioned words by Hegel about the freedom of the will that obeys itself by obeying the laws can be understood: while there can be liberty only as long as it is subject to the norms of a the logical order it belongs to, the logical order itself can be preserved only inasmuch as it leaves a certain degree of liberty within its own dominion.

This aspect is particularly evident in our case study, namely the fifth enlargement of the European Union. The act of introducing the former socialist countries within the European Community has certainly represented a relevant effort in reshaping the collective memory and, as will be made clear in the sixth chapter, the emphasis on history has been significant indeed. And yet, this effort was necessary to preserve the ‘logical sovereignty’ of the European Union in front of the contingency of a historical situation in which a huge part of the neighboring territory was left without any sustainable principle of order. As a matter of fact, if war is the major risk to avoid for a
winning power, the interpretation of the events following 1989 was exactly that the lack of a hegemonic power in central and eastern Europe was going to lead to conflicts at the threshold of the European Union itself. This is witnessed, among others, by the debates following the outbreak of the Yugoslav Wars, in 1992, which, as Aline Sierp explicitly relates, in that period refer ‘frequently’ to the conflict in the Balkans as a possibility that could occur in a similar way in central and eastern Europe as well and, perhaps most importantly, by the fact that “there is surprisingly little disagreement about association among MEPs and between the EP and the Commission”.

It is in this case that the peculiar development of contemporary political theory can be noticed: actually, whereas during the Cold War there could be seen what Hegel already remarked, namely that states can join their effort in a ‘family’ only inasmuch as they have a common enemy, and such an enemy is a state or a similar ‘family’ of states, after the collapse of the Soviet bloc the ‘family’ finds its unity in struggling against a common enemy that is not a state anymore, but rather a condition that could endanger their established system. What can be observed is the preservation of what I have repeatedly named, along with Antimo Negri, a ‘logical and gnoseological community’.

Incidentally, it is important to stress that, whereas Negri refers (as has been seen) to the situation which in the work of Hobbes is to be found in the modern state, the use of this concept in this case is literally poles apart: it refers, in fact, to a condition that goes beyond the state and can be identified in the historical power of the katechon.

By coping with contingency in eastern Europe, indeed, the European Union is not enforcing the typical features of the Westphalian state, but is rather extending the logical framework that makes for a certain interpretative action regarding the political

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phenomena. As this is possible only on the basis of a ‘common culture’, as mentioned above, the latter must be exposed to the ‘experience’ of the enlargement and reinforced in order to provide a legitimate European identity, which is the dilemma I reported in the first chapter as regards the Article 237 of the Treaty establishing the European Economic Community.\(^6\) It is not a case, anyway, that the fifth enlargement occurred at the same time as the broader reform promoted by the European Commission led by Jacques Santer, as witnessed by the action programme Agenda 2000, which was made public in 1997: the enlargement plays indeed a fundamental role in that reform, both as “an historic challenge for the Union” and as “an opportunity – in terms of its security, its economy, its culture and its place in the world”.\(^6\) To be sure, since the so-called Mediterranean round (that is, the accessions of Spain and Portugal in 1985) enlargements are regularly accompanied by treaty reforms meant to advance “institutional and policy deepening before they can be threatened by widening”\(^6\) In the specific case inquired here, however, whereas the results of a study reported in the document “confirm that Union enlargement […] will bring considerable political and economic advantages, and will further Union policies if certain conditions are met”, it is stressed as well that the enlargement will also “bring greater heterogeneity to the Union and some sectoral and regional adjustment problems will result”.\(^6\) And yet, such heterogeneity is not necessarily fateful, as in the end “[t]he continent-wide application of

\(^6\) See supra, pp. 21-22.


the model of peaceful and voluntary integration among free nations is a *guarantee of stability*.  

The explanation for this assertion lies in the basic fact that, as has been already observed, not only is the experience useful in reasserting the presence of the institution, but is even a necessary source of legitimization for the latter, and it could not be otherwise, since it is its whole logic that is at stake: as clearly pointed out by the document, “[a]s in previous enlargements, the European Council has ruled out any idea of a partial adoption of the *acquis* notwithstanding the acknowledged difficulties for the applicant countries to adopt it.  

In other terms, the seeming instability of this process, which apparently displays the features of becoming, is actually the constant preservation of the present, as is proved by the equally constant process of codification that is typical of the European Union. This is perfectly consistent with a Hegelian turn in international relations, by the way – whereas it is known that Hegel was a strong supporter of codification, it must be also remarked what was his idea of the creation of a normative code: “*ein Gesetzbuch zu machen – da es nicht darum zu tun sein kann, ein System ihrem Inhalte nach neuer Gesetze zu machen, sondern den vorhandenen gesetzlichen Inhalt in seiner bestimmten Allgemeinheit zu erkennen, d. i. ihn denkend zu fassen, mit Hinzufügung der Anwendung aufs Besondere*.  

Of course, it is always Hegel who distinguishes between the code of a “people which reached only a certain degree of civilization” (*nur zu einiger Bildung gediehenen Volke*) and a “properly called code of law” (*eigentlich so genannten Gesetzbuche*), as the former is a “mere collection” (*bloße Sammlung*) characterized by “shapelessness, indeterminacy and patchiness” (*Unformigkeit, Unbestimmtheit und Lückenhaftigkeit*) while the latter

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66 Ibid., p. 44.  
“comprehends, as expressed in thoughts, the principles of right in their universality and therefore in their determinacy” (die Rechtsprinzipien in ihrer Allgemeinheit und damit in ihrer Bestimmtheit denkend auffaßt und ausspricht). This notwithstanding, the previous citation makes it clear that for Hegel as well right is not something rigid, but rather exactly that its content is universal only as long as it is logically ‘usable’ (anwendbar) according to the particular (Besondere).

In this sense, the acquis communautaire that is a (if not ‘the’) fundamental condition for the accession to the European Union’s community specifically represents the way the Hegelian Allgemeinheit gets combined with the scientific approach of the new kind of sovereignty displayed by the European institutions. In opening itself to the particular, in fact, the universality of the acquis is revealed as it puts itself to the test of the ‘experience’ and, as long as it succeeds, it confirms its own determinacy by extending its reach to the particulars. In other terms, the acquis is scientific inasmuch as it remains open to the unexpected events with which the European Union has to cope, but preserves nonetheless its universal character as it becomes the fulcrum of a logic that must include the individuals who participate to it. The fulcrum of this balance keeps being the historical conscience and its constant state of openness, which allows the individuals to contribute to the interpretation of the legal system according to their historical point of view, but at the same time restrains this possibility within the limits of an established logical system: it is possible to remark in this respect the words by Severino, who argues

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68 Ibid., p. 362. In this regard, it could be argued that the European Union might represent a society of states having reached a certain degree of civilization – in the hierarchy of Hegel’s Philosophy of Right, it is anyway something more than the ‘family’ of states and something different from the state.

69 As for our case study, according to MANNERS (op. cit., p. 243) the ‘core’ norms that he identifies within the acquis communautaire have been “defining features of transition from communist rule in the immediate post-cold war period as the Copenhagen criteria demonstrate”. In this regard, it is relevant as well to notice that Manners insists on the fact that such norms “clearly have a historical context to them”.

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that “the world dominated by science is the inter-subjective world” (even though he immediately adds that “the critical self-conscience of scientific working still cannot perceive that the inscription of the datum” in the inter-subjective context “is an interpretation” and that interpretation “is the will that requires the datum to have a further meaning, that is, additional with reference to the meaning in which the datum consists”); I would rather rest on Ricoeur’s already mentioned words, according to which I would define such system as a “médiation ouverte, inachevée, imparfaite, à savoir un réseau de perspectives croisées”. With their necessarily difficult adaptation to the acquis, the countries of Central and Eastern Europe make this process particularly evident: what occurs with the transition is the passage from a modern system of states to a ‘polis’ of states, a moment (again: a Now) of peace and liberty that distinguishes itself from the logical anarchy of the modern international structure. The fifth enlargement is a magnificent effort to maintain presence against the risks of the becoming by accumulating meaning from the involvement of (until then) external actors within its logical framework.

Actually, as regards the specific case of the Visegrád countries, there has been even talk of a ‘new great transformation’, with reference to Karl Polanyi’s famous book on the establishment of self-regulated market as a new form of civilization in nineteenth century: in the case of Central Europe, Christopher G. A. Bryant and Edmund Mokrzycki emphasize the influence neo-liberal economists and political leaders have had on the countries that were abandoning real socialism and beginning their path

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70 E. Severino, Op. cit., pp. 58-59. Severino adds as an explanation that, for instance “[t]he luminous point that is visible through the lens of a telescope already has a meaning; it is exactly significant as luminous point. That the luminous point is the visible aspect of a star, this is an interpretation, namely something that is wanted, not something given or analytically established”.

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towards the western European framework.\textsuperscript{71} It is relevant to notice, in this respect, that Polanyi described the nineteenth century as the period in which Hegel, along with Ricardo, “discovered […] the existence of a society that was not subject to the laws of the state, but, on the contrary, subjected the state to its own laws”.\textsuperscript{72} In a similar way, I have observed how the European Union may represent the effort by a society of states to subject international politics to the laws stemming from the awareness of a specific historical conscience. This notwithstanding, such laws were to be ordered – exactly as Hegel argues – according to a certain universal logic that should have been able to reaffirm its own presence against the risks of the particular, of the becoming.

In other terms, each enlargement of the European Union (and the eastern one in a most evident way) is meant to preserve the conditions in which a certain logic can work, that is, their Now, and this is possible only, and exactly, by interpreting according to the historical conscience of that Now any unpredicted phenomenon. It is a constant hermeneutic task that supports and reinforces the logic on which the task itself rests, and this makes clear that uncertainty as well is an inner element of such dynamics. After all, as observed above, Hegel himself was aware of the impossibility to close once and for all the system of his logic: even the determinacy of the system’s \textit{Allgemeinheit} is subject to a limit (our ‘Gödelian limit’: the \textit{nomos} both as limit and rule) that is equally present and, as long as it calls the consistency of the system into question, urges the latter to function by \textit{enforcing a ‘logical contemporaneity’ to the whole of its own dominion} – a task that, of course, can end only if the historical power that carries it out will not be able

\begin{thebibliography}{99}
\bibitem{71} C. G. A. \textsc{Bryant} and E. \textsc{Mokrzycki}, \textit{Introduction}, in \textsc{Id.} (eds) \textit{The New Great Transformation? Change and continuity in East-central Europe}, London and New York, Routledge, 1994, \textit{passim}.
\end{thebibliography}
anymore to cope with the unpredictability of experience, that is, once its logic will prove not to be solid or consistent enough.

Otherwise, its incompleteness is what gives it strength, as, according to Virno, “the katéchon is doubly tied to circumstances and occasions”:73 in particular, it does not make “a centralizing synthesis as regards the concrete forms of life, the power and the local conflicts, but carries out instead a contingent and punctual task: that of restoring once again the nexus between regularity and rules” – and, by occurring in a state of exception, it reveals its own manifoldness by being not “a prerogative of the sovereign” but rather marking “the action and discourse of the multitude”.74

How such action and discourse occur will be the object of the following chapters.

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73 See supra, p. 58.
“An open, unaccomplished, imperfect mediation, namely a network of perspectives crossing the waiting for the future, the receipt of the past, the experience of the present”: these words by Ricœur about the way it is still possible to think history after Hegel may be taken as the definition that could fit at best with the form of sovereignty described in the previous chapter in order to understand the Eastern enlargement of the European Union. However, the reason for it does not lie only in the consonance these lines may have with the abovementioned incompleteness that affects any logic applied to the understanding of history, but also in the very fact that such incompleteness, by undermining any totalizing claim an interpretation of history may raise, urges the latter to rest on the openness towards the multiplicity of its object. After all, it is exactly according to Ricœur that history can be fundamentally described as a “collective singular” (singulier collectif), namely with a concept of history “reliant les histories spéciales sous un concept commun”.¹ More specifically, it is exactly the emergence of this understanding, together with the absorption of Historie (the historical knowledge) by the concept of Geschicht (the succession of the events and the relations underlying it) after a period of

mutual contamination, that, according to Ricœur (who, in turn, cites Koselleck), the modern age has shaped an unprecedented experience of history.

La naissance du concept d'histoire comme collectif singulier sous lequel se rassemble l'ensemble des histoires particulières marque la conquête du plus grand écart concevable entre l'histoire une et la multiplicité illimitée des mémoires individuelles et la pluralité des mémoires collectives soulignée par Halbwachs. Cette conquête est sanctionnée par l'idée que l'histoire devient elle-même son propre sujet.

This is, indeed, what has emerged in the analysis which led to the definition of contemporary sovereignty sketched in the previous chapter. In the modern age, the concept of history begins to imply a self-awareness: the events can be interpreted according to a consistent logical framework that ultimately refers to the advent of a specific advent, and that advent is definitely the definition of history itself – we could say, in other terms, that very historical conscience that allows to interpret such events according to such logical framework. In the end, however, this principle of order cannot but have an outcome in terms of legitimization of the status quo, as actually occurs with Hegel, whose work finally becomes a source of legitimization for a certain kind of

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2 Ibid., p. 393. In this regard, R. Koselleck has traced back the development of this concept of history by quoting, among others, Chladenius, who in 1752 wrote that “[Auf einer Reihe von Begebenheiten wird eine Geschichte genannt]”, meaning that “das Wort Reihe bedeutet allhier … nicht bloß eine Vielheit oder Menge; sondern zeigt auch die Verbindung derselben untereinander, und ihren Zusammenhang an”. This statement echoes that of Gundling, who in 1734 had written that “[Die Historie an sich selbst, quatenus res gestas complectitur, schärftet das Judicium nicht]”, since this was the role of historical logic (dazu gehöre die historische Logik). In particular, however, according to Koselleck the rise “the new world of experience of history” (die neue Erfahrungswelt der Geschichte) finds a remarkable definition in 1858, when Droysen argues in his Historik that “[Aber der Geschichten ist die Geschichte]: Die Herausbildung des modernen Geschichtsbegriffs, in O. Brunner, W. Conze, and R. Koselleck (eds) Geschichtliche Grundbegriffe. Historisches Lexikon zur politisch-sozialen Sprache in Deutschland, Bd. 2, Stuttgart, Ernst Klett, 1975, pp. 649-652.

Incidentally, it can be noticed that for Hegel (Vorlesungen über die Philosophie der Geschichte, in ID., Werke, Frankfurt a.M., Suhrkamp, 1986, Bd. 12, p. 83), “Geschichte vereinigt in unserer Sprache die objektive sowohl als subjektive Seite und bedeutet ebensogut die historiam rerum gestarum als die res gestas selbst; sie ist das Geschehene nicht minder wie die Geschichtserzählung”.

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political power (that is, the modern nation-state, notably the Prussian state), which is
presented indeed as the necessary result of history, or rather of the logic that explicitly
subtends it: “[w]orin das wissenschaftliche Verfahren der Philosophie bestehe, ist hier aus der
philosophischen Logik vorauszusetzen”.

There is in it a certain resonance with the already observed description of the world
dominated by science as provided by Emanuele Severino. As a matter of fact, such
description argues that science has been able to supplant the previous episteme because of
its ability to expose itself to the risks of contingency, thus making the latter thinkable.
This ability, however, actually implies that science dominates a world that is
fundamentally inter-subjective: each one of the data by means of which it works must
meet with the consent (or dissent) of the community, and only because of this necessity
it ultimately can be considered an interpretation, that is, a will that the datum have a certain
meaning going beyond its actual content. In particular, Severino argues that, since there
is no logical connection supporting such interpretation, the latter is actually the will that
such connection exist: the ultimate outcome of this procedure is that the dominion of
science rests on its own ability to make the data consistent with its broader system, and
this is possible only because “the interpretation wants the datum to be social”, that is, to
have that additional meaning “constituted by [its] inscription in the world of inter-
subjectivity”. Whereas already Jean Cavaillès argued that “l’exactitude des relations

3 G. W. F. Hegel, Grundlinien der Philosophie des Rechts, in ID., Werke, cit., Bd. 7, p. 32, §2. Among the other
references to the Science of Logic that can be found in the Philosophy of Right, it is especially meaningful for
this inquiry the one in which Hegel argues that “[A]le verschiedenen Bestimmungen der Allgemeinheit ergeben sich
in der Logik” (ibid., p. 75, §24n).
4 E. Severino, Legge e caso, Milan, Adelphi, 1979, p. 59: “L’interpretazione è la volontà […] che il dato abbia un
significato ulteriore, cioè addizionale rispetto al significato in cui il dato consiste”.
5 Ibidem.
6 Ibid., p. 60.
caractérisant la physique galiléenne, n’est que convergence indéfinie des opérations et des contacts réels vers un pôle idéal qui sera le représentant bientôt substitué à eux et conçu plus réel qu’eux-mêmes” and specifically refers to the role of mathematics in this process (“Il y a plutôt dans tout cela organisation méthodique, dont les intermédiaires et les instruments peuvent devenir thèmes et se prendre pour fin, que moments spéculatifs authentiques. Si les mathématiques sont au service de la connaissance, c’est un service qui accepte plusieurs maîtres”), it is definitely possible for Severino to conclude that “[s]cience dominates the earth because its previsions are confirmed and their confirmation owns the highest degree of social consensus: this means that the will of power, in which science consists, is not just will that wants the dominion, but is will that establishes what the dominion must consist in”.

In the modern age, therefore, both science and history are not only characterized by an openness towards the unpredictable experience that concurs in their constant redefinition by making their own logic (whose consistency rests on the indefiniteness of its own boundaries) encompass the latter and get strengthened by it; they also make their self-referential dominion rest on the interwoven activities of many particular standpoints. Just like modern science can establish its own dominion, according to Severino, only because the interpretive will that underlies it needs an inter-subjective world in which the data’s additional meanings are accepted, history after Hegel, in the words of Ricœur, gathers the multiplicity of particular histories with the result of making itself its own subject.

The result is an architecture of history that has relevant political implications. I say an architecture, because architecture not only creates connections, but rather engenders operative decisions that imply, perhaps more than in other forms of art, “a historical

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8 Ibid., p. 61.
judgment on the previous events, which justify the operation to be done today, and every historical judgment implicitly entails a direction that can be asserted in practice”.  

In this sense, it may be relevant to recollect how Ricœur argued that in Hegel’s political philosophy there could be remarked an attempt at substituting an “empty idea of law” (idée vide de loi en général) by making politics exactly “un savoir architectonique, c’est-à-dire un savoir qui coordonne le bien de l’individu à celui de la communauté”.

In this sense, as we deal instead with a kind of sovereign institution that, by intending to restrain contingency by resting on multiplicity, represents an opposition to the modern centralized state, the only precedent we have consists in the baroque architecture, meant both as the culmination of the pre-modern age and as the expression of the contrast between the pre-modern institutions and the then rising state. As Schmitt argues, indeed, whereas “[d]ie mittelalterliche, west- und mitteleuropäische Einheit von Imperium und Sacerdotium ist niemals eine zentralistische Machtanbahnung in der Hand eines Menschen gewesen”, the state “bedeutet wesentlich die erst seit dem 16. Jahrhundert mögliche Überwindung des konfessionellen Bürgerkrieges, und zwar eine durch Neutralisierung bewirkte Überwindung”. It is not by chance, therefore, that Virno is able to connect the katechon – meant as the opposition to the modern centralized state – with the work of Hobbes, namely an author who experienced this fundamental transition, by identifying it as one of the “irregular institutions” of the Hobbesian multitude.

As a matter of fact, it is significant enough to notice that the baroque period reached its culmination, indeed, in the first half of the seventeenth century, that is, immediately afterwards.

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9 L. BENEVOLO, Introduzione all’architettura, Rome and Bari, Laterza, 1984, p.5.
prior to the rising of political modernity: the modern definition of state and the modern state system in Europe somehow coincide with the decline represented by the late baroque. Leonardo Benevolo argues that the baroque question (at least in architecture) can be understood only in the specific terms of the seventeenth century culture, and explains how it fundamentally consisted in a deferment of a crisis that stemmed from the opposing tendencies of the Mannerism, namely the “confrontation between rules and transgressions”, and the need to revise the basic rules of Classicism: in the end, the term Baroque comprehends both conformist and anti-conformist tendencies. This being said, it is perhaps even more meaningful to notice that the crossing of perspectives within the borders of an all-encompassing logic, which seemingly characterizes contemporary sovereignty, is perfectly consistent with the tenets of the baroque style: in particular, as Severo Sarduy explains, the “retombe” of Keplerian cosmology, meant as the refusal of a sole center and the awareness of a thought of infinitude (“pensamiento de la infinitud, de lo no centrado [...] el pensamiento de la topología barroca”), is visible in the very place in which everyday political life takes place, namely the urban discourse (the “symbolic space par excellence”), which actually implies a repetition that is not the simple redundancy of the pre-baroque period. Actually, the baroque town is instead

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13 L. BENEVOLO, op. cit., p. 210. In this regard, it could be noticed that P. RICŒUR begins his La memoire, l’histoire, l’oubli (op. cit.) with the description of a statue at the library of the Wiblingen monastery in Ulm: the “double figure of history” (la figure double de l’histoire), in which a personification of history restrains Chronos, the god of time, from ripping a page from a great book. The statue, Ricœur notices, is a “superb baroque sculpture” (une superbe sculpture baroque).

14 S. SARDUY, Barroco, in ID., Obras completas, Tomo II, Madrid, ALLCA XX, 1999, p. 1224. In this regard, the already mentioned passage from the closed world to the infinite universe described by A. KOYRÉ (see supra, p. 44) should be reminded: whereas in the seventeenth century the cosmology begins to undertake the path that will lead to refuse a central power such as God himself, the baroque style already anticipates the multiplicity of perspectives that will try to cover the resulting void.
“una trama abierta, no referable a un significante privilegiado que la imante y le otorgue sentido”: in other terms, while it cannot but remain the same as regards its basic form, the baroque topography is always open to new interpretations. But such interpretations are ultimately mathematizations: in the baroque style “todo es medida, cantidad, repetición; todo es analizable, fragmentable”. The world that precedes the advent of political modernity is not just the one in which, as observed in the second chapter, cosmology discovers a universe that works so perfectly that it does not require God to control it (accordingly, from a baroque point of view “el Universo […] es estable e inmutable, su estado es continuo – steady state”) but is also the one which, through the abandonment of the ‘à-peu-prés’ in order to unfold the universe of precision, as Koyré once remarked, ultimately sets the basis for the mathematization of human life and its political setting.

This transitory aspect, which combines the openness of the trama abierta with the need to subject the new experience to the stability provided by the certainty of the measurability (medida) can be found both in the passage towards the political modernity and the progressive centralization epitomized by the nation-state and in the passage following it. Once undertaken by a political power, however, the combination of openness and measurability can give rise to odd results, in which the latter becomes the ‘containing’ structure for the former and the former the ‘spreading’ motive for the latter.

The paramount example of this aspect is provided, perhaps, by the etchings by Giovanni Battista Piranesi that are called Carceri d’invenzione (“Prisons”), whose

15 Ibid., p. 1226.
16 Ibid., p. 1227.
17 Ibid., p. 1247.
18 T. Hobbes, Elementi di filosofia. Il corpo – L’uomo, Turin, UTET, 1972, pp. 590-591: “Proprio per il fatto che siamo noi stessi a creare le figure, avviene che c’è una geometria e che è dimostrabile. […] Inoltre, la politica e l’etica, cioè la scienza del giusto e dell’ingiusto, dell’equo e dell’iniquo, può essere dimostrata a priori; ed infatti […] le cause della giustizia, le leggi e le convinzioni, sono cose che abbiamo fatto noi stessi”.
expression of the main features of the baroque period rests exactly on the exasperation of the two abovementioned concepts, as can be deduced from these lines by Marguerite Yourcenar:

*Notre vertige devant le monde irrationnel des Prisons est fait, non du manque de mesures (car jamais Piranès ne fut plus géomètre), mais de la multiplicité de calculs qu'on sait exacts et qui portent sur des proportions qu'on sait fausses. […] Ce monde bouclé sur lui-même est mathématiquement infini.*

More specifically, Piranesi’s exasperation results in the negation of time in favor of a dialectical movement occurring within the space (which is, incidentally, the “great protagonist” of Piranesi’s *Carceri*), which in the Baroque style is generally expressed, as Sarduy points out, through a “harsh distribution of light”, a “neat breach whose borders separate, without nuances, the authority of the motive and the indifference of the background”, and finally an “immediate contrast between field of light and field of shadow”. This ceaseless effort has a specific reason: it is meant to suppress “*toda transición entre un término y otro, yuxtaponiendo drásticamente los contrarios*” in order to obtain “*un mayor impacto didáctico*”. Finally, it is this aim that seems to lead the ‘operative function’ that, according to Deleuze, resums the baroque style:

*Le Baroque ne renvoie pas à une essence, mais plutôt à une fonction opératoire, à un trait. Il ne cesse de faire des plis. Il n’invente pas la chose : il y a tous les plis venus d’Orient, les plis grecs, romains, romans, gothiques, classiques… Mais il courbe et recourbe les plis, les pousse à l’infini, pli sur pli, pli selon pli. Le trait du Baroque, c’est le pli qui va à l’infini.*

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The indefinite (perhaps infinite) folding of the Baroque is meant, indeed, to suppress the transition between the elements of its multiplicity, to enclose the elements of experience by means of a line that is, instead, necessarily unachieved. In this sense, measurability and experience get progressively identified (let us think of the infinitesimal calculus developed in the seventeenth century by Leibniz and Newton, or of the concept of mathesis universalis), just like Historie and Geschichte will be after Hegel. However, whereas in the passage towards political modernity the measurability got the better of the experience (as can be exemplified, possibly, by the mathematical necessity at the basis of Hobbes’s Leviathan), in the current transition the experience seems to have regained its own centrality. In this sense, as Ernst Bloch remarked by citing Ludwig Börne, world history is still “a house that has more stairways than rooms”.23

For this reason, the sovereign institutions that could emerge from this transition could be determined by the need to take possess of those stairways, possibly claiming for the monopoly of such control — that is, for the representation of the singularity of historical conscience under which the “unlimited multiplicity of individual memories” are to be gathered: in other terms, to administrate this complex network of Abschattungen according to the sovereign, established logic.24 Consistently, Cacciari, in referring to the empire as the expression of the katechon, actually writes that it expresses itself exactly through an “executive-administrative energy” that “encompasses and comprehends the drives of the multitude”, which makes for the accomplishment of what the empire

23 E. BLOCH (tr. M. RITTER), Nonsynchronism and the Obligation to Its Dialectics, in New German Critique 11, 1977 [1932], p. 36. Incidentally, this conceptual reversal may be concretely visualized by setting up Piranesi’s Carceri against its post-modern (that is, post-Einsteinian) offspring, namely M. C. Escher’s lithograph Relativity.

24 I draw the reference to Husserl’s Abschattungen, namely the mnemonic changes to which each moment is subject due to the flow of time, from M. MERLEAU-PONTY, Phénoménologie de la perception, Paris, Gallimard, 1945, p. 477.
“always requires”, namely that “thought and action become deepening and development of the current meaning of the age [epoca]. The new age as such could not be even represented, if elements of crisis, of discontinuity were still present in it”.\textsuperscript{25} The sovereign institution for the administration of this manifoldness could set as its own priority, therefore, the management of what Foucault’s defined as the archive, namely “[le] niveau… d’une pratique qui fait surgir une multiplicité d’énoncés comme autant d’événements réguliers, comme autant de choses offertes au traitement et à la manipulation”: as a matter of fact, by managing this level in the field of (historical) knowledge, by focusing on the historical conditions for the sense of the political discourse, the normativity of such an institution would result in defining, in a nutshell, “la loi de ce qui peut être dit”.\textsuperscript{26}

What is, therefore, the executive-administrative structure that is meant to enforce such law? The answer is necessarily undecided, because the structure of this form of sovereignty expresses a logic that is itself unachieved and determined by the experience. And yet, the same structure must also express a consistent system of measurement if it wants to contain the contingency of experience and dominate upon its interpretive manifoldness. In this sense, the overcoming of political modernity is certainly moved by this dialectic between openness and measure, but it should be pointed out that the ultimate matter of interest is not the regulation of the relations among the subjects of the sovereign institution, or between them and the latter, but rather their overall subjection to a specific order – the structure of the house, more than the single stairways.\textsuperscript{27}

\textsuperscript{27} R. Esposito, \textit{Bis}, Turin, Einaudi, 2004, p. 18. The passage I refer to, however, is in turn a reference to Michel Foucault’s studies on the sovereign paradigm.
According to these first hints, it could have been noticed that the sovereign institution that I am outlining appears as scarcely democratic, since its openness towards the multiplicity of particular histories seems to be just meant to comprehend them within a common principle of order. And yet, this aspect – which is certainly relevant – should not represent a surprise: logic is not democratic. Once such a principle of order becomes the one on whose basis a sovereignty legitimizes itself, the possibility for the subjects to enjoy a certain liberty is closely intertwined with the necessity to make it the other side of the obedience to such logic. This is, as has been already observed, the basic concept in Hegel’s political philosophy, but it is also the dynamics of the process leading to what Michel Foucault called ‘governmentality’ (gouvernamentalité), the technique of governing the population that appears between the sixteenth and the eighteenth century – and it does not seem democratic, neither.

According to Foucault, indeed, the term ‘governmentality’ may be understood according to three different definitions: as “l’ensemble constitué par les institutions, les procédures, analyses et réflexions, les calculs et les tactiques qui permettent d’exercer cette forme bien spécifique, quoique très complexe, de pouvoir qui a pour cible principale la population, pour forme majeure de savoir l’économie politique, pour instrument technique essentiel les dispositifs de sécurité”; as “la tendance, la ligne de force qui, dans tout l’Occident, n’a pas cessé de conduire, et depuis fort longtemps, vers la prééminence de ce type de pouvoir qu’on peut appeler le « gouvernement » sur tous les autres : souveraineté, discipline, et qui a amené, d’une part, le développement de toute une série d’appareils spécifiques de gouvernement [et, d’autre part], le développement de toute une série de savoirs”; and, finally, as “le processus, ou plutôt le résultat du processus par lequel l’État de justice
As can be seen, the overall development identified by Foucault regards the definition of control techniques that occurs in the very moment in which political modernity rises together with the state. It should not be surprising, however, if we find similar features in the contemporary kind of sovereignty as represented by the European Union. Whereas it certainly detaches itself from certain specific aspects of the state, such as the centralization of power, it would be difficult to understand this development by neglecting the whole of the concept of state: after all, what we are observing now is an ongoing process which cannot but take into account the theoretical framework from which it stems. The difficulty of political science to define it satisfyingly is an evidence of it. Basically, we could even provide a provisional definition of it by paraphrasing the famous definition of the state provided by Max Weber in his lecture *Politik als Beruf* and argue that the new kind of sovereignty is a gnoseological and logical community that successfully claims the monopoly of the legitimate use of sense within a given territory.

The institutional structure of the European Union reflects this peculiar moment of transition, which on the one hand makes for a partial detachment from the modern state’s model and on the other for a certain overlapping. It is true, indeed, that the main European institutions tend to reflect the typical separation of power of the liberal democratic state, which is accordingly associated to the tripartite system (*Trias Politica*) exposed by Montesquieu in his *Spirit of the Laws*. Consequently, in a nutshell, the Commission has had the role of the government (the “*puissance exécutrice des choses qui...*

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dependent du droit des gens") along with the European Council,²⁹ the Council of the European Union and the European Parliament that of two parliamentary chambers ("puissance législative"),³⁰ the Court of Justice the judicial one ("puissance de juger").³¹ However, the European Union is composed as well by institutions that stand out of this scheme and, indeed, are relatively neglected by the huge literature on the matter, possibly revealing the difficulty political philosophy has in conceptualizing the concrete expression of a possible post-modern transition. In particular, one of the most important examples of this kind of institutions is the system of the committees influencing the administrative activity of the Commission – the so-called comitology.

To be sure, the comitology is relevant because it is the institution that embodies at best the oscillation between norm and experience in the functioning of the European Union’s form of sovereignty. Indeed, it is possible to say with Jans Blom-Hansen that “[a]lthough the comitology system was not part of the original treaties, it is almost as old as the EU”, in particular since “soon after the treaty entered into force the need for delegating powers to the Commission became evident, not least due to the introduction of the Common Agricultural Policy, which required daily administration at the collective level”.³² Notwithstanding the age of such system, however, the nature of it still remains rather opaque, exactly because it functions at the margin of the European normative

²⁹ TEU, Art. 17, 1: “The Commission shall promote the general interest of the Union and take appropriate initiatives to that end. It shall ensure the application of the Treaties, and of measures adopted by the institutions pursuant to them. It shall oversee the application of Union law under the control of the Court of Justice of the European Union. It shall execute the budget and manage programmes. It shall exercise coordinating, executive and management functions, as laid down in the Treaties”.

³⁰ Ibid., Art. 13, 1: “The European Parliament shall, jointly with the Council, exercise legislative and budgetary functions”. See also Art. 16, 1.

³¹ Ibid., Art. 19, 1: “The Court of Justice of the European Union […] shall ensure that in the interpretation and application of the Treaties the law is observed”.

framework since the Treaty of Rome: Blom-Hansen himself argues that, albeit this system is certainly “a part of constitutional politics in the EU” and plays a relevant role in determining the balance of the ‘traditional’ power partition described above, its rise has been the result of “half a century’s political haggling”, to the point that its form could not but result “Byzantine”.33 Quite consistently, other scholars have noticed the features of this institutional expression set at the limit between rules and experience by pointing out its “oddly hybrid nature combining “the intergovernmental dimension of bringing together national representatives, comparable to Council working groups, with the supranational character of the Commission which is chairing the meetings and ultimately adopting the executive measures submitted to the relevant committee”: for this reason, as well as for “the high volume of decisions taken in this realm (2500-3000 executive measures are adopted annually)”, these scholars agree in according the comitology a “special place” in the broader system of the European institutions.34

The fact that such place is ‘special’, however, also implies that the comitology is fundamentally difficult to identify as a regular institution. There is, indeed, no real provision regarding this particular system in the constitutive treaties of the European project: its rise, which began in the 1960s, was basically due to practical reasons which exceeded the text of the treaties – as Alfé, Christiansen and Piedrafita argue, it was an “ad hoc solution to the difficulty of regulating the economic and social life of the Community while relying exclusively on legislation”, namely an answer to the need “to address changing circumstances quickly and effectively”. Whereas the legislative process was stagnating (it must be hereby stressed that the first parliamentary elections would

have taken place only in 1979), it seemed a good idea to delegate “implementing powers for routine measures” to the Commission, namely the executive branch, but such solution required anyway “a degree of administrative innovation”, which finally consisted in the “supervision of the Commission’s use of these powers by committees composed of member state representatives”.\textsuperscript{35} However, such solution (which until 2006 made the Commission adopt over 80,000 measures coming from the comitology system) progressively enlarged towards other domains like the management of the customs union, the commercial policies, transports, interior market and so on, including a Regulatory Committee.\textsuperscript{36} Finally, due to the rapid increase of delegated matters through the 1970s and 1980s, comitology had already become a controversial issue when the treaties were reformed with the Single European Act: in 1987, indeed, specific procedures were established in order to regulate the way the Commission consulted the implementing committees.\textsuperscript{37}

According to these preliminary descriptions, it can be noticed that the comitology system seems to express exactly the features of the kind of power that has been sketched up to now. Actually, it is an irregular institution\textsuperscript{38} which has been considered functional for the broader functioning of the European Union to approach a certain

\textsuperscript{35} Ibid., p. 206.

\textsuperscript{36} This progressive enlargement has been noticed in this way by P. PONZANO, Principal Advisor on Institutional Issues at the Secretariat-General of the European Commission: cited in D. GUÉGUEN, \textit{Comitologie. Le pouvoir européen confisqué}, Brussels, European Training Institute, 2011, p. 26. See also M. ALFÉ, T. CHRISTIANSEN, and S. PIEDRAFITA (Op. cit., p. 206), who refer to environment policy, consumer protection, and single market regulation as other areas of legislation which soon “involved delegation of powers and the arrival of comitology committees”.

\textsuperscript{37} Ibidem.

\textsuperscript{38} M. ALFÉ, T. CHRISTIANSEN, and S. PIEDRAFITA (Op. cit., p. 209) argue indeed that “a high degree of informality” can be observed in the functioning of the comitology, “with different practices and traditions present in different sectors”, to the point that its informal aspects should be considered in studying it as well as the formal ones.
kind of contingency (the “changing circumstances”) by attending its ‘lawless’ regularity (the “routine measures”) while implementing the rules of the existing legislation through the informal administrative margins implied in their prerogatives: in this sense, a resonance of the relation between regularity and rules described by Virno to define the way in which the *katechon* is “doubly tied to circumstances and occasions” can be felt.\(^\text{39}\)

In particular, whereas the comitology certainly represents a kind of multiplicity, it is basically because it rests on the individual officers (in his pamphlet, Daniel Guéguen argues that “*le plus petit des fonctionnaires européens est le Maître de l’Union*”),\(^\text{40}\) which makes it resemble less an administrative innovation than Max Weber’s description of the modern state’s rational-legal authority, in which the “[...] as reinste Typus der legalen Herrschaft ist diejenige mittelst bureaurekrtischen Verwaltungsstabs”. In turn, it is the case to notice that this staff “[...]*besteht im reinsten Typus aus Einzelbeamten (Monokratie, im Gegensatz zur „Kollegialität“)*” whose power is increased “[...]*durch das Dienstwissen: die durch Dienstverkehr erworben oder „aktenkundigen“ Tatsachenkenntnisse*,\(^\text{41}\) that is, by constantly increasing their specialization instead of considering it as an already complete knowledge, an *episteme*.

Within the realm of comitology, in other terms, the multiplicity of the whole European Union’s political action is reflected by that of the comitology: it has been observed, after all, that the committees are composed of member states representatives. This notwithstanding, the main criticism that has been moved against it is exactly its lack of democratic accountability. In particular, this criticism has been moved by the institution that represents the most democratic outcome of political modernity within

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\(^\text{39}\) See *supra*, p. 58.


\(^\text{41}\) M. WEBER, *Wirtschaft und „Gesellschaft“. Soziologie*, in *Id.*, Gesamtausgabe, Bd. 23, Tübingen, Mohr, Siebeck, 2013, pp. 459, 466. Incidentally, it can be noticed that the abovementioned description of the ‘ministeriality’ by FRASSINETI is equally concerned with the role of the individual officers as regards the broader functioning of the ministerial power.
the European Union, namely the European Parliament. It is the very website of this institution that makes it clear that, with the European Parliament having achieved its “historical maturity” by “being placed on the same footing as Council”, a change in the comitology system was required, since up to recent years it “gave a very limited role to Parliament”, which “did not have the same rights as Council to be informed, contest or block decisions”. As a matter of fact, whereas the member states in the Council may find the comitology system a useful “control instrument” to monitor the activity of the Commission, the blurred distinction between legislative and executive prerogatives within the European Union could make the European Parliament deem the comitology even as a “threat”, exactly because from its perspective it “interferes with its fundamental right to exercise political supervision over the Commission and to participate to the legislative process”.

In the terms of this inquiry, by influencing the ‘government’ represented by the Commission from the several areas of legislation in which comitology is involved, the states would be trying to mould the administrative logic of the European Union according to the circumstances; at the same time, this task would be taken away from democratic control in the form of the European Parliament. It should be remarked, however, that the insistence by the latter has led to a series of reforms in recent times which, whereas they were meant to provide a better balance for democratic accountability, ultimately confirmed the setting of this most relevant aspect of the functioning of the European Union.


The Council Decision 1999/468, indeed, has been the first of a short, but influent, line of measures meant to provide a new balance as regards the field of comitology. In particular, as the 1999 Decision made clear by reducing the number of procedures regarding this specific matter, the objective has been that of simplifying this normative layer in the European system, as well as that of making it more transparent, as the increased right to scrutiny accorded to the European Parliament and the obligation for the Commission to set up a register of the committees may witness.\textsuperscript{44} Thereafter, the Council Decision 2006/512/EC has pursued this line of reform by making it possible for both Council and Parliament to reject the implementing measures proposed by the Commission, notwithstanding the controlling role of the committees,\textsuperscript{45} finally paving the way for the broader reform brought forward three years later by the Lisbon Treaty. In the latter, in fact, it is the very legal basis of the comitology that is repealed in favor of a new framework introducing parliamentary control on a certain kind of acts (delegated acts), which are actually “Commission non-legislative rules of general application that supplement or amend non-essential elements of a legislative act”; by contrast, the acts regarding the implementing powers of the Commission remain under the control of the committees.\textsuperscript{46}

Ultimately, therefore, whereas the equality between Council and Parliament has been improved, many doubts still regard the balance between legislative and executive levels as well: as Blom-Hansen remarks, whereas in fields such agriculture the comitology system remains uncontroversial, member states keep being particularly concerned with other areas, thus representing a relevant hindrance as regards the control by the

\textsuperscript{45} Ibid., p. 208.
This aspect is particularly relevant as it is subtended by a deeper concern that, according to the terminology of this inquiry, can be named ‘scientific’: the “game of control positions”, as Blom-Hansen calls the comitology system, is such exactly because of its inter-subjective functioning as regards the unexpectedness of the experience. “No one in the EU system knows for certain how delegated powers to the Commission are going to be used or what the future precisely entails”, argues Blom-Hansen, “[b]ut everybody knows that there will be decisions to make down the line”, and this means “that the individual EU legislators will press for comitology rules that ensure efficient institutional control positions for themselves and inefficient control positions for their opponents”.

In this sense, the eastern enlargement of 2004 has certainly been a useful test for the controlling ability of the comitology. A first, comprehensive consideration is the one provided by Sonia Piedrafita, who argues that the change caused by the fifth enlargement did not concern way the committee decide to attain their goals, but rather the way in which they support the executive discretion of the Commission. This is perfectly consistent with what has been observed in the fourth chapter, namely that since the Mediterranean Round the enlargements and deep reforms in the asset of the Union have regularly occurred together – even though Alfé, Christiansen and Piedrafita warn that in the case of the comitology the transformation occurred in recent years cannot be connected directly with the enlargement: it would be more appropriate, they argue, to identify “processes of mutual adaptation – instances where the comitology system has changed its (informal) arrangements to better accommodate the new

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47 Ibid., pp. 91-92.
48 Ibid., p. 73.
participants, but also aspects which imply new obligations and the need to reform for
the administrations of the new member states.\textsuperscript{50} In particular, it must be remarked that,
as the comitology system is composed by member states representatives, the eastern
enlargement has meant that their number would have almost doubled, and that the new
representative would have hardly the same procedural expertise as those of the old
member states. According to Alfé, Christiansen and Piedrafita, the concern caused by
the enlargement in this field was mainly about the difficulty that it would have brought
as regards the usual decision-making process, in particular by posing serious problems in
terms of efficiency and, consequently, of legitimacy of the whole system.\textsuperscript{51} On the
opposite, however, Piedrafita even identifies some aspects that have led to
“counterbalance partially” the limitations and controls that the European Parliament
would enact with respect to the Commission. She argues indeed that the increasing
number of national representatives should make it “cumbersome” for the legislative
power to influence and monitor a situation in which “conflict and diverging
preferences” will increase; moreover, she notices that the new member are particularly
supportive towards the Commission and, due to their lack of experience, it is “unlikely
for them to be behind blocking dossiers”; finally, that the dynamics imposed by the
enlargement on the interpersonal relations urges to find informal agreements in the
“corridors”, thus limiting the possibility for the legislative power to oversee it.\textsuperscript{52} At the
same time, the new member states would reduce the power of the larger states by being
able to create “volatile coalitions” capable of influencing the decisional processes against
the latter: the Commission would benefit from this dynamics due to its coordination
role and the possibility it gives for achieving its own goals. It is a rather paradoxical


\textsuperscript{51} \textit{Ibid.}, pp. 212.

result, since, as has been observed, the comitology has been defended by the member states as their domain. In any case, Piedrafita cannot but conclude that the enlargement has had a role in helping the comitology to keep its own prerogatives vis-à-vis the European Parliament, specifically by confirming the informality of its power and its being tied to the circumstances it is meant to regulate.53

As regards the states involved in the enlargement, instead, the few studies on this particular aspect of the enlargement reveal that the comitology system has had a role in introducing them to the logic of the European Union, as can be observed with the behavior of their representatives. Notwithstanding the concerns caused by their lack of experience, it must be remarked indeed that at the moment of the enlargement they had acquired a certain experience by participating as observers. Once the enlargement had been accomplished, though, the new members representatives have been still considered as observers with the right to vote by their colleagues representing the old members (notwithstanding the progress made especially by three of the Visegrád countries, namely Hungary, Poland, and the Czech Republic). This notwithstanding, it should be interesting to notice that the new representatives, by contrast, not only have considered themselves as more active than they could seem to their colleagues, but even that “they have not only gained the voting power, but also become more responsible and accountable after full membership”, in particular by bringing about, among others, “increased data, a new perspective and approach to the issues, different government cultures, other national views and a wider spectrum of opinions, as well as new ideas and concerns”.54 “This aspect is certainly meaningful as regards our inquiry, since it displays a double movement with respect to the eastern enlargement: on the one hand,

53 Ibid., p. 13.
the necessity for what can be seen as a logical core of the European Union to call into
question its own system by opening itself to the risk of the new ‘experience’; on the
other hand the way its logical consistency is undertaken by the new members, who not
only accept it, but actually identify themselves with it by looking at the political
phenomena through its system: the reference to responsibility and accountability
following the full membership is there to prove this point.

This process, nonetheless, has presented some troubles. One of them, in particular,
has been especially meaningful: I refer to the language issue, that the has emerged
throughout the here observed process of adjustment during the fifth enlargement.
Actually, whereas it has been noticed above that language, in Hegelian terms, represents
the main expression of a logic that is unachievable,\textsuperscript{55} it is definitely a matter that, as
regards comitology, presents severe issues. According to an inquiry carried out before
the enlargement, indeed, the comitology was already characterized by the lack of a
common language, with less than the half of the representatives using English most
frequently during the meetings, whereas 15 per cent normally use French, 23 per cent
Spanish and 17 other languages.\textsuperscript{56} Moreover, it is rare for the Commission to provide
the committees with documentation in all official languages, with the exception of legal
texts that the official meetings are meant to adopt.\textsuperscript{57} As a matter of fact, it has been
remarked that, notwithstanding its relevance, language is not mentioned by the standard

\textsuperscript{55} E.g. see supra, p. 82.

\textsuperscript{56} These are the results of the broader inquiry reported in G. F. Schaefer et al., \textit{The Experience of Member State Officials in EU Committees: A Report on Initial Findings of an Empirical Study}, EIPASCOPE 2000/3, pp. 29-35. It must be remarked that, however, during the informal discussions the use of English rises to 70 per cent and that of French to 19 per cent.

\textsuperscript{57} G. F. Schaefer and A. Türk, \textit{The role of implementing committees}, in T. Christiansen and T. Larsson (eds), \textit{The Role of Committees in the Policy-Process of the European Union}, Cheltenham and Northampton, Edward Elgar, 2007, p. 188.
rules of procedure, so that in the comitology even the choice about the way to approach this issue is fundamentally informal. The Commission, indeed, deems “unworkable” the possibility to provide all documents in all official languages because of limited resources: this aspect, that is, the “absence of a formal language regime”, makes the very functioning of committees a changing circumstance, since the fundamental issue of language must therefore be resolved on a “case-by-case basis in the context of individual committees”.

The enlargement has only made this aspect more evident. One of the proposed explanations for the perceived irrelevance of the new member states representatives is exactly the fact that they could not get interpretation facilities, thus making participation to the meetings “uneven”. The increased number of official languages following the enlargement, indeed, has resulted in a new language regime in the Council, but not in such a core area as the comitology, for which the only exception as regards interpretations or translations schemes has regarded Polish. And yet, as has been remarked, “[e]ven if most participants can cope with English – which, owing to enlargement, is developing into the dominant language of interaction in comitology – the absence of translated documents or interpretation in native languages does compromise the effective participation of new member states in a number of ways”, notably by making it difficult to coordinate national positions and the instructions for the representatives, apart from the ‘psychological or practical’ difficulty for the latter caused by the inability to intervene in their native language.

Working through translation, indeed, presents issues that are almost insurmountable. More specifically, the role of translation in the functioning of the comitology reveals

59 Ibid., p. 213.
two basic aspects it must cope with: that of circumstances (the ‘case-by-case’ decision) and that of the very nature of the documents to be translated (be it by the Commission or by the representatives). As Walter Benjamin wrote while treating the ‘task of the translator’ (Die Aufgabe des Übersetzers), indeed, “[A]ie Frage nach der Übersetzbarkeit eines Werkes ist doppelsinnig. Sie kann bedeuten: ob es unter der Gesamtheit seiner Leser je seinen zulänglichen Übersetzer finden werde? Oder, und eigentlicher: ob es seinem Wesen nach Übersetzung zulasse und demnach – der Bedeutung dieser Form gemäß – auch verlange. Grundsätzlich ist die erste Frage nur problematisch, die zweite apodiktisch zu entscheiden”.60

Benjamin argues that it is the second question that is actually relevant, due to its independent meaning (selbständiger Sinn); consistently, since we have observed the first aspect in the previous lines anyway, let us analyze the second one as well by asking what the issue of translation does reveal as regards our inquiry. In fact, the possibility of a translation (which in our case even becomes a necessity) makes for the presence of a common logical framework that is possible to retrace. Paul Ricœur, indeed, starts from what he calls a “paralyzing alternative” concerning the human ability to learn languages that are not their native one to come to such conclusion:

Cette alternative paralyisante est la suivante : ou bien la diversité des langues exprime une hétérogénéité radicale – et alors la traduction est théoriquement impossible ; les langues sont a priori intraduisibles l’une dans l’autre. Ou bien la traduction prise comme un fait s’explique par un fonds commun qui rend possible le fait de la traduction ; mais alors on doit pouvoir soit retrouver ce fonds commun, et c’est la piste de la langue originaire, soit le reconstruire logiquement, et c’est la piste de la langue universelle.61

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Accordingly, once the impossibility of translation is discarded, Ricœur is urged to conclude that “sous la diversité des langues, il existe des structures caches qui, soit portent a trace d’une langue originaire perdue qu’il faut retrouver, soit consistent en codes a priori, en structures universelles, ou, comme on dit, transcendentes, qu’on doit pouvoir reconstruire”. Of course, the reach of the issue of the comitology does not make for such a painstaking research; however, the words of Ricœur make it clear that the issue of translation in such a sensitive administrative area as comitology actually reveals the basic convergence of all official language (and the political communities that express themselves through them) towards a “common stock” (fonds commun), that is, towards shared “universal structures” (structures universelles) – in Hegelian words, towards an Allgemeinheit.

As a matter of fact, it is Hegel who, in his Science of Logic says that the language, meant as the work of Reason, cannot but express universality. But, as Reason emerges through the work of history, the logic of language necessarily refers to a specific historical conscience: the Allgemeinheit – that is, Ricœur’s “common stock” – is in other words the fundamental structure of the historical interpretation, which is implicitly adopted by the languages in which it is translated and, ultimately, redefined by the historical features of the latter. As Benjamin argues, indeed, “jede Übersetzung eines Werkes aus einem bestimmten Zeitpunkt der Sprachgeschichte repräsentiert hinsichtlich einer bestimmten Seite seines Gehaltes diejenigen in allen übrigen Sprachen”.

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62 Ibid., p. 29.
64 It has been already pointed out at the beginning of this chapter that Hegel’s Philosophy of Right repeatedly establishes a connection between universality and logic: for instance, by remarking that “[Ä]lle verschiedenen Bestimmungen der Allgemeinheit ergeben sich in der Logik”. The political meaning of this connection should be clear from the very fact that it appears in such a kind of work.
By identifying its fundamental element in the nation-state, political modernity has actually emphasized the aim of the monolinguistic community, in which the affirmation of only one official language should have reflected that of only one centralized power. This aspect cannot be maintained, of course, in a community which counts, today, twenty-four official languages. For this reason as well, therefore, the comitology is particularly revealing of the way in which the historical conscience of the European Union ‘administratively’ interacts with those of the member states: since there is no original language with respect to which the other ones should adjust themselves, it can be said that the real administrative task can be identified with translation itself, which actually means a fundamental work of synchronization that is meant to make the particular structures (Besonderheiten) of the different official languages agree on a universal one (Allgemeinheit), that is, that of its administrative system and of its inner logic – again, it will be remembered that for Hegel a normative code that can be properly called so is certainly one in which the principles of jurisprudence have been thoughtfully (denkend) apprehended and expressed in their universality, but also that this apprehension is possible only if such principles can be successively applied to the particular.  

Gadamer allows us to come to the extreme point of this issue, that can be resumed in the question about the way the logic of the European Union is comprehended through language and translation. According to Gadamer, indeed, the act of understanding is ultimately the act of understanding each other through language (sich in der Sprache Verständigen), since “[d]ie Sprache ist die Mitte, in der sich die Verständigung der Partner und das

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66 See supra, pp. 127-128. Incidentally, it should be also noticed that, while speaking of the civil officers, for Hegel (Grundlinien der Philosophie des Rechtes, cit., pp. 458-459, §289n) “[n dem Korporationsgeist, da er die Einwurzelung des Besonderen in das Allgemeine unmittelbar enthält, ist insofern die Tiefe und die Stärke des Staates, die er in der Gesinnung hat”.

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Einverständnis über die Sache vollzieht”. This notwithstanding, he is perfectly aware that such process is not without troubles, and that this is particularly the case of translation:


In our case, however, the meaning (Sinn) is not to be found in the passage from one language to another, but rather in the mutual relation of the two. Consistently to what has been hypothesized in the course of this inquiry, therefore, the new kind of sovereignty represented by the European Union is exerted on an inter-subjective world, in which the constant confrontation among historical consciences can occur only because of the presence of a common concept under which the particular histories can agree (as in Ricœur’s words), which in turn is constantly renewed (auf neue Weise zur Geltung kommen) by the former; at the same time, since each translation is already an interpretation (jede Übersetzung ist daher schon Auslegung), it is through this system of “crossed perspectives” that, consistently with Severino’s words on scientific domination, political phenomena can be provided by the gnoseological community with a certain meaning going beyond their actual content. The sovereignty that we have here observed through its institutional expression as the comitology is, in other terms, to be found in the control of the Allgemeinheit towards which the Erlebnisse of the particular perspective

members of the logical and gnoseological community are meant to converge – a control that, as it regards the logic that makes this *fonds commun* consistent and at the same time open to such experiences, is specifically linguistic.

It is, indeed, the effort to extend the contemporaneity that allows a certain logic by consolidating the language that expresses the latter as it makes the “conscience of historical determination” concrete through the rationality it accords to the *Dasein*, that is, what “ist, und ist da, present, gegenwärtig”. Gadamer remarks that, according to Hegel, history is closely intertwined with the will to transmit (*Willen zur Überlieferung*), that he calls the “*Dauer des Andenkens*”; this aspect, however, assumes its real meaning only once it is understood politically: Hegel is quite clear, indeed, as he not just identifies the will to transmit as the ‘persistence of memory’, but explicitly connects it with the “still present creation and condition of the State” (*diese noch gegenwärtigen Gestaltung und Beschaffenheit des Staates*). Consistently, once the historical conscience becomes its subject as a political institution, and is therefore aware that its interpretive legitimacy stems from the historical circumstances in which it works, such ‘permanence of memory’ cannot but tend to preserve itself by turning into a memory of the present, to cite Virno.

This is specifically revealed by the synchronization of the several historical conscience in a shared Now, which happens through that peculiar linguistic effort that is translation. It is translation itself, indeed, which needs to establish a certain contemporaneity to work, and by enforcing it, it ultimately creates and preserves a gnoseological and logical community. In this sense, contemporaneity is a decision, an

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68 See *supra*, p. 98.
69 See *supra*, p. 107.
authoritative act that, just like the scientific will described by Severino, wants the inter-subjective world to share the same additional meaning in referring to the political data and phenomena. Still according to Gadamer, in fact, contemporaneity is not given by itself, but is definitely a decision of the author:

> Der Begriff der zeitgenössischen Adresse kann selber nur eine beschränkte kritische Geltung beanspruchen. Denn was ist Zeitgenossenschaft? Zuhörer von vorgestern wie von übermorgen gehören immer zu denen, zu denen man als Zeitgenosse spricht. Wo soll die Grenze für jenes Übermorgen gezogen sein, das einen Leser als Angeredeten ausschließt? […]

> Wer abschreibt und wer weitergibt, meint aufs Neue seine eigenen Zeitgenossen.\(^{72}\)

By deciding on the reach of its own contemporaneity, it is possible indeed for the authority to be properly called so, as it ultimately sanctions the accomplishment of a certain task, which in this case is hermeneutical: as a matter of fact, it is the extension of the historical conscience that expresses its own logic that makes for the conditions defining the hermeneutical action of the community’s members. More specifically, by resting on the definition provided by Emile Benveniste, the authority on which this kind of sovereignty rests consists in the possibility of “sanctionner avec autorité l’accomplissement d’un projet humain et par là de lui donner existence”: in other terms, it is an authority which allows the passage from the mere potentiality to the actuality, as it is a gesture “qui transfore une parole dans l’ordre de la réalité”. In particular, Benveniste points out that this aspect concerning the concept of authority, which historically refers to the king, has its counterpart in the aspect referring to the censor, which in the Latin word expresses, through the word auctoritas, not only the close relation between the act of word (acte de parole) and the law (droit, règle), but also the role of the censor as auctor, something which

\(^{72}\) Ibid., p. 399.
is able to augment, to increase. Benveniste, however, notices that such act of augmentation does not concern what already exist, but, on the opposite, the verb *angeo* from which it stems originally defines “l’acte de produire hors de son propre sein”. It is only in this sense that it is possible, for Benveniste, to conceive authority as a productive act, as a word that describes “un changement dans le monde”, a power “qui fait surgir les plantes, qui donne existence à une loi”.

Perhaps more importantly for what has been observed in this chapter, however, Agamben notices against Benveniste that the Greek-Roman world did not acknowledge the creation *ex nihilo*, but rather conceived every act of creation only by implying it as the accomplishment of something else which still has not a form or is not complete: “every creation is always co-creation, as well as every author is always co-author”.

Similarly to what has been observed throughout this chapter, the creation is a cooperative act that, however, cannot leave aside the fact that it can be accomplished only within a shared logic. Therefore, as every creation must imply the acceptance of an established logic, it is definitely relevant what Benveniste adds on the subject of the *auctoritas*, namely that, since there might be a connection with the notion of *censeo*, the Iranian etymology would trace back its fundamental meaning to the act of saying “*ce qui est conforme à la nature des choses ; énoncer la norme de conduite*”. In this sense, it could be finally suggested that the authority that is able to produce its own contemporaneity out of its own already existing domain can do it because, by the logic it expresses, it reconciles reason with reality (and vice versa) – it makes its own rationality, that is, conform to what is in the nature of things, but only inasmuch as it can make the latter the object of its own normative will.

Similarly to the domination of science described by Severino, therefore, the administrative power extends contemporaneity by conveying the unexpected experience through within the discourse of its own logical consistency. Contemporaneity is the fundamental condition, in other words, for the existence of what Michel Foucault would call an archive: “le jeu des règles qui déterminent dans une culture l’apparition et la disparition des énoncés, leur rémanence et leur effacement, leur existence paradoxale d’événements et de choses”? in a nutshell, by striving to preserve and enlarge its own contemporaneity, the authority actually produces a fundamental law, that is fundamentally the already mentioned “loi de ce qui peut être dit”.

Finally, the functioning of comitology has led us to understand the fundamental role of language in the deploying of the kind of sovereignty represented by the European Union. Possibly more than ever, language is here to be understood as the expression of kind of knowledge that is “concerned with the ultimate particular, which is the object not of scientific knowledge but of perception”, as Aristotle defines in his *Nicomachean Ethics* the *prhronesis*, or ‘practical wisdom’. For Aristotle considers scientific knowledge as the *episteme* described by Severino, namely eternal and unchanging, and this is the object of the ‘philosophical wisdom’ (*sophia*), that is “the most finished of the forms of knowledge”; on the opposite, the ‘practical wisdom’ is “concerned with things human and things about which it is possible to deliberate; for we say this is above all the work

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78 Ibid., p. 104, VI.3: “We all suppose that what we know is not even capable of being otherwise; of things capable of being otherwise we do not know, when they have passed outside our observation, whether they exist or not. Therefore the object of scientific knowledge is of necessity. Therefore it is eternal; for things that are of necessity in the unqualified sense are all eternal; and things that are eternal are ungenerated and imperishable”.

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of the man of practical wisdom, to deliberate well, but no one deliberates about things invariable”. Ultimately, indeed, according to Aristotle “practical wisdom is concerned with action” and is close to ‘political wisdom’, even though the former is specifically identified with “legislative wisdom”, which has the “controlling part” in the administration of the polis.

It is therefore understandable that, in this sense, the phronesis might have an etymological affinity with the concept of katechon, meant as frenum (brake). Gennaro Carillo, indeed, points out that the latter might stem from the Greek verb φράσσειν (phrassein), namely ‘to enclose’, something that does not go too far from that ῥοώ (flow) to which Plato bound the phronesis in the Cratylus: actually, it does not go too far because, as Carillo argues, the flow meant by Plato is a canalized flow, a flow that is contained between ψηφατα (peirata), that is, between two borders. If we are to accept the etymology, it is therefore intriguing to consider the canalizing role that language has in the comitology as well as in the broader discourse expressing the logic of the European Union and of its kind of sovereignty. It is definitely language, indeed, that seems to support the effort to cope with the experience by acting as a brake and, at the same time, making it possible to accord the new data and phenomena an additional meaning that is functional to their inclusion within the logical framework of sovereignty. Language, in other terms, is essential in the enlargement of contemporaneity, both as regards the complex institutional functioning represented by the comitology and the public discourse, as the fifth enlargement of the European Union makes it clear.

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79 Ibid., pp. 108-109, VI.7.
80 Ibid., pp. 109, VI.8.
82 Incidentally, it should be noticed as well that, for ARISTOTLE (Op. cit., p. 110, VI.8), practical wisdom “is concerned not only with universal but with particulars, which become familiar from experience”; the phronesis is therefore once again closely associated to what lies outside the invariability of the episteme.
FIFTH CHAPTER

The accumulation of sense

Logic, it has been observed, is closely tied to the historical circumstances that make it legitimate. For this reason, a political power that rests on a specific logic cannot but be concerned with the preservation of the present in which it works – more specifically: that allows it to work, since such present actually implies the presence of such political power. In this sense, comitology in the European Union – its influential role in shaping the functioning of the European power, the linguistic issues that affect such role – might be seen as the institutional expression of the contemporaneity that is the main feature of such a power’s domain: its multiplicity is meant to maintain a synchronization throughout the whole territory controlled by the sovereign power, and it works accordingly, namely by managing the abovementioned ‘game of control positions’ by referring to a same Now.

And yet, the unpredictable development and challenges of the contingency the ‘historical power’ I am inquiring must deal with imply that the latter must constantly reaffirm its own presence through time, that is, that it must try to adjust the historical conditions related to its own logic to the changing circumstances that loom outside the geographical, as well as gnoseological, borders of its domain. Each new unpredicted experience, indeed, urges this kind of sovereignty to reveal its own truth
by adding a further meaning (that is, its own meaning) to the former: as observed in
the end of the previous chapter, the act of restraining the experience consists in
enclosing it within the borders of a logical domain, thus implying that the latter gets
enlarged at the same time. By means of this action, it has also been observed, such
logical domain gets nonetheless exposed to the risk of its own annihilation, but, as
Derrida argues by referring to Hegel,

La mise en jeu de la vie est un moment dans la constitution du sens, dans la présentation de l’essence et
de la vérité. C’est une étape obligée dans l’histoire de la conscience de soi et de la phénoménalité c’est-à-dire
de la présentation du sens. Pour que l’histoire – c’est-à-dire le sens – s’enchaîne ou se trame, il faut que le
maître éprouve sa vérité.¹

Of course, such a risk cannot be followed by the death of the master. On the
opposite, it is mandatory for the latter to safeguard the life he exposes (garder la vie
qu’il expose), in order to allow its truth to be mediated by the conscience of the slave.

“Garder la vie, s’y maintenir, travailler, différer le plaisir, limiter la mise en jeu, tenir la mort en
respect au moment même où on la regarde en face, telle est la condition servile de la maîtrise et de
toute l’histoire qu’elle rend possible”;² this is what, according to Derrida, can be called an
‘economy of life’ (économie de la vie), namely an economy that definitely rests on the
basic assumption that the end (the death) of the master would imply the total loss of
the sense (la perte absolue du sens) which stems from the truth of the master, from his

Derrida points out, however, that there is a difference between mastery (maîtrise) and sovereignty
(souveraineté), and that it actually is a difference of sense which separates sense from a certain nonsense
(“elle est la différence de sens, l’intervalle unique qui sépare le sens d’un certain non-sens”). In particular, “la
maîtrise a un sens”, mastery must be understood as the constitution of the sense, of history, of
discourse, of philosophy. In this sense, sovereignty as observed in this inquiry hitherto can be
identified with this definition of mastery.

² Ibidem.
act of restraining and preserving what he has oppressed: by arguing that, without such economy, the supreme test of death would even suppress the awareness of oneself (certitude de soi-même), Derrida cites Hegel verbatim as the latter describes such negation as “[die Negation des Bewusstseins, welches so aufhebt, dass es das Aufgeborgene aufbewahrt und erhält”.

The risk for the master, namely the slave, must be safeguarded, albeit restrained, in order for the master’s history to be preserved: as a matter of fact, it can affirm its sense (or, according to Derrida, its truth, its phenomenology) only if by exposing it to the risk of its annihilation, that is, only if such risk is as present as the sense itself; only if such risk is interpretable according to the sense itself.

It can be certainly argued that the interpretation of this central passage of Hegel’s *Phenomenology* is highly controversial, especially within the framework of an inquiry that is meant to understand the rise of a new kind of sovereignty beyond the figure of the modern state. And yet, it cannot be neglected that it is Hegel himself who establishes, in the *Encyclopedia*, a close connection between the master-slave relationship and the nature of the modern state: “Der Kampf des Anerkennens und die Unterwerfung unter einen Herrn ist die Erscheinung, aus welcher das Zusammenleben der Menschen, als ein Beginnen der Staaten, hervorgegangen ist”. In our case, however, such

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4 G. W. F. Hegel, *Enzyklopädie der philosophischen Wissenschaften im Grundrisse III*, in Id., *Werke*, cit., Bd. 10, p. 222, §433n. It should be added, though, that for Hegel the struggle for recognition “ist der äußere oder erscheinende Anfang der Staaten, nicht ihr substantielles Prinzip” (*ibidem*). According to A. Burgio (*Strutture e catastrofi. Kant, Hegel, Marx*, Rome, Editori Riuniti, 2000, p. 96), however, these words would justify the interpretation of the struggle for recognition both as a “particular version of the pact of subjection that is typical of a certain tradition of the social contract” and as a symbolic description of the general condition for man’s existence, namely “the foundation itself of historicity”.  

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interpretation of the struggle for recognition seems to be particularly echoed by the concept of the *katechon*, namely from something that is meant to transcend the modern state: whereas, for Hegel, “[Der Staat ist als die Wirklichkeit des substantiellen Willens, die er in dem zu seiner Allgemeinheit erhobenen besonderen Selbstbewußtsein hat, das an und für sich Vernünftige”[^5], the *katechon* refers to a kind of sovereignty whose subject is exactly the history through which the *Vernünftiges* emerges. This notwithstanding, in order to preserve the specific historical conscience which makes for the legitimating *Vernünftiges*, the *katechon* is urged to comprehend the menacing contingency – namely the unpredictable circumstances of the world’s becoming – according to the former, even though this implies its exposure to the risk of annihilation: in fact, it is only by proving its capacity of comprehension that such sense can get legitimized. It is for this reason that the *katechon*, as it will be recollected, is ‘doubly tied’ to the contingency it restrains, that it adheres to it and needs its presence as well as the presence of the kind of sovereignty it defends. It is for this reason that it is not enough to analyze the way this kind of sovereignty works in the ‘synchronized’ Now that allows its institutions to work: on the contrary, to grasp the deeper nature of it, it is its diachronic functioning that must be observed: the way it comprehends within its sense the contingency of the world’s becoming and defends its legitimizing Now against the risk of its annihilation that looms beyond the borders of its historical conscience.

As a matter of fact, whereas the comitology issue has displayed the synchronic feature of the kind of sovereignty that makes for the object of this inquiry, it is the repeatedly mentioned openness that actually discloses its being diachronic. The actual challenge for a sovereignty that is meant to preserve the historical conscience on

which it rests actually lies in the duty to preserve it against the change that occurs outside of its borders and which could annihilate it. Whereas the institutional aspect represented by the comitology can be seen as basically focused on the synchronization of what has already been actualized by the different historical consciences that compose the logical and gnoseological community – and is, in this sense, the administrative feature of such sovereignty that is concerned on the rules of a community, the openness of such kind of sovereignty is still mainly concerned with the regularity of the state of nature that characterizes the contingency outside of its borders, and this makes, therefore, for the other extreme of the oscillation characterizing the katechon.6

From a diachronic point of view, therefore, the kind of sovereignty represented by the European Union is concerned with the preservation of both its own sense and of the experience that allows for its exposure and affirmation: in other terms, its Now is legitimated only inasmuch as it can affirm its presence, and put at stake its legitimacy, against the experience of the Ungleichzeitigkeit. It should be clear that such dynamics implies a constant deferment, since the logic of such kind of power, due to its being implicitly unachievable, is actually constrained never to succeed in imposing its own presence once and for all, otherwise its sense would lose its mediation and history would end. But it should be clear as well that it is exactly this impossibility that allows such kind of sovereignty to subsist, as it can work only by oscillating between the extremes that would make for its annihilation, namely the absolute loss of sense and the absolute (that is, not mediated) accomplishment of sense. As Burkhard Liebsch argues in referring to Ricœur’s relation to Hegel, “[d]as gegenwärtig Wirkliche ist

6 See supra, p. 96.
vernünftig, insofern sich in ihm das Vernunft-Werden vollzieht": the conciliation of reality and rationality is possible only as the present is the actualization (the fulfillment: Vollziehung) of reason in its becoming (Werden). For Hegel, whose philosophy of history rested in fact on a logic that was ultimately unachievable, this process is particularly evident in the way the present gets constitutively intertwined with the past (as for the future, in Hegel’s philosophy it can express reason only once it is can be the object of a retroactive verification – nachträglich Bewahrheitung – which means that it has turned into present); this aspect has been treated in the third chapter and can be resumed again by the words of Liebsch, who argues that for Hegel what is decisive is that “das Geschebene sich nachträglich stets als im Sinne des finalen Zwecks der Geschichte vernünftig herausstellen kann”. However, it is also true that, for Liebsch, what Ricœur reproaches to Hegel is that his “Aufhebung der Vergangenheit in einer ewigen Gegenwart tilge die Differenz des Gegenwärtigen zum Vergangen, an der sich überhaupt erst „historisches“ Bewußtsein entzünde”; but Ricœur refers to the lack of historicity of Hegel’s reason, which, in fact, combined with the changing circumstances in which it works, makes

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8 A. KOYRÉ (Hegel à Iéna, in ID., Études d’histoire de la pensée philosophique, Paris, Gallimard, 1971, pp. 165-166) argues indeed that the source of Hegel’s dialectics lies in the finitude suppressing itself and turning into the “l’in-fini, l’id-limité, l’in-déterminé”, and also that such “infinité abstraite” realizes itself only by becoming “l’éternité vivante et présente de l’esprit”, whose dialectics “se re-présente dans celle de l’instant” (ibid., pp. 175-176).

9 It is still A. KOYRÉ who, albeit acknowledging the great innovation represented by Hegel’s insistence on the future (l’avenir, ibid., p. 177), finally argues that “la philosophie de l’histoire […] est un arrêt. On ne peut prévoir l’avenir, le dialectique hégélien ne nous le permet pas, puisque la dialectique, expression du rôle créateur de la négation en exprime en même temps la liberté” (ibid., p. 189).

10 B. LIEBSCH, Op. cit., p. 283. In this regard, and as concerns his inquiry, it should be reminded that HEGEL (Grundlinien der Philosophie des Rechts, cit., p. 399, § 258) defines the state as the “absoluter unbewegter Selbstzweck, in welchem die Freiheit zu ihrem höchsten Recht kommt”.

11 Ibid., p. 284.
for Marramao’s assumption that for Hegel – as it will be for Marx – the historical process is definitely a “stratified combination of persistence and mutation”.  

And so acts the historic sovereignty embodied by the European Union: Etienne Balibar, indeed, is clear in identifying the “essentially transitory character of the European construction, again and again ‘pending’ between configurations that succeed to each other, and undergoing an expansion beyond its own existent limits”.  

To put it in the terms of our inquiry, the “configurations” should be understood as the different ‘logical dispositions’ assumed by the sovereign order in order to preserve its own consistency vis-à-vis the world’s becoming. The emergence of such “configurations”, in fact, does not contradict the effort to preserve the sovereignty’s logic from the historical mutation, and this is, actually, the core problem of the diachronic deployment of such sovereignty: the way its different “configurations” can cope with the world’s becoming while stemming from a logic that is meant to be removed from the history’s flow. This paradox implies, indeed, that each configuration is both provisional and lasting, that it gets supplanted by a new configuration and nonetheless keeps being ‘present’ in the functioning of the logic it has expressed. Notwithstanding the deferment that divides them along the unachievable quest for an achieved logic, they are part of a same “eternal present” (ewige Gegenwart) in which, consistently with Liebsch’s words, their deferment (Differenz) gets deleted. More specifically, it can be noticed how each configuration of the logical framework of the European Union actually remains perceivable even

13 E. BALIBAR, Prefazione, in E. RIGO, Europa di confine, Rome, Meltemi, 2005, p. 15. In particular, the reference to the succession of configurations should be highlighted: it will be reminded, indeed, that Foucault defined an episteme as “les configurations qui ont donné lieu aux forms diverses de la connaissance empirique”.

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though it is succeeded by a more accurate one, since it keeps being essential notwithstanding its inadequacy to the new experience provided by the world’s becoming: a dynamic that reminds the concept of *sous rature* as described by Heidegger in the famous letter to Ernst Jünger titled *Zur Seinsfrage*.

In that letter, it will be recollected, Heidegger discussed the adequacy of a fundamental word such as ‘being’ (*Sein*), and resolved to erase it by means of a line, thus sanctioning its supposed inaccuracy while acknowledging its necessity by keeping it legible.\(^4\) Famously, the concept of *sous rature* was further elaborated by Derrida, whose grammatology, according to Gayatri C. Spivak, is to be understood exactly as the science of such concept because of its focus on the grammè, the sign that is *sous rature*.\(^5\) And it is Derrida himself who, in referring to Hegel, explicitly writes that semiology, that is, the study of the sign itself, plays a central role in Hegel’s *Logic*: as being is determined as presence, sign represents a passage for metaphysics: “le signe ne fonctionne […] que comme le renvoi provisoire d’une présence à une autre. […] Le procès du signe a une histoire, la signification est même l’histoire comprise”.\(^6\)

Although in a more limited way, this assumption is certainly useful for this inquiry, as it helps us in shedding the light on a relevant issue concerning the abovementioned succession of configurations that express the presence of the sovereignty and are nonetheless succeeded by each other: the issue I speak about is that of the sign. If, indeed, the sign that is *sous rature* is, according to Spivak, the trace that substitutes the “presence of the logos” with its own anteriority, the “grammè [that] would question

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\(^4\) The use of such terminology to explain the concept of *sous rature* is to be traced back at least to G. C. SPIVAK’s *Translator’s preface* to the English edition of J. DERRIDA’s *De la Grammatologie. Of Grammatology*, Baltimore, The Johns Hopkins University Press, 1997, *pasim*.


the authority of the law”,¹⁷ it is relevant to notice in our case how written documents are central in defining the different configurations of the presence of the European Union, that is, in allowing it to control the present on which its logic works (the synchronicity of the comitology, that is) as well as to defer its presence through its diachronic development.

In both cases, that is, it is actually through the signification of such documents actually that a historical conscience, “l’histoire comprise”, is expressed. Consistently, it would be also possible to cite Merleau-Ponty as he declared that “[l]’existence idéale est fondée sur le document” because of the way the latter “solicite et fait converger toutes les vies connaissantes et à ce titre instaure et restaure un « Logos » du monde culturel”¹⁸, and we could better understand what had been noticed about Hegel’s *Philosophy of Right*, namely that in that work the utmost achievement of Hegel’s logic in the realm of the objective spirit is represented by the codification, the task of the state that is focused on the production of documents more than any other and that, in fact, is vehemently supported by Hegel.¹⁹ In the case of the European Union, though, the codification not only represents the core of the sovereignty’s logic (as the role of the *acquis* in each one of its institutional expressions makes it clear), but is constantly folding on itself, as in the baroque style described in the previous chapter, each fold covering the previous one while resting on its presence, defining again and again the law of what can be said (*la loi de ce qui peut être dit*) within the logic of the sovereignty.

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¹⁹ N. Bobbio (*Hegel e il giuonaturalismo*, in Id., *Studi hegeliani*, Turin, Einaudi, 1980, p. 8) can therefore rightfully affirm that “[a]s is known, Hegel… is an advocate of the codification, in which he sees one of the highest manifestations as well as a binding task of the modern state”.
In this sense, the fifth enlargement of the European Union is once more revealing of this kind of sovereignty. This fifteen years process, which began immediately after the events of 1989 in central and eastern Europe and culminated with the official accession by the candidate members to the European Union, on May 1\textsuperscript{st}, 2004, ultimately resulted in the constant deferment (as well as in the increasing deployment) of the presence of the European logical sovereignty in the territory that was once under the control of the Soviet influence. Due to its inner complexity, such a process developed by degrees, each time displaying a configuration that was meant to overcome the latest one while resting on the agreements implied by the latter. Crossing perspectives were redefined again and again in order to be sure that the candidate member would meet the requirements of a logical and gnoseological community that, in turn, was also adjusting its own presence to the experience of its own perspective enlargement.

This last aspect can be perceived already from the words of Jacques Delors, who was the President of the European Commission in 1989, as he famously stated that the events in central and eastern Europe represented an ‘acceleration of history’ and that it was something that the European Union not only had to cope with, but on which it had to further strengthen its own presence.\textsuperscript{20} Quite consistently, the debate of the European Parliament’s plenary sitting in November 1989 expressed the concern about the approach to be taken with reference to the new situation in the crumbling Soviet sphere of influence, especially due to the central question of the possible reunification of Germany. The need for the western European leaders to be vocal about the events in Central and Eastern Europe got emphasized by then

\textsuperscript{20} \textit{Le soir}, 14 February 1990, p.5: “…les propositions de Jacques Delors : L’Europe des Douze doit être capable de donner une suite immédiate à cette accélération de l’histoire en renforçant sans plus tarder l’Union européenne”.

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French President and President-in-Office of the Council François Mitterrand, who intervened at the debate in plenary of the European Parliament by arguing that

Our hunger is not assuaged, we see what has been happening in towns throughout Poland, what is happening in towns throughout East Germany, what has happened in Hungary. We hear the call of the crowds in Prague; and if we do not hear the voice of the Romanian people it is because it is still stifled.

But we are aware of it. The silence is deafening. Sooner or later that people will join the concert of nations already formed by our twelve countries which have been much divided by the history of this century and which have come together again because they wished it and perhaps also because necessity taught them that they must so wish.\(^\text{21}\)

In particular, Mitterrand argued that “[a]nswers are beginning to emerge” in regard to the question about what the European Community should have done, but also that

We need to amplify these answers. Both you and I have a great deal of work before us. We are all faced with the situation, we must decide how we are to forge the Europe of tomorrow. But we had a twofold objective: to make a joint analysis of the situation in Eastern Europe and weigh up the possible consequences for the balance of Europe and at the same time to express the wish of the Community and its Member States to assist the countries of the East in the process of reform.\(^\text{22}\)

\(^\text{21}\) EUROPEAN PARLIAMENT, Debate No. 3-383, 22 November 1989, p. 152. Available at: http://www.europarl.europa.eu/resources/library/media/20141106RES77907/20141106RES77907.pdf. It may be relevant for the prosecution of the reasoning to notice that Mitterrand introduces his speech by defining himself as “a product of his own culture and history, who has understood that it is time to move on to new ways of doing things, that his country, like others must now bow to the dominant forces in human society which are […] democracy and freedom” and by adding that such forces are “spreading throughout Europe, and we want this to happen”.

\(^\text{22}\) Ibid., p. 153.
Already in this early phase there can be perceived two main aspects of the forthcoming process, namely that it will be meant to include the unpredicted event within the logical framework of the gnoseological community, and that this inclusion will be conducted in terms of an explicit historical reason since the very beginning. In this sense, whereas the countries of eastern and central Europe should indeed undertake a process of reform that may bring them to join the “concert of nations” of western Europe by receiving assistance from the latter in order to carry it out, the reference to an acceleration of history expressed by Delors seemingly referred exclusively to the latest developments in the same neighboring countries (that is, not to world history as a whole). However, the idea that such acceleration would have urged the European Community to deal with it, as well as the need to amplify the answers to the unpredicted event, as highlighted by Mitterrand, reveal how the process did not concern only the countries of Central and Eastern Europe, but rather (and possibly primarily) the European Community itself, which had to prove the tightness of its own ‘historical power’ by coping with the new experience, eventually providing it with a further meaning in order to include it under its own logical and gnoseological dominion.

The first actual example of such process of adjustment was the already mentioned PHARE Programme, namely the set of measures adopted in 1989 in order to “support the process of economic and social reform under way in Hungary and

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23 Since it has been mentioned that, according to J. G. Ikenberry, the Congress of Vienna has been fundamental as the first attempt at establishing a lasting order in Europe (see supra, p. 110), it is now remarkable to notice that in an official speech Mitterrand decided to speak of a ‘concert of nations’, thus echoing exactly how the outcome of the Congress of 1815 was defined, namely as the ‘Concert of Europe’.
Poland”\textsuperscript{24} and rapidly become the “main financial instrument of the pre-accession strategy for the Central and Eastern European countries (CEECs) which have applied for membership of the European Union”,\textsuperscript{25} including, in a later phase, the countries of the Balkans. Specifically, the programme was meant to have two main tasks: “helping the administrations of the candidate countries to acquire the capacity to implement the Community acquis” and “helping the candidate countries to bring their industries and basic infrastructure up to Community standards by mobilizing the investment required”.\textsuperscript{26} By accelerating their history, that is, the countries of central and eastern Europe would have been able to get ‘synchronized’ with the Now that underlies the logical framework of the European Union, to be part of its hermeneutical task by ‘acquiring the capacity’ to adopt the written expression of its logic (i.e. the \textit{acquis}) and to bring its own structures up to the ‘community standards’ – that is, to the community’s Now.

From the very first moments of this passage, what emerges is that the accession to the community implied a ‘historical’ debt to be extinguished. At the same time, however, the discourse of the European Community was called itself into question, as institutions such as the Commission (that same Commission of which the committees represent a relevant issue) supported the need for the enlargement by means of what John O’Brennan calls the “discursive deployment of strategic rhetoric”, to be understood by identifying an internal dimension “aimed at mobilizing member states and EU citizens” and an external one “involving key


\textsuperscript{26} Ibidem.
commissioners and their staff in selling enlargement to candidate state representatives and their citizens”.27 As a matter of fact, it has been argued that the Eastern enlargement has rested on a “rhetorical action”, namely a “strategic use of norm-based arguments” that has been able to turn a rational association “based on egoistic preferences” (that is, relying on the interests of the individual states) into a normative outcome such as the enlargement. This hypothesis has been put forward by Frank Schimmelfennig, according to whom “[a]ctors who can justify their interests on the grounds of the community’ standard of legitimacy are therefore able to shame their opponents into norm-conforming behavior and to modify collective outcome”, something that occurred with regard to the enlargement because the supporters of this outcome were able to base their claims “on the constitutive values and norms of the EU and exposed inconsistencies between, on the one hand, the EU’s standard of legitimacy, its past rhetoric, and its past treatment of applicant states and, on the other hand, its policy toward Central and Eastern Europe”.28 The rhetorical action, therefore, reflects the role the experience of the events in eastern and central Europe in calling into question the consistency of the sovereign logic in the European Union. The event, indeed, does not urge the members of the logical and gnoseological community to debate the consistency of the logical approach to the experience, but even the one which connects the previous configurations of the community (the “previous treatment of applicant states”, that is). Moreover, by means of discursive procedures (namely the language), the definite outcome of the debate is to call to order (to the community’s principle of order) the members who


seem to diverge from it, thus finally revealing the legitimizing role of the communitarian logic.

Perhaps more importantly, however, in the case of the fifth enlargement this debate leads to a gradual adjustment meant to introduce the new experience within the field of the community’s logic by degrees. The event leads this logic to produce different configurations through time in order to accompany the whole process. This aspect had already been announced by Jacques Delors during the same debate of the European Parliament in which Mitterrand uttered the abovementioned words on central and eastern Europe: actually, Delors called the Parliament’s attention on the fact that the events of 1989 had urged to

map out the design of this greater Europe, not by arresting the construction of the Europe of Twelve, but by showing the imagination and coming forward with the novel ideas required to build this greater Europe.

It is said that luck can sometimes help, but that courage does so always. The peoples of Eastern and Central Europe have offered us the opportunity. It is we who must display the courage. 29

According to the terminology adopted in the course of this inquiry, Delors seems to announce here the challenge, as well as the threat, that the unpredictability of the ‘world’s becoming’ can represent for a logical system, which in turn is urged to accept the former while calling into question its own field of knowledge and the truth on which its domain rests. Quite accordingly, in it was already in 1990 that a new definition of the approach towards the countries of Central and Eastern Europe is to be found in the creation of the so-called Europe Agreements. Born as a ‘second-generation’ kind of the Association Agreements that already represented an extra-

29 EUROPEAN PARLIAMENT, Debate No. 3-383, cit., p. 171.
normative answer to an unforeseen events, the European Agreements were meant to provide “a legal, political, and economic framework for the relationship of the signatory CEE countries with the EU” – the signatory countries being in 1991 Poland, Hungary, and Czechoslovakia. In this case, in fact, the association actually implies a first approach by the countries of central and eastern Europe to the historical conscience of the European Union, and consequently, to its logic. As a matter of fact, still on January 25th, 1990, it is the new Czech President (and former foremost dissident) Václav Havel who addressed the Polish Sejm and Senate by saying that

The idea of manufacturing a paradise on earth did not triumph, and it will be very difficult now for it ever to do so. Such a notion could only feed the arrogant minds of those who are persuaded that they understand everything, that there are no longer any higher, mysterious institutions above them, and that they can give directives to history. The idea of a paradise on earth failed, and there will be many difficult periods ahead of us; but what has triumphed is the realistic hope that together we can return to Europe as free, independent and democratic nations.

30 The first Association Agreement was signed with Greece in 1962, but such instrument was not really foreseen by the Treaty of Rome. As B. OLIVI (L’Europa difficile, Bologna, Il Mulino, 2001, p. 215) argues, it would nonetheless constitute from then on “the paradigm for agreements somehow propaedeutic to accession”. In this sense, it could be seen as well as the evidence for the relevance of the innate ‘incompleteness’ of the European system that is the object of this inquiry.


32 V. HAVEL, The Polish Sejm and Senate, Warsaw, 25 January 1990. Available at: http://old.hrad.cz/president/Havel/speeches/index_uk.html. The “return to Europe” was evidently a particularly relevant issue in Czechoslovakia, as it is mentioned even by the EUROPEAN COMMISSION (Agenda 2000 – Commission Opinion on the Czech Republic’s Application for Membership of the European Union, DOC/97/17, Brussels, 15th July 1997, p. 5) in discussing the application for membership in the European Union submitted by Prague.
Statements about the “return to Europe”, indeed, were particularly frequent in this early phase of the enlargement, as they usually implied that central and eastern Europe had been forced to diverge from a development in European history that was felt to be the right one and were willing to recover it as soon as possible: in particular, it is remarkable how the ‘return to Europe’ actually reveals that Europe is not to be considered anymore a mere geographical concept (otherwise, the former socialist countries would not have any return to undertake), but rather a historical one, to be identified exactly with the political institutions of the European Community.33 Incidentally, this aspect is confirmed by the terminology adopted by the related press release by the European Commission, in which it is stated that, notwithstanding the fact that their relations with the Community “were initially established under trade and economic and commercial cooperation agreements”, the wish of Czechoslovakia, Hungary and Poland to conclude the Europe Agreements

33 Actually, J. GOWER (EU policy to central and eastern Europe, in K. HENDERSON (ed) Back to Europe: Central and Eastern Europe and the European Union, London and Philadelphia, UCL Press, 1999, p. 2) argues that “as the new governments in central and eastern Europe embarked on radical reforms to create liberal democratic political systems and market economies, they made it clear that they saw rapid and full accession to the EC as an essential milestone on their journey “back to Europe””. H. GRABBE and K. HUGHES (Enlarging the EU Eastwards, London, Royal Institute of International Affairs, 1998, p. 7), in particular, not only argue that the ‘return to Europe’ has been the “central foreign policy goal in all ten applicants from the early years of transition”, but, significantly, also that the process of accession was perceived as “an inevitable one, both arising from and reaffirming their status as modern European states”. Finally, for K. FIERKE and A. WIENER (Constructing Institutional Interests: EU and NATO Enlargement, in T. CHRISTIANSEN, K. E. JORGENSEN, and A. WIENER (eds), The Social Construction of Europe, London, SAGE, p. 129), the idea of a return to Europe was to be understood “as a return to an original state, a return to the natural geographical and historical boundaries of Europe… or a return to democracy, after a historical detour, or a return to capitalism and to history”.
“is a way of turning its back on the past and once again being part of Europe”. 34 This aspect was confirmed later by at least another press release, which similarly states that “[i]n response to the request from Poland, Hungary and from other Central European countries to rejoin Europe, the European Union concluded far reaching agreements with each of these countries, which will contribute to enable them to gradually re-integrate Europe”. 35

Notwithstanding the fact that the Europe Agreements were still mainly focused on technical aspects such as trade and economy, they already reveal a specific dynamic that will emerge throughout the process, namely that the constant reaffirmation of the European Community’s presence through documents gets closely intertwined with an interpretation of European history that is consistent with the needs of the enlargement. Not only, in fact, does the enlargement represent “an entirely new stage in the process of the European integration requiring a thorough appraisal of all the institutional, political, economic and social implications for the Union and the applicant countries”, as the European Parliament announced in the Official Journal of the European Communities in 1997, 36 but, as long as the integration proceeds further by means of new speeches, official statements, or bilateral documents, it makes for history to come to the fore as a reference that is meant to make the enlargement necessary. History becomes an instrument, as well as an object, of the enlargement, which in turn consequentely acquires a hermeneutical meaning. Most


importantly, in this sense the already mentioned identification of the European institutions as the very concept of Europe makes for the fact that the references to European history can be seen, definitely, as references to an interpretation of history that has as its culmination the European Union.

This interpretation is, however, clearly reported in the opening lines of each one of the opinions provided by the European Commission as regards the applications by the central and eastern European countries “for Membership of the European Union”, as each possible accession

is to be seen as part of an historic process, in which the countries of Central and Eastern Europe overcome the division of the continent which has lasted for more than 40 years, and join the area of peace, stability and prosperity created by the Union.\textsuperscript{37}

Interesting enough, on the side of the applicant countries the process does not seem only “historic”, that is, able to shape history – it really seems to allow a hermeneutical attempt at defining each one’s past history according to the present events. This is particularly the case of the April 1994 Memorandum accompanying Hungary’s application for membership, which explicitly argues that “[s]ince the formation of an independent Hungarian State 1,000 years ago, this country has been closely linked to Western cultures and values. [...] Within the newly established democratic institutional framework the political conditions for reintegration into the main trend of European development are now fulfilled. For Hungary, joining this process and using the achievements of European integration to carry out fully its

social and economic modernisation is a historical necessity. It is also a unique possibility, for which there is no real alternative.\textsuperscript{38} As a matter of fact, the perception that there was no alternative to accession was rather diffused, as if the accession to the European Union actually represented the end of a teleology regarding all of the European countries. If so, it must be stressed again that the repeatedly mentioned Hegelian assumption, according to which the obedience to the historical expressions of reason is actually to be seen as freedom, can be perceived in several pronouncements by the central and eastern European leaders. This can be heard in the words of Hungarian President Árpád Göncz, who, during the Hungarian National Day of 1996 affirmed that a closer political union would have offered “a viable, though not altogether care-free life to such European countries which are able and prepared to undertake membership of their own free will”\textsuperscript{39}. The Hegelian ostensible paradox is even more echoed by the statements of the first Czech government, in 1992, according to which “membership of the European Union was the primary goal for an autonomous Czech Republic\textsuperscript{40}” or by those of Polish President Aleksander Kwaśniewski in 1996, for whom “[p]articipation in the natural integrative processes of our continent is part of our understanding of Polish sovereignty”.\textsuperscript{41}

This is not surprising, indeed, as we consider that, if the central and eastern European countries aimed at becoming ‘again’ European, they had to accept the definition provided by the June 1993 European Council of Copenhagen. As a matter of fact, in the sense of this inquiry, it can be even said that such meeting has been a

\textsuperscript{38} EUROPEAN COMMISSION, DOC/97/13, cit.
\textsuperscript{39} Ibidem.
\textsuperscript{40} EUROPEAN COMMISSION, DOC/97/17, cit., p. 5.
\textsuperscript{41} EUROPEAN COMMISSION, DOC/97/16, cit., p. 8.
milestone in the course of the enlargement, as its definition of the three criteria that make an European state represented both a new configuration of the sovereign power, which thus further identified the members of its logical community, and a model of historical development (in terms of politics, economy, and legal order) that the applicant states should have emulated in order to accomplish their ‘return to Europe’: in this sense, the Copenhagen criteria were fundamental in binding the applicant countries to the logical framework of the EU.

Such historical model, however, was not just that of the liberal democratic state represented by the old members of the European Union: actually, it was perhaps more that of the state working according to the logical framework of the *acquis*, which was in fact a stable point of reference also for the *Agenda 2000* programme elaborated by the Commission, and with respect to which the Commission had actually expressed its opinion about the applications for membership. The “reinforced pre-accession strategy” suggested by the programme, indeed, focused on two “new features” which were ultimately meant exactly to facilitate the adoption of the codified expression of the European Union’s logic, both by “bringing together within a single framework… all the resources and forms of assistance available” and by “extending the participation of applicant countries to Community programmes and mechanisms”. But, as the codified expression of a logic, the *acquis* is definitely the expression of a history that has finally led to the embodiment of its inner reason in the ‘concrete form’ (*konkrete Gestalt*, if we are to paraphrase Hegel’s definition of

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the state) of a sovereign power – in this case, the presence of the European Union, of its logical and gnoseological community.

Consequently, it is in this sense that it seems possible to argue that, once the sovereign institution becomes aware of its historic power, history becomes – to cite Ricœur’s words – its own subject (l’histoire devient elle-même son propre sujet): in this case, however, not just as the expression of the process that in the modern age has led to collect the individual histories within a common concept, but rather as the necessary object of intervention for a power which aims at keeping itself, as well as the order it is meant to preserve, ‘historically present’. This is the main difference with Hegel’s philosophy of history: while in the Hegelian interpretation the sovereignty of the state was defined as a result of a history which developed according to its own reason, once a sovereign power gets aware of the role of history in its legitimacy as a ‘present power’, it is this same power which defines the reason of history on which its legitimacy is supposed to rest. We could say, then, that what we observe is the interpretation of history as a teleology, but also that such teleology results as the outcome of a political action, even though it is described as a self-developing process, occurring out of necessity. This is, for instance, the standpoint of Romano Prodi, who was President of the Commission during the last phase of the accession process:

43 Accordingly, it can be reminded that for HEGEL (Enzyklopädie III, cit., p. 330) the state is “zunächst seine innere Gestaltung als sich auf sich beziehende Entwicklung, - das innere Staatsrecht oder die Verfassung”, which, together with the “äußere Staatsrecht” is ultimately a moment “in der Entwicklung der allgemeinen Idee des Geistes in seiner Wirklichkeit, - die Weltgeschichte”.

44 It could be opposed, of course, that Hegel, as an advocate of the Prussian state, actually ‘bended’ as well his philosophy of history in order to make the state the necessary (as well as free) result of it. The important point in our case, however, is that such operation is not the interpretation provided by a single man in order to legitimize an institution he supports, but one provided by the institution itself.
Already in Berlin, in March 1999, at the very moment in which the European Council designated me for the presidency of the Commission, it was already clear to me what the great target, the historical imperative we had before us was: the unification of the continent.

… it was not, indeed, about a choice, because the choice had been made by history. It was about convincing, creating the awareness of the historical turn that had already been accomplished and of which the Union had to support the weight with firmness and determination.45

Perhaps more interestingly, the progressive ‘presentification’ of the logical order of the European Union with regard to the situation of the central and eastern European countries as a self-declared teleology is closely intertwined with the claim for the disappearance of conflict within the domain of this sovereignty.46 As a matter of fact, it was already Prodi who made the following declaration in 2000:

We in the European Union are determined to catch the tide of history. We are determined to seize this wonderful opportunity to unite Europe. Not by force of arms or ideology but by mutual consent and on the basis of shared values and common goals. We are determined to build a peaceful Europe in which all the peoples of this continent can live and work together as a true family.47

46 I use here the term ‘presentification’ in the Husserlian meaning defined by P. Ricoeur (Husserl et le sens de l’histoire, in Id., A l’école de la phénoménologie, Paris, Vrin, 2004, p. 37) as follows: “…je ne puis me libérer d’une histoire retombée, sédimentée, qu’en renouant avec le sens « enfoui » (verborgene) sous les « sédimentations », en le refaisant présent, en le présentifiant (vergegenwärtigen). Ainsi c’est d’un seul geste que j’appréhende l’unité téléologique de l’histoire et la profondeur de l’intérieurité”.
As a matter of fact, the ultimate risk represented by the world’s becoming in the inter-subjective community dominated by a sovereign logic still remains the possible return to the conflictive state of nature that, as has been observed, for Hegel lies at the end of the state’s law.\textsuperscript{48} Unification under a shared logic and conflict are therefore two sides of a same coin, and the historic sovereign cannot but act in order to enforce its teleology against any crisis of presence that would cast into doubt its legitimacy. This had been already stressed by the then President of the Commission Jacques Delors, who was aware of the fact that the ‘acceleration of history’ in the neighboring countries could represent a risk for the tightness of the peaceful Europe as it could have led “if not to a world war, at least in bloody clashes at a time of instability”.\textsuperscript{49} As a matter of fact, such a risk was provided in concrete terms by the Yugoslav wars. Indeed, in her study on the enlargement commissioned by the European Parliamentary Research Services, Aline Sierp explicitly refers that the European Parliament was deeply impressed by the perceived failure of the European Community as regards the events in the Balkans, which led to “a general feeling that the EC has not lived up to expectations and that it was not able to preserve its

\textsuperscript{48} See supra, p. 47.

\textsuperscript{49} J. Delors, \textit{Europe needs a “soul"}, European Parliament, 8 October 2010. Available at: http://www.europarl.europa.eu/news/en/news-room/content/20101006STO85428/. Incidentally, the awareness of this risk is still present (I use this word on purpose) nowadays, as the current President of the Commission, J.-C. Juncker said a few years ago (« Nous risquons d’assister au retour des vieux démons », Libération, 19 June 2008): “Est-ce que l’Europe est immunisée contre la guerre ? Non. Il y a moins de dix ans, on tuait, on torturait, on violait en ex-Yougoslavie. Est-ce que le vieux démons ont vraiment quitté l’Europe ? Non. L’absence de la guerre n’est pas la règle, c’est l’inverse. Nous avons su, grâce aux efforts de la génération de nos parents, l’éliminer comme mode normal des différends. Mais demain, d’ici à cinquante ans, si nous ne réussissons pas à maintenir l’Europe qui nous permet de régler pacifiquement nos conflits, nous assisterons au retour des vieux démons”.
foundation for the future”.50 This risk, however, seemed to strengthen the self-awareness of the community as regards its approach to the events of central and eastern Europe, and it is not by chance that the *acquis* had such a central role in the process of accession. It is still Prodi who explains why what I have termed the codified expression of the European Union’s logic gained such a momentum:

The EEC before, and the European Union then, meant the break with this past, by indicating the *strength of the law* as a pacific and lasting alternative to the *law of the strength* in the relations among states. It is from this new perspective that that political and ideal proposition of *unification* sprouted up, representing an absolute novelty in the history of the relations among the peoples.51

And yet, Prodi’s words could be brought further after what has emerged during this brief recapitulation of the process of accession. Actually, it could be said in a nutshell that what began in 1989 as a reassessment of the presence of the then European Community in front of an unpredicted event of world’s becoming progressively turned into an interpretation of history meant to include such event within the framework of an advent. It is true that this development rested mainly on the reference to a codification, the *acquis*, but as the *acquis* reflects the historical evolution of the European sovereignty, what Prodi calls “*the strength of the law*” could be perhaps more correctly termed “the strength of history” – by history meaning a hermeneutical action regarding the events on which the sovereignty is concerned.

After all, whereas the *acquis* is the linguistic expression of the European Union’s history and logic, human existence can be historically situated, as Koselleck remarks,

exactly because it is “‘deshalb ein geschichtliches Dasein, weil es immer schon auf Verstehen einer Welt bin angelegt ist, die sprachlich im selben Akt zugleich erfaßt und konstituiert wird. Die Rückbindung jeder Welterfahrung an ihre Weltdeutung ist also gleichursprünglich mit ihrer sprachlichen Ermöglichung und damit wie jede Spräche auch geschichtlich’.”

In the case of the central and eastern European countries, though, the language that is meant to interpret and build the world within the framework of the European Union’s logic is not present since the beginning, but is itself apprehended by the applicant countries in the course of their progressive approach to such framework. For this reason, as it has been hinted at above, it seems possible to speak of a ‘historical’ debt – not just a debt in terms of political and economic development, but rather in terms of a logic to be applied in the understanding of international events and phenomena. In the ‘dialogue’ established between the community of the European Union and the applicant countries, it is undeniable that there is a gap between the two parts. What has been observed in the previous chapters about the introduction of the new members representatives in the functioning of the comitology, in particular about the translation issue, could be here brought forward with the words of Gadamer’s Wahrheit und Methode, where it is said that “[w]o es der Übersetzung bedarf, muß der Abstand zwischen dem Geist des ursprünglichen Wortlauts des Gesagten und dem der Wiedergabe in Kauf genommen werden”,53 more broadly, however, Gadamer warns us that the linguistic gap (Abstand) actually has gnoseological implications: “[A]s hermeneutische Problem ist also kein Problem der richtigen Sprachbeherrschung, sondern der rechten Verständigung über eine Sache,

This is the problem that, introduced through its institutional expression as a ‘synchronic’ process, definitely reveals its real depth in the ‘diachronic’ process which has been observed in the last pages. The reassessment of the sovereign presence against the world’s becoming, the interpretation of its past configurations in the light of the current events and vice versa, the inclusion of the unpredicted experience within the framework of the established logic: all overlap each other in the content progressively transmitted to the comprehension of the candidates to the membership of the community.

In the opening lines of this chapter, I have referred to Derrida’s definition of the Hegelian master safeguarding his own life as an ‘economy of life’. In his text on Bataille’s interpretation of Hegel, Derrida argues that Hegel’s phenomenology of spirit, as well as any phenomenology, is a restricted economy (économie restreinte) because it “rapporte la suite des figures de la phénoménalité à un savoir du sens qui s’est toujours déjà annoncé” and it is, therefore, “restreinte aux valeurs marchandes, […] limitée au sens et à la valeur constituée des objets, à leur circulation”. It is for this reason that phenomenology, according to Derrida, cannot exceed the telos represented by its own sense, as confirmed by the very fact that difference and negativity cannot but be determined just as “faces, moments, or conditions of the sense” (la phénoménologie comme économie restreinte […] ne peut déterminer la différence et la négativité que comme faces, moments, ou conditions du sens). Quite consistently, the economy of life which is, ultimately, an outcome of reason (Par une ruse de la vie, c’est-à-dire de la raison, la vie est donc restée en vie), is an “essential life” (vie essentielle) that restrains the “natural” one (la vie naturelle, l’existence biologique) by making it work in order to constitute the self-

54 Ibidem.
55 J. DERRIDA, L’écriture et la différence, cit., p. 399.
56 Ibid., pp. 398-399.
conscience, the truth and the sense (la retient, la fait œuvrer à la constitution de la conscience de soi, de la vérité et du sens), finally revealing itself as an economy that focuses on the conservation, the circulation and the reproduction of itself and of the sense as well (cette économie de la vie se restreint à la conservation, à la circulation et à la reproduction de soi, comme du sens).\textsuperscript{57}

Now, this argument can be particularly revealing once it is applied to the object of this inquiry. The process that has accompanied the fifth enlargement of the European Union was meant exactly to preserve the framework of sense on which the European institutions make their legitimacy rest, and the reproduction of such framework according to the changing circumstances of the world’s becoming was consistent with the conservative task of the event. Perhaps more importantly, the fact of restraining the state of nature by relating it to an already established interpretive framework – by conveying it within the boundaries of an already established sense, that is\textsuperscript{58} – definitely denotes the circularity of the own teleology this task reveals. As a matter of fact, since the enforcement of this interpretive framework ultimately concerns the presence of a specific historical conscience that must be preserved (and it has been also seen that such preservation, according to Derrida, stems from reason), it can be argued that the fifth enlargement has been indicative of an ‘economy of history’.

\textsuperscript{57} Ibid., p. 375.

\textsuperscript{58} It might be meaningful to cite, in this respect, the testimony by P. GOTTFRIED and P. GYÖRKÖS (The Accession of Hungary, in G. VAssiliou (ed), The Accession Story. The EU from 15 to 25 countries, Oxford, Oxford University Press, 2007, pp. 204-205), high representatives for Hungary during the accession process: as a matter of fact, they clearly state that, as “the entire continent is now following a set of rules that were initiated by Robert Schuman”, the \textit{acquis} is definitely “not negotiable” if one wants to develop “a modern country, a normal [my italics] country”.

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This was, indeed, the only way a power that is aware of the logic underlying it could act in order to preserve itself: by relating it to an already established knowledge of the meaning (un savoir du sens qui s’est toujours déjà annoncé). As Marx famously wrote in his Contribution to the Critique of Political Economy:

Daher stellt sich die Menschheit immer nur Aufgaben, die sie lösen kann, denn genauer betrachtet wird sich stets finden, daß die Aufgabe selbst nur entspringt, wo die materiellen Bedingungen ihrer Lösung schon vorhanden oder wenigstens im Prozeß ihres Werdens begriffen sind.⁵⁹

The unpredicted experience, to put it in terms that I have already used, could be approached only by providing it with a further meaning that was consistent with the already existing system of knowledges. Only by doing this, the European Union would have been able to cope with the problem represented by the end of the Cold War in Central and Eastern Europe: it should have set it in terms that would have allowed it to solve it, that is, to include the ‘material conditions’ of the problem in its own logic, where it would have been possible to find a solution. By including the experience within the interpretive framework of such self-referential teleology, the historical events that caused that experience get synchronized to the sovereign Now: they cannot acquire rationality but once they are set in relation with the declared final scope of history (im Sinne des finalen Zwecks der Geschichte). For this reason, the discursive development of the enlargement saw the element of the free choice get overlapped by repeated assertions that it was, in the end, a historical necessity.

Consequently, at a ‘local’ level, an actual difference (Differenz) can be still observed, and it should be clear that such local difference is not an exception, but rather a constitutive part of a broader system. In other terms, the enlargement of

contemporaneity is based on a margin which allows to preserve the difference between past and present within the ‘economy of history’, and, far from what Ricœur reproached to Hegel’s philosophy of history, it is on this very margin which the historic power of the sovereignty can ‘oscillate’ in order to preserve itself from the risk of losing its own sense. The enlargement of contemporaneity that is represented by the fifth enlargement of the European Union may be perceived, therefore, as a local deferment from a presence to another one, and such deferment has worked by establishing a connection between the traces left by such presences while underscoring their difference. There has been, in this sense, a self-aware hermeneutical action revealing the active meaning of this difference and which is expressed by means of what Merleau-Ponty, in his essay on a phenomenology of language, defined the “moving balance” (équilibre en mouvement) generated by the language. The diachronic development of this act of sovereignty has displayed, indeed, the progressive redefinition of language towards what could be described, in the words of Merleau-Ponty’s, “un ensemble de gestes linguistiques convergents dont chacun sera défini moins par une signification que par une valeur d’emploi”, which in the end would allow it to be “logique dans la contingence, système orienté, et qui pourtant élabore toujours des bâcards, reprise du fortuity dans une totalité qui a un sens, logique incarnée”: logic which, however, is never completely enacted (n’est jamais tout en acte).\(^6\)

Language, that is, is once again the instrument of the sovereignty that is meant to manage an ‘economy of history’, and it is so because it allows, by means of its moving balance, the oscillation between potentiality and actuality that is typical of the katechon, of the ‘historical power’ that stands against the world’s becoming. Language mediates between preservation and adjustment – as said above with respect to

Hegel’s philosophy: persistence and mutation – by making the logic it expresses adhere to the potentiality of the state of nature while keeping it consistent in the historic actualization it carries out. Codification, far from being just the established expression of a specific degree of civilization, goes beyond such civilization in order to make potentiality converge within its specific gnoseological framework: it is the nodal point in which the sovereign’s presence turns into an hermeneutical task. On the one hand, as Gadamer argues by referring to the fundamental role of language in interpretation, there is a “sozial motivierte Einebnungstendenz, mit der die Sprache das Verstehen in bestimmte Schematismen zwängt”; on the other hand, however, he also states that

Denn jede solche Kritik, die sich, um zu verstehen, über den Schematismus unserer Aussagen erhebt, findet ihren Ausdruck abermals in sprachlicher Gestalt. Insofern überbietet die Sprache alle Einreden gegen ihre Zuständigkeits. Ihre Universalität hält mit der Universalität der Vernunft Schritt. Das hermeneutische Bewußtsein hat hier nur an etwas teil, was das allgemeine Verhältnis von Sprache und Vernunft ausmacht. Wenn alles Verstehen in einem notwendigen Äquivalenzverhältnis zu seiner möglichen Auslegung steht, und wenn dem Verstehen grundsätzlich keine Grenze gesetzt ist, so muß auch die sprachliche Erfassung, die dies Verstehen in der Auslegung erfährt, eine alle Schranken überwindende Unendlichkeit in sich tragen. Die Sprache ist die Sprache der Vernunft selbst.

Which makes that, in the specific case of the fifth enlargement of the European Union, what is at stake is exactly the overcoming of the schematism imposed by the already established logical system through its very own unachieved nature, which actually makes for the ‘infiniteness’ (Unendlichkeit) of its interpretive capacity. Quite consistently, the constant enhancement of this scheme by means of interpretations

succeeding each other and adding new meaning according to the world’s becoming makes for something more than a ‘simple’ circulation of sense – it rather makes for an accumulation of it. “Jede Aufführung ist Auslegung. In jeder Auslegung ist Überhellung”.63

The infiniteness of the interpretive capacity, however, casts a final doubt, namely the one about the historical role of such a form of sovereign institution. The economy of history, the accumulation of sense: both of them are nothing but the final outcome of a kind of political power that goes beyond the legitimization provided by a specific interpretation of history and, indeed, strives to manage such interpretation in order to preserve the conditions for its sovereign action – and, in the end, its own legitimacy. For Hegel, it has been repeatedly observed, history – and, specifically, its political outcomes – is definitely the path through which reason comes to its realization. In particular, as noticed by Derrida, the economy of life in the struggle for recognition is the result of such reason and results in restraining the affirmation of sense through the attainment of the self-conscience. In this sense, the accumulation of sense could be perceived as the situation in which the political institution that sees itself as the outcome of a historical reason begins to burden the latter with new meanings that are meant to mediate with the world’s becoming. The result is not just interesting as regards the past, as has been observed throughout this inquiry: it is even decisive as regards the future. It is decisive because it seems to create a situation of historical arrest, which cannot be understood as the end of history (let alone be ‘decided’ in this term), but nonetheless tries to restrain the possible implication of a historical development that could jeopardize the effectiveness of the sovereign institution, and consequently delegitimize it.

63 Ibid., p. 404.
The Hegelian history falls into a time that is leveled on the present. As noticed in particular by Heidegger, for Hegel “world history is in the first place the interpretation of the spirit in time” (Die Weltgeschichte ist also überhaupt die Auslegung des Geistes in der Zeit), and this time is “verstanden aus dem sich aufspreizenden Jetzt”.

History in the Hegelian system can be understood only from the standpoint of a Now (Jetzt) in which

Im positiven Sinne der Zeit kann man daher sagen: Nur die Gegenwart ist, das Vor und Nach ist nicht; aber die konkrete Gegenwart ist das Resultat der Vergangenheit, und sie ist trächtig von der Zukunft. Die wahrhafte Gegenwart ist somit die Ewigkeit.

Even if Hegel’s can be considered a ‘hermeneutical operation’, the ‘eternal’ present it displays as its fulcrum can nonetheless become a political reality once a sovereign institution becomes aware of the importance such operation has for its action and legitimacy. Not just presenting itself as the necessary historical outcome of the past, but rather deferring the birth of the future becomes necessary for the sovereign institution in order not to get aufgehoben.

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65 M. Heidegger, Sein und Zeit, in Id., Gesamtausgabe, Frankfurt a.M., Klostermann, p. 573, §82.
67 Incidentally, this is also consistent with Hegel’s political philosophy. S. Avineri (Hegel’s Theory of the Modern State, Cambridge, Cambridge University Press, 1972, p. 231) notices that in the Hegelian system any power founding a new social order is doomed to be withered away once it becomes “redundant”, namely once it has educated “the populace towards obedience, [instilled] in it the habit of obeying the general rather than the particular will”. In particular, Avineri refers to the Realphilosophie to prove that for Hegel no new state or new social order can avoid a “constitutive dictatorship” for its foundation, as their legitimacy can be found “only within themselves and not in any previous criteria”; nonetheless, once its task has been accomplished, it becomes superfluous and is therefore rejected by the peoples, which in the meanwhile have acquired a “conscious general will”.

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In the end, however, the deepest implications of this arrest do not concern just the existence of the political institution: it ultimately affects the existence of the individuals. Just as Heidegger noticed the existential issues posed by what he defined the “vulgar” concept of time (vulgärer Zeitbegriff) in Hegel’s philosophy, leveled on the Now, the possible translation of such an understanding to the level of a sovereign institution cannot but affect the way the individuals, as subjects of a sovereign logic, come to perceive themselves and their own existence, at least in historical terms. According to Heidegger, in Hegel the concept (Begriff) is the thought thinking itself (sich denkenden Denken) “as the comprehension of the not-I” (als Erfassen des nicht-Ich).

This implies a difference, a negation of the negation, which makes the concept “fall into time”, as the immediate negation of negation. Consequently, Heidegger points out, for Hegel “time is the concept itself in its being-there” (die Zeit ist der Begriff selbst, der da ist), and it is in this sense that, as already mentioned, world history results as the interpretation of the spirit in time.\textsuperscript{68} And yet, this understanding of time denies any primacy to both rising and passing away (hat \textit{in der Zeit} weder das Entstehen noch das Vergehen einen Vorrang).\textsuperscript{69}

What happens to the subjects of a sovereign institution, then, when the latter assumes as its own paradigm a similar idea of time? It is this question that makes it mandatory to focus, finally, on the individuals and on the role they have vis-à-vis this form of power.

\textsuperscript{69} Ibid., p. 569.
This inquiry has started by having in sight a possible change in the concept of sovereignty. In particular, it has been argued that contemporary sovereign institutions would be now concerned with the very conditions that make their action effective and, consequently, their existence legitimated. The fifth enlargement of the European Union should have revealed in unprecedented terms this tendency, which goes beyond the modern political concept of the nation-state and reaches out for the very logic underlying the states system by passing through the threshold of the understanding of history.

More specifically, this inquiry has highlighted the effort by the institutions of the European Union to cope with the unpredictable consequences of the collapse of the socialist bloc in Central and Eastern Europe by comprehending them from the standpoint of an established framework of sense, thus providing the following fifteen-years long accession process with a historical, and ultimately logical, legitimating background. At the same time, this comprehension allowed the very logical structure of the European Union to reaffirm its own presence as a historico-rational authority presiding the European states system. In this sense, the eastern enlargement could have been revealing of the object of concern for a possible sovereignty overcoming the state.
Of course, such an interpretation has been possible only on the basis of a post-Hegelian understanding of international politics. It is only with Hegel, indeed, that the states are conceived as subject to a power overcoming them, namely history and the rationality emerging through it and with regard to it. In Hegel’s political philosophy, states receive their legitimacy by representing the utmost expression of history in the field of the objective spirit, that is, the “complete realization of the spirit in the being (die vollständige Realisierung des Geistes im Dasein).” However, in Hegel history is meant as universal, and it cannot be limited to a limited political endeavor; it is only once any interpretation of history is understood as a hermeneutical interpretation, bound to its own historical conditions, that history can become an element of political sovereignty acting beyond and over the state. Consequently, this inquiry focused exactly on the possibility for a political institution to act on history itself, by defining the present in which the state acts as the Dasein of the Hegelian spirit: by drawing from the experience of the eastern enlargement of 2004, it has been observed exactly how the political action of the European Union is focused on the centrality of history and of its interpretation. By paraphrasing Ricoeur, then, it could be asked what kind of sovereignty is it whose being consists of understanding.

As this sovereignty rests on the affirmation and preservation of its own historical conditions, it is bound to strive to include the challenges contingency poses to the latter by including them within its own contemporaneity. This constant enlargement of contemporaneity, which (as exemplified by the Eastern enlargement of the European

2 P. Ricoeur (Existence et herméneutique, in Id., Le conflit des interprétations. Essais d’herméneutique, Paris, Seuil, 1969, p. 10) actually asks “qu’est-ce qu’un être dont l’etre consiste à comprendre?” as the question that should be raised instead of “à quelle condition un sujet connaissant peut-il comprendre un texte, ou l’histoire?” in order to reach the “ontologie de la compréhension”.

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Union) can be both spatial and temporal, because it extends the field in which specific historical conditions are present on a given territory, but especially by focusing on their permanence through time, ultimately affects the lives of the individuals who live within that territory and during that time. But how are the individuals understood by this form of sovereignty?

In Hegel’s political philosophy, the sovereignty of the state rests on the mediating framework the latter offers to the individuals in order to attend their interests:

...indem [the state] objektiver Geist ist, so hat das Individuum selbst nur Objektivität, Wahrheit und Sittlichkeit, als es ein Glied desselben ist. Die Vereinigung [of the individuals in the state] als solche ist selbst der wahrhafte Inhalt und Zweck, und die Bestimmung der Individuen ist, ein allgemeines Leben zu führen.3

As resumed by Ricœur, this means that for Hegel the presence of the state implies that “le droit de l’individu s’est déjà affirmé”, as well as that “la loi sous laquelle ce droit peut être reconnu ne peut être dès lors que celle d’une institution politique dans laquelle l’individu trouve sens et satisfaction”: 4 For Hegel, it is only with the state that there emerges the possibility for the human deeds to reflect themselves in an overarching meaning: “[...] erst im Staate mit dem Bewußtsein von Gesetzen sind klare Taten vorhanden und mit ihnen die Klarheit eines Bewußtseins über sie, welche die Fähigkeit und das Bedürfnis gibt, sie so aufzubewahren”.5 The interpretive conflict stemming from the clash of the individual interests finds its solution in the ethical life (Sittlichkeit) underlying the state, since, according to Ricœur, its emergence as the “réseau des croyances axiologiques qui règlement le partage du permis et du défendu dans une communauté donnée” is possible only as the result of the ceaseless interpretation of its very

3 Ibid., p. 399, §258n.
foundations. Consequently, whereas the statement according to which “[Am Staat allein hat der Mensch vernünftige Existenz” receives its veritable meaning only by defining reason (Vernunft) in terms of historical interpretation, this interpretation must be understood as the work of a community (travail commun).

The single individuals, indeed, would not be able to carry out this interpretive task by themselves. The logical implications behind it are overwhelming for the finite understanding of the individual, and Hegel repeatedly points out how the state is to be seen exactly as the mediation that makes the individuals exit from their collective existence as a multitude (Menge). To be sure, since Hegel argues that the individuals as multitude are assigned as “finite reality” (endliche Wirklichkeit) to the ideal spheres of the family and the civil society, thus allowing the real spirit (wirkliche Geist) to be infinite für sich, the individuals actually experience a “duplicated moment” (gedoppelte Moment) that makes them include both the extreme of singularity (Einzelnheit) and the one of generality (Allgemeinheit). In other terms, until the individuals act as a multitude, their interpretive role is relatively negligible for the active development of the historical rationality: this is also the reason why their adhesion to the state is described as a duty – the “highest duty”.

And yet, even as they become functional to the historical emergence of reason, their finitude cannot but make them literally unconscious of the overall process they are taking part to: Hegel describes them indeed as “bewusstlose Werkzeuge und Glieder jenes...”

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6 It is relevant to notice, therefore, that this statement is to be found in a text on the philosophy of history, namely G. W. F. Hegel, Vernunft in der Geschichte, cit., p. 111.
7 P. Ricoeur, La raison pratique, cit., p. 251.
8 G. W. F. Hegel, Grundlinien der Philosophie des Rechts, cit., p. 410, §262.
9 Ibid., p. 411, §264.
10 G. W. F. Hegel, Grundlinien der Philosophie des Rechts, cit., p. 399, §258: “Einheit ist absoluter unbewegter Selbstzweck, in welchem die Freiheit zu ihrem höchsten Recht kommt, so wie dieser Endzweck das höchste Recht gegen die Einzelnen hat, deren höchste Pflicht es ist, Mitglieder des Staats zu sein”.
inneren Geschäfts sind, worin diese Gestalten vergehen, der Geist an und für sich aber sich den Übergang in seine nächste höhere Stufe vorbereitet und erarbeitet"). The same could be said even for the so-called welthistorische Individuen, who emerge from the multitude as “[Ä]die geschichtlichen Menschen […], in deren Zwecken ein solches Allgemeines liegt”, but are nonetheless the instrument of the “ruse of reason”, and ultimately the expression of the logic of their time: “ihre Handlungen, ihre Reden sind das Beste der Zeit”. Therefore, notwithstanding their role as opposed to that of the multitude, the world-historical individuals are ‘spoken’ by the logic just like the individuals of the Menge.

The ‘unconsciousness’ of the individuals, however, assumes a different meaning once the absoluteness of the Hegelian historical reason is rejected in favor of its understanding as a mere hermeneutical operation, which therefore implies a power higher than the state, able to legitimize the latter as rationally necessary. Once this historical necessity is understood as the outcome of an interpretation ‘among others’, its universal character declines and the role of the individuals ceases to be just that of “tools” of a higher reason in its overarching process of self-realization, turning to that of ultimate contributors to the interpretive framework behind that realization.

However, this does not deny their finitude vis-à-vis the logical complexity of such interpretive framework. In a certain sense, the individuals keep being unconscious with regard to a logic they cannot completely comprehend. Due to their finitude, they cannot

11 Ibid., p. 505, §344. In this sense, B. LIEBSCH (Prekäre Selbst-Bezeugung, Weilerswist, Velbrück Wissenschaft, 2012, p. 141) notices how for Hegel the extraneousness (Fremdheit) of the individual with respect to the world makes him lose even his self: on the opposite, it is only to those individuals who are aware that their self can be attained only according to their degree of participation to a “reasonable world” (allein nach Maßgabe ihrer Teilhabe an einer «geistigen, vernünftigen Welt») that sense can be revealed.


be completely aware of their historicity, that is, of all the implications their belonging to
a certain rationality has for their existence and vice versa. In this sense, whereas they are
necessarily the expression of the historico-rational system they act in, they constantly
face the risk to contradict it because of the ineradicable inability to grasp all the facets of
the system itself. As they stand between consequence and contradiction, they are the
undecidable part of that form of thought.

Therefore, whereas the possibility to shape an institution over the state might rest on
the control over the historical conditions that legitimize it, this control would ultimately
depend on the undecidable way in which, under the state, the individuals would refer to
the historical rationality that institution would impose. It should be noticed, however,
that the relevance of such undecidability would not be about the consensus that
institution would enjoy among the individuals, but rather about the possibility for such
institution to adhere to the unpredictability of the world’s becoming. This “open,
unaccomplished, imperfect” sovereignty, that is, would rely on the ‘opening’ each
individual of the body politic represents for the pursuit of its logical and gnoseological
communitarian aim: in this sense, we could even define the whole of the individuals as
the ‘body logic’.

The main difference with the state can be observed in the features of the law. In a
long note to the paragraph §211 of the Philosophy of Right, Hegel clearly affirms that
“[w]as Recht ist, erhält erst damit, daß es zum Gesetze wird, nicht nur die Form seiner Allgemeinheit,
sondern seine wahrhafte Bestimmtheit”. He also maintains that the most important moment in
the act of lawmaking actually precedes the enunciation of a “general rule of behavior
that is valid for all” (die für alle gültige Regel des Benehmens), and is rather the “knowledge of
the content in its determined generality” (die Erkenntnis des Inhalts in seiner bestimmten
Allgemeinheit). In other words, the laws are the expression of a general logic that has
already been established. For this reason, in the main part of the paragraph, he states, by playing with the words, that law is what is ‘posited’: “Was an sich Recht ist, ist in seinem objektiven Dasein gesetzt, d. i. durch den Gedanken für das Bewusstsein bestimmt und als das, was Recht ist und gilt, bekannt, das Gesetz”.14

In particular, it is language that turns out to be central in this process of stabilization. As a matter of fact, even though Hegel maintains that “[d]ie Sprache ist die Tat der theoretischen Intelligenz im eigentlichen Sinne, den es ist die äußerliche Äußerung derselben. Die Tätigkeiten der Erinnerung, Phantasie sind ohne die Sprache nur erst innerliche Äußerungen”,15 he is also particularly clear in specifying that for the past not to remain “silent” (stumme Vergangenheit) the development of language is not enough if the peoples involved do not meet the state: the process that allows language to avoid the absence of any history (keine Geschichte) is possible only with the achievement of reason represented by that institution: “hat erst teils in Berührung mit Staaten, teils durch eigenen Beginn der Staatsbildung Bedeutung und Interesse für die konkrete Vernunft erlangt.”16 Consequently, if the state represents the main aim (Endzweck, Selbstzweck) for the individuals, it can be deduced that the language the individuals attain by such achievement is to be considered equally ‘achieved’: otherwise, the content of the laws could not be considered ‘posited’ and the law (Recht) itself could not find its “objective being-there” (objectives Dasein).

On the opposite, the fifth enlargement of the European Union has shown how the law of this institution, namely the acquis, refers to a logic that cannot be considered definitely ‘posited’ and consequently makes the meaning of action not only preserved (aufbewahren) but also undone (aufbehalten). Whereas the law of a historical achievement such as the state could not be but the expression of an equally achieved meaning for

14 G. W. F. Hegel, Grundlinien der Philosophie der Rechts, cit., p. 361, §211.
16 Ibid., pp. 166-167.
reality, the law of this institution expresses a meaning that is open, ongoing, steadily in fieri. In this sense, the acquis becomes, as noticed in the diachronic development of the fifth enlargement, not only the law of what can be said (which can be certainly true for the synchronic development observed with the comitology), but is in turn the law that can be according to what the world’s becoming urges to say. In any case, however, the individuals keep being the ones who, ultimately, have their say on such becoming and thus determine the “being-there”, and thus allow the actualization of the sovereign institution. And, as the ‘openings’ of the logical system, that is, as its undecidable deciders, for them the linguistic issue, as already in Hegel, keeps being the expression of a “logical instinct”, namely what Gadamer defines as “the unconscious, but unerring tendency towards a goal”;¹⁷ unlike in the Hegelian system, however, beyond the ‘posited’ limits of the state, this instinct comes to determine the goal just like the goal determines it.

This only up to a certain point, anyway: as Gadamer explains, whereas from a Hegelian standpoint, once language is meant as the “tendency of reason to objectify”, thinking and speaking may be characterized as “being universally objectifying”, Gadamer cannot but notice, in the end, that the “logical instinct”, which most assuredly does lie in language as such, can for that reason never be comprehensive enough to include all of what is prefigured in this vast number of languages. Thus it could never really be elevated to its "concept" by being transformed into logic”.¹⁸ In this sense, it can be argued by quoting Daniel J. Cook that Hegel’s conception of language is “obviously worthless” if one thinks that its “primary purpose” is “to remove all possible vagueness and equivocality by narrowing down and analyzing all ordinary terms of

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¹⁸ Ibid., pp. 92-93.
speech into a form, artificial or otherwise, which would allow for the univocal designation and expression of particular ideas or images”. On the opposite, “for Hegel the purpose of language as a philosophical tool is to reflect such equivocality and flexibility of meaning and expression”,¹⁹ and it is in this exactly sense, I add, that the individuals, as linguistic beings, represent the decisive point for the logical pretensions of a form of sovereignty concerned with reason and history, and supposedly embodied by the European Union.

This would explain the observed linguistic features that, especially in the recent Italian research currents, concur in explaining the political concept of the katechon: linguistic features that are necessarily connected to the already mentioned idea of an ‘institution of the multitude’. Whereas the state represented the centralized institution par excellence, defined in Hegelian terms “als eine Individualität ausschließendes Eins, welches sich damit zu anderen verbält, seine Unterscheidung also nach außen kehrt und nach dieser Bestimmung seine bestehenden Unterschiede innerhalb seiner selbst in ihrer Idealität setzt”,²⁰ the form of sovereignty considered in this inquiry must rely on the “congenital creativity of the verbal language” in order to adjust itself to the world’s becoming, and this fundamental aspect would be demeaned by centralistic apparatuses of power.²¹ Consequently, however, and consistently with what has been observed especially with Koyrè about the relation between the finitude of historical understanding and the infinitude represented by time, this reliance on individuals who are partially unaware of their own historicity can result

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²⁰ Ibid., p. 431, §271.
²¹ The conflictive relation between a centralistic apparatus of power and the creativity of language has been noticed by N. Chomsky, as cited in P. VIRNO, E così via, all’infinito, Logica e antropologia, Turin, Bollati Boringhieri, 1999, p. 153.
in the establishment of an (apparently) eternal present – the eternal present identified with the katechon, indeed.

Conversely, it is only in this persistent present that the ‘logical instinct’ of the individuals can adjust to a specific reason. The presence of a historico-rational sovereignty restrains the logical conflict that, already at the beginning of the political modernity, had been noticed by Hobbes as the fundamental reason to establish a common power. As a matter of fact, it is only the presence of such a sovereignty that the contingency of the state of nature can be opposed by rules “whereby every man may know, what goods he may enjoy, and what actions he may do, without being molested by any of his fellow subjects”: whereas “to this war of every man against every man, this also is consequent; that nothing can be unjust. The notions of right and wrong, justice and injustice have there no place”, the establishment of a common power results in “rules of propriety”, which determine what is “good, evil, lawful, and unlawful in the actions of the subjects” as the “civil laws”.22

The form of sovereignty considered in this inquiry, however, is not the common power which, in Hobbes, stems from the “dictate of right reason”, but claims instead to embody the dictate itself. In other terms, it is not the solution to the conflictive state of nature, but rather the sovereignty that presides over the establishment of that solution. It is exactly through this dialectic that, as has been observed, it goes beyond the state and its ‘achieved’ realization (the Hegelian vollständige Realisierung) by facing instead the risk of its own annihilation through its openness towards the world’s becoming. But notwithstanding the idea of progress this constant deferment may give through the dynamics of deferment intrinsic in this constant adjustment to the becoming, this form of institution keeps being stuck in the present – in its own present. As Jean Cavaillès

affirmed in dealing with the theory of science, “l’un des problèmes essentiels de la doctrine de la science est que justement le progrès ne soit pas augmentation de volume par juxtaposition, l’antérieur subsistant avec le nouveau, mais révision perpétuelle des contenus par approfondissement et rature”.

The observation of the diachronic development of the accession process, however, has shown that there is an economy of sense that, albeit proceeding by rature, it actually preserves what is sous rature. In this sense, it can be nonetheless said that “[ce qui est après est plus que ce qui était avant, non parce qu’il le contient ou même qu’il le prolonge mais parce qu’il le contient nécessairement et porte dans son contenu le marque chaque fois singulièr de sa supériorité”, as Cavaillès did for the ideal scientific progress, so that it can be also pointed out that “s’il y a conscience des progrès, il n’y a pas progrès de la conscience”:23 as described up to now, the sovereign power embodied by the European Union marks a development in its adjustment to the world’s becoming that refers to the steadiness of its historical conscience.

This seems to be, then, the main outcome revealed by the analysis of the eastern enlargement of the European Union, occurred in 2004. The historical experience of the individuals seems to explain definitely the dynamics of the political change in European politics as the rise of a self-oriented teleology in which the post-state sovereignty, at least as embodied by the European Union, seems to consist in the effort to preserve the historical conditions that allow its action to be effective as well as legitimate: in a nutshell, to be logically acceptable. It is in this sense that language acquires a central role: because it is through its use by the individuals that the historical reason can be adjusted to the unpredictable events imposed by the world’s becoming. Accordingly,

this self-oriented teleology would make for the overcoming of the state of nature in international politics exactly by opposing the interpretive conflict that characterizes it.

This seems to be the outcome of the increasing effort to overcome the nation-state, undertaken at least since the Congress of Vienna of 1815 and from which, after 1945, the European Union emerged as an attempt to move towards a kind of order going “well beyond traditional treaty-based institutional binding”, as Ikenberry reports in his already cited essay.24 If this order had to go beyond the effectiveness of the treaties, indeed, it could not but refer to the logic that lies behind the word of the treaties, and it could not but affect, consequently, their very historicity and rationality. What has emerged throughout this inquiry, in fact, is that the institutional binding going ‘beyond’ the one represented by the treaties gets attained by means of a hermeneutical concern that makes for the adoption by the states involved of a shared interpretive framework in understanding political events and phenomena. And this adoption cannot be posited once and for good, just like the law of the state or that of the treaties, because the interpretive framework is constantly put to test to the challenges the world’s becoming poses to the sense of those texts. The institutional binding beyond the treaties rests on the hermeneutical effort to preserve the historical conditions that make the political norms and values at the roots of those agreements still effective and legitimate. It is a form of ‘meta-sovereignty’.

It is a ‘meta-sovereignty’ because it is not just meant to prevent conflict among its subjects, but rather to preserve the very historical rationality that is at the roots of its legitimacy. And this can be done only by acknowledging the persistent risk of conflict engendered by the world’s becoming and the unpredictability of its challenge for the already established logical framework in which the sovereignty acts. But this implies that

the contingency of the world’s becoming becomes a constitutive part of this form of sovereignty, perhaps the ultimate motive for its action. Unlike the state, this form of sovereignty is not meant to get involved in conflicts because it is meant to comprehend its source, namely contingency, as its own negative moment and to entertain a dialectical relation with it, thus contending to conflict the mediating role among the states. This form of sovereignty overcomes the state exactly because it comprehends contingency as the foundation for its own dynamics. The preservation of a specific historicity implies the awareness of the challenges posed by contingency, as well as of their unavoidability. This awareness is the reverse of a form of sovereignty presiding on the stability of its own historical legitimacy and effectiveness. It is in this sense that a statement I have cited in the first chapter may be better understood:

Est-ce que l’Europe est immunisée contre la guerre ? Non. Il y a moins de dix ans, on tuait, on torturait, on violait en ex-Yougoslavie. Est-ce que le vieux démons ont vraiment quitté l’Europe ? Non. L’absence de la guerre n’est pas la règle, c’est l’inverse. Nous avons su, grâce aux efforts de la génération de nos parents, l’éliminer comme mode normal des différends. Mais demain, d’ici à cinquante ans, si nous ne réussissons pas à maintenir l’Europe qui nous permet de régler pacifiquement nos conflits, nous assisterons au retour des vieux démons.25

A supranational institution – an institution that aims at transcending the state - cannot deny the immanence of war (and of conflict in general). On the opposite, it is urged to consider it a constitutive element of its own rationality: however, unlike the state, this constitutive aspect of the supranational institution is not determined by an involvement in the conflict, but rather by the entertainment of a dialectical relation with it. The concept of immunization, used by Juncker, is particularly explanatory, because it implies both the persistence of the trouble as such and a relation at the same level between the

latter and the immunizer. In this sense, the form of sovereignty embodied by the European Union might represent a development of the theoretical line which, by connecting the political philosophy of Hobbes to that of Hegel, underlies the political modernity by means of what Roberto Esposito defines as the “paradigm of immunization”.

Esposito argues, indeed, that the concept of immunization, conceived as a “*negative protection* of life” that preserves the organism “by injecting in it a fragment of the same pathogenic substance from which it wants to protect it, and which, therefore, arrests and contradicts its natural development”, is a fundamental character of the sovereignty depicted by Hobbes, which actually preserves life exactly by restraining it from the outside. The elaboration of the paradigm at that moment, however, was nonetheless still unaware: it was only with Hegel, in fact, that the negative became a constituting part of the positive, “its real engine”, something that “allows its functioning”. Actually, Esposito contends that the immunization (*immunitas*) has become the “real and symbolic center of attraction for the whole contemporary experience”, since it is “only nowadays, at the end of the modern age”, that the exigency of immunization has become “the fulcrum on which both the actual practice and the unconscious of a whole civilization get built” – and it concerns in a decisive way the constitution of all kinds of bodies, from the “individual” one to the body politic, which is the real object of our interest.

As concerns our case, indeed, it is relevant to notice how the *immunitas* gets closely intertwined with the concept of *communitas*. The latter stems, indeed, from the term *munus*, which is means ‘law’, ‘office’, or, more specifically, a ‘gift’ that represents the settlement of a previous debt, which makes the *communitas* rest on a reciprocal bond of

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27 Ibid., p. 43.

donation that urges its members to “lean out of themselves, literally to expose themselves”.\textsuperscript{29} Now, the \textit{immunitas} is, for Esposito, the reverse of such exposition, as it confines the existence to itself and restrains its development. This notwithstanding, Esposito argues, the \textit{immunitas} definitely cannot neglect its own negative, namely the \textit{communitas}, because the latter is actually its own object of preservation as well as negation: the immunization, that is, can be even considered as a constitutive aspect of the \textit{communitas}.\textsuperscript{30} In this sense, whereas it should be tautological to consider the immunization of Europe against war as a preservation of the community, it could be less clear how, at the same time, the latter is also negated by the former.

In order to answer this question, it could be argued in the first place that war actually represents, for the modern political philosophy, the utmost expression of dissent within the international system. For Hobbes, it could be the consequence of “intellectual dissension”, as “that kind of strife inevitably causes the worst conflicts”;\textsuperscript{31} for Hegel, as has been mentioned above, war emerges from the clash of two rights which are both legitimate. In particular, as that clash actually allows the ‘stronger’ right to prevail, at the same time it allows history to proceed and reason to emerge from it: consistently with his broader dialectical system, for Hegel conflict is what makes for the development of history – and, consequently, of the community that is subject to the historical reason, namely the mankind. In other terms, the development of the community is possible only inasmuch as its members expose themselves to the risk of losing their existence and of tearing apart the community itself. However, once a political institution becomes

\textsuperscript{29} \textit{Ibid.}, p. 32.

\textsuperscript{30} R. ESPOSITO, \textit{Bío}, cit., p. 48: “Ciò che va immunizzata, insomma, è la comunità stessa in una forma che insieme la conserva e la nega – o meglio la conserva attraverso la negazione del suo originario orizzonte di senso. Da questo punto di vista si potrebbe arrivare a dire che l’immunizzazione […] sia un ingranaggio interno”.

aware of the relevance a specific historical conscience has for its own legitimacy, such development – that is, ultimately, history – has to be restrained if the institution wants to subsist. In this sense, whereas on the one hand it is certainly functional in preserving the community from the risk of getting lacerated by internal contradictions, the restrain is, on the other hand, necessary to avoid the possible further development that would result from conflict, which would create historical conditions unmanageable for the sovereign power. In this regard, it should be nonetheless stressed, once again, that the conflict I am referring to does not have to be necessarily a war: it should be understood, instead, as the possible situation of dissent that could make the logical consistency of the community waver. This is the risk against which the political institution strives to immunize the community by whose historical conscience it is legitimized: the community gets negated exactly because the risk against which it is preserved could emerge from the community itself.

This way in which the sovereignty folds on its body politic in order to preserve the latter from itself is quite consistent with the original political meaning of the verb *katechein*, as explained by Carillo with reference to Pericles’s *epitaphios logos*: to restrain the irrational drives of the polity by making the rational bond that underlies the polity itself present. Consequently, the *katechon* – be it in the Greek or in the Christian meaning – cannot eradicate once and for all the ‘evil’ that is meant to contrast, because the ‘evil’ resides within the very object of its defensive action. On the opposite, and quite consistently with Esposito’s ‘paradigm of immunization’, which “entails what it nonetheless negates” and “does not appear just as logically derived from, but even internally inhabited by its own opposite”, the power identified as the *katechon* must

preserve, along with the community it wants to immunize, the risk against which it is meant to act, because apparently they are two sides of the same coin.

What emerges from this seemingly aporetic situation is that, as conflict as such becomes the ‘evil’ against which the katechon is meant to act – since it is what could make the rationality of the community deflagrate – it is the very principle of order regulating the community that ‘leans out of itself’ and gets exposed to the risk of being annihilated, instead of the individual members of the body politic. This should make it particularly clear that what is at stake in this inquiry is a borderline situation, which, ultimately, emerges from a political sovereignty setting itself at the limit between the inside and the outside of history, that is, acting as the rational outcome of history while trying to make such legitimizing interpretation of history last.

It is exactly this borderline situation, this crystallized transition, that ultimately defines the individuals in contemporary politics – that defines our political experience nowadays. As the ‘openings’ of the logical system with which the post-state sovereignty identifies itself, we are actually caught at the same time in the transition that should decide whether the establishment of such sovereignty will proceed, and, in this case, how. With our finitude we express, therefore, a double incompleteness. On the one hand, we embody the intrinsic incompleteness of the sovereign institution that regulates our lives by means of its logic and the discursive framework that is its more evident expression; on the other hand, however, there is the situation of passage that we are experiencing that makes our perception necessarily unachieved, because so is the situation in which we dwell. What is under our eyes is, again, an ongoing process whose outcome is still to be achieved, and there cannot be any certainty in analyzing it, especially as we are aware that any analysis could alter the balance of the process in its course. As a matter of fact, the process is definitely about us, and we cannot act without influencing it or being
influenced by it: it is perhaps also for this reason that we are ‘openings’, as we are experiencing this process and not just judging it retroactively, as could be done in the Hegelian Philosophy of Right with regard to a process that had found its own achievement in the state – the famous flight at dusk of the owl of Minerva.

What the eastern enlargement of the European Union has revealed is definitely the political threshold we belong to, set between two different ways to perceive the conceptual framework that, since the fifteenth century, has shaped the definition of international politics. As a matter of fact, if the new form of sovereignty acts by steadily deferring its own achieved presence, thus preserving (as well as calling into question) the modernity it should overcome, we as the body politic that responds to it cannot but find ourselves constantly displaced – perhaps caught in that particular situation defined by Ernesto De Martino as a ‘cultural apocalypses’: a cultural displacement, that is, that could make the individuals perceive themselves as losing their own presence because of the surrounding changes that delegitimize their usual references and present ‘apocalyptic’ features – more specifically, it is a situation that can be referred to as related to the theme of the “end of the world”, which, as has been observed, accompanies so often the considerations about the implications of a Hegelian (or post-Hegelian) philosophy of history.\(^\text{33}\)

From a Hegelian point of view, this peculiar situation would certainly hinder the process of reconciliation (\textit{Versöhnung}) that lies at the basis of the individual existence vis-à-vis the world he lives in: as Liebsch remarks in this respect, “[a]m Vorhinein der finalen \textit{Versöhnung} gewiss, kann Hegel sich derart vernichtende Kritik am »Nichts« der »Einzelheit« des

\(^{33}\) E. De Martino, \textit{Apocalissi culturali e apocalissi psicopatologiche}, in \textit{Nuovi Argumenti} 1, 1953, p. 105: “Le apocalissi culturali, nella loro connotazione più generale, sono manifestazioni di vita culturale che coinvolgono, nell’ambito di una determinata cultura e di un particolare condizionamento storico, il tema della fine del mondo attuale, quale che sia poi il modo in cui tale fine viene concretamente vista e rappresentata”.

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“Einzelnen leisten und geradezu dessen Tod fordern” – more specifically, “[d]er Einzelne ist buchstäblich nichts diesseits oder jenseits einer Welt, die sich in ihrer Allgemeinheit aussagen lässt”.

This constant displacement that makes it seemingly impossible for the individual to reconcile himself with his world is perhaps represented at best, once more, by the experience of the eastern enlargement and the migration issue which, perhaps, displays in the most possible clear way the role of the individual as both a risk and a resource for the post-state sovereignty.

It is noteworthy, in fact, how the fifth enlargement of the European Union presented relevant contradictions in the way the normative and logical system of the supranational authority dealt with the issue of migration. As a matter of fact, even though the so-called ‘Mediterranean round’ (namely the enlargements to Greece, Spain, and Portugal) was as well about countries whose political and economical development was considered inferior to the standards required by the European Community, and could present, therefore, a similar issue, the fear of relevant migration flows following the accession of the central and eastern European states among several members of the European Union led indeed to a significant novelty, namely the inclusion of a specific *acquis* related to themes such as asylum, migration and border controls, and other regulations meant to cope with a possible “mass inward migration”. And yet, as Heather Grabbe explains, exactly this peculiar aspect of the enlargement process has shown several inconsistencies in the regulation enforced by the European Union – especially as the related rules could not be defined until late in negotiations and their

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34 B. LIEBSCH, Op. cit., p. 140. Quite interestingly for this inquiry, Liebsch also suggests (p. 142) that “[g]ewiss hat sich Hegel den Prozess der Versöhnung nicht als einen im engeren Sinne dia-logischen Weg der Auseinandersetzung gedacht. Im Gegenteil erlag er (zumindest zeitweise) der Versuchung, diesen Prozess als einen rein logischen, sozusagen völlig entdramatisieren aufzufassen”.

impact “was lessened by the contradictions in [the EU’s] cognitive logic for regulating
movement of people.” It is relevant to notice that Grabbe refers to the flow of people
with particular reference to the concept of ‘Europeanization’, even though in 2007
Enrica Rigo still could argue that “the citizens of the new member states did not benefit
from the ceasing of the internal boundaries of the Schengen space”, as the workers “are
not allowed to circulate for a transitory period going from two to seven years” during
which they are therefore left to the regulations of the national policies: for this reason,
Rigo concluded that their accession to the European citizenship “was limited exactly as
regards its most meaningful content: the freedom to circulate and settle in the other
member states”. And yet, she does not reject the concept of Europeanization in the
field of migrant policy: in fact, she points out how this adjustment to a common
framework of reference by the state legislations is particularly clear as regards the
“increasing interpenetration of criminal and administrative institutes” concerning the
migrant policies of “recently admitted and still candidate countries”: in this sense, it is
understandable why Helen Grabbe concludes, as regards the migratory aspect, that the
Europeanization “can also involve changes in the logic of behavior [by the new member
states] driven by the absorption of EU norms, attitudes, and ways of thinking”, then
arguing that the changes that follow “a logic of appropriateness” may have worked, in
the case concerning the movement of persons, “in parallel with the logic of
consequences”.

36 H. GRABBE, Regulating the Flow of People across Europe, in F. SCHIMMELFENNIG and U. SEDELMEIER (eds),
151-152.
38 Ibid., p. 143.
However, there is a further aspect pointed out by Enrica Rigo which should be related to the outcomes of this inquiry: such aspect consists in the diachronic implications of the migratory process in the course of the eastern enlargement of the European Union. In particular, Rigo makes it clear that, compared to the citizens of the old member, those of the new ones enjoy “a statute of semi-citizenship” within the European legal framework, as their freedom of circulation and settlement is limited, making them dwell in a “waiting room” during the completion of the accession: hence Rigo’s considerations on the “transitory” condition of Central and Eastern Europe, which – she argues – makes the migrants experience a situation that is even contradictory as regards the “globalized” temporal dimension of the European project, representing in fact a “counter-time” (contretemps) of it.\textsuperscript{40}\textsuperscript{\footnote{E. RIGO, Op. cit., p. 153. In particular, Rigo refers to specific temporal features of the migrants’ lives such as the waiting time for the attainment of a juridical status such as the permanent residency.}} In particular, Rigo refers to specific temporal aspects that characterize the migrant’s lives, such as the waiting time for the attainment of a juridical status like that of permanent resident, or the period of residence required for the naturalization. It is obvious, then, that the time represented by the lives of the migrants is not specifically historical, but nonetheless it should be noticed that their “\textit{pro tempore}” conditions certainly represent a peculiar breach in the ‘imposed’ contemporaneity that we have seen as the main features of the European sovereignty, and therefore add a further meaning to the definition of the European citizens – in particular those of new member states such as the Central and Eastern European one – as ‘openings’ of the sovereign logic.

And yet, once again, this definition as ‘openings’ implies both the possibility to contribute to the preservation of this supranational order and the risk of annihilating it. The individuals caught in the historical arrest caused by a political power embodying a
philosophy of history keep being as well the potentiality that could force history to move beyond such paralysis (such constant déjà vu). In other terms, because of their role, they keep having the opportunity to constitute the world they live in, and, whereas the sovereign action on the aspect of language (and, consequently, on its influence on the interpretation of history) does not only condition the comprehension of the political events and phenomena in the state system, but rather the historical and linguistic “being-in-the-world” of the individuals that compose the body politic, its reliance on the individuals as the openings of its own logic makes the individuals themselves the ones who can decide the outcome of this transition. In this respect, therefore, it is worth reminding what Gadamer writes in his *Wahrheit und Methode*:

> Die Sprache ist nicht nur eine der Ausstattungen, die dem Menschen, der in der Welt ist, zukommt, sondern auf ihr beruht, und in ihr stellt sich dar, daß die Menschen überhaupt Welt haben. [...] Nicht nur ist die Welt nur Welt, sofern sie zur Sprache kommt – die Sprache hat ihr eigenes Dasein nur darin, daß sich in ihr die Welt darstellt. Die ursprüngliche Menschlichkeit der Sprache bedeutet also zugleich die ursprüngliche Sprachlichkeit des menschlichen In-der-Welt-Seins.41

Just as the sovereignty that has been the object of this inquiry has stemmed from the awareness of the historical conscience for the political legitimacy, the individuals have to attain the awareness of the historicity of their role: as Ricœur once stated, this is the question that does decide on the very existence of the achieved being.

> On voit à quel degré de radicalité le problème de la compréhension et celui de la vérité sont portés. La question de l'historicité n'est plus celle de la connaissance historique conçue comme méthode ; elle désigne la manière dont l'existant « est avec » les existants ; la compréhension n'est plus la réplique des sciences de l'esprit à l'explication naturaliste ; elle concerne une manière d'être auprès de l'être, préalable à la rencontre

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It has been said that the individuals acting under this kind of sovereignty are actually the ‘openings’, the ‘disclosures’ of the logic enforced by the sovereignty itself. And yet, the incompleteness that characterizes this sovereignty, as long as the very fact that we are experiencing a moment of passage, ultimately means, at the same time, that individuals can be both the definitive fold of this logic and the cause of its crisis: as Merleau-Ponty once wrote, “Je ne suis donc pas, selon le mot de Hegel, un « trou dans l’être », mais un creux, un pli qui s’est fait et qui peut se défaire”.

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42 P. RICŒUR, Existence et herméneutique cit., p. 13.
APPENDIX

The coming Carnival

L’eau est faite « pour soutenir ces prodigieux édifices flottants que l’on appelle des vaisseaux »

FENELON

Openings. Undecidable expressions of the logic whose historicity lies ultimately in their decisional power. The individuals under the form of sovereignty described in this inquiry are caught in the contradiction of a present that is as persistent as intrinsically unachieved, constantly deferred in its definitive realization and overcoming. More importantly: displaced, historically more than spatially. The migrant paradigm drawn from the normative contradictions emerged as the European Union tried to regulate the possible movement of people from Central and Eastern Europe following the definitive accession of the new members has provided a vivid image of the transition that is occurring in contemporary politics, at least on the European territory.

The end of this transition, however, depends on the individuals themselves. Whereas they are certainly caught in what Ernesto De Martino would call a ‘cultural apocalypse’, namely a situation of radical displacement from a certain historical condition, the individuals have the ability to act historically and produce their world out of the potentiality they represent. They already did it, and the birth of political modernity occurred exactly as the result of displacement. During the historical period preceding the modern political age, namely the Middle Age and the Renaissance, the displacement was indeed a common feature for the lives of many individuals, who could be urged by
their economic circumstances to leave their birthplaces in order to gain their living as vagabonds. More importantly, the presence of so many individuals sharing this condition was not only an outcome of the historical situation, but represented instead—a constitutive feature of the logical system of the age. As Piero Camporesi argues in his *Libro dei vagabondi*, there was a strict connection between the presence of the vagabonds and the Christian principles on which the political institutions rested: “[t]he poor represented, indeed, a sort of social medicine for the rich and, for the less poor, an inexhaustible exercise of charity; not only did the alms annihilate the sin, but, as John Chrysostom had written, it was believed that the miserable beggars huddled together in front of the doors of the churches were the healers of the soul”.¹

These tendency, however, could not hinder the strictly connected rising of an undesired phenomenon: the presence, among the beggars, of people who actually were false beggars (*validi mendicanti*). As a matter of fact, it was common for some people who did not have any real hindrance that could exempt them from regular work, to benefit from the fact that the Church Fathers had set the “indiscriminate charity” above all, that is, even above the intrinsic possibility of theft, violence and fraud. Such people, in fact, represented a real problem for the administrative, earthly authorities, as the harsh punishments disposed even by the Code of Justinian show.²

The difficulty represented by the vagabonds for the earthly authorities of the Middle Age and the Renaissance, however, stemmed also from an aspect concerning the general culture. As for the post-modern Europe, the extreme mobility of the individuals in the Middle Age could not avoid to be felt as the image of the “recurring sense of general

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insecurity” that pervaded the age and made foolishness be deemed as one of the main characteristics of the human world, something that ultimately resulted in events such as the Feasts of Fools or the Carnival. More specifically, as observed in the second chapter by referring to Koyré’s *From the Closed World to the Infinite Universe*, the scientific development that had begun in the 15th century was gradually changing the idea of the relation between the individual and the world, especially by making the role of God unnecessary for the functioning of the universe. It was therefore consistent for the men of the Renaissance to look for a reform of the said relation, as Ernst Cassirer clearly argues:

What characterizes and distinguishes the Renaissance is the new *relationship* established between individuals and world, the form of community established between the men and the world. They face a new concept of the physical and spiritual universe, which urges a new intellectual and ethical need, which requires an inner transformation, a *regeneratio*, a *reformatio*. What the Renaissance goes looking for is an elevation and a strengthening of the Self, through which it be possible to take part in, and to become capable of, the contemplation of the cosmos.

This feeling may have been felt in a more specific way by the scholars, who, nonetheless, by means of their work expressed the popular drives coming from the perception of the change that was occurring. It is in this sense that events such as the Feasts of Fools or the Carnival acquire their main relevance: they were the response of the multitude to the necessity of regeneration and, as such, they represented the real threat to the survival of the political sovereignty that governed the multitude. This can

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3 Ibid., p. XXXI.
be perceived with peculiar acuteness in Rabelais’s work, whose satirical device, as Mikhail Bakhtin repeatedly remarks, is not aimed just at debunking the claims of the established power, but is rather essentially dedicated to a regeneration: “every hit inflicted to the old world helps the new one to get born”.\(^5\) It is the Carnival, in particular, which allows the people to enact this regeneration, as the Renaissance’s Carnival,

in opposition to the official feast, was the triumph of a sort of temporary liberation from the dominant truth and from the existing regime, the provisional abolition of all hierarchical relations, of the privileges, the rules and the taboos. It was the authentic feast of time, of the becoming, of the alternation and of the renewal. It opposed to every perpetuation, to every definitive character and to every end. It turned its glance to the unaccomplished future.\(^6\)

And, if it was able to turn its glance to the unaccomplished future, it was because the Renaissance’s Carnival was a moment in which the people that participated to it were able to engender history: whereas it could be questioned whether Bakhtin’s approach is influenced by Koyré, his description of the historicity of the popular feast in the Middle Age and the Renaissance echoes remarkably the one provided by Koyré for the Hegelian \textit{jetzt}, which denies itself in its being oriented towards the future.\(^7\) At a first glance, the dynamics of the popular feast seems to be Hegelian \textit{ante litteram}.

Some aspects, however, must be pointed out. The world that expresses itself through the popular feast is not characterized, as such, by the dialectical movement that allows it to gain historicity. On the opposite, it is perceived as the intertwinelement of several conflicts: this is true not only for Rabelais, but also for the Italian writer Giulio Cesare


\(^6\) \textit{Ibid.}, p. 15.

Croce, for whom the “perspective of the world” was actually characterized by the “intertwining of contrasts and oppositions”, so that “life occurs in a climate of permanent conflicts”. 8 In Rabelais, it can be said as well that a conflictive reality is at the base of his point of view, but it must be noticed that he makes the conflicts converge towards a centre that is able to transform them into history. This centre is the body: first as the human body, and then as the body politic.

According to Bakhtin, indeed,

[all] the phenomena and the things of the world, from the stars to the elements, abandon their old place in the hierarchy of the universe and direct themselves towards the horizontal and unique surface of the world in becoming, look for themselves new places on this surface, form new bonds and create new proximities. And the centre around which the gathering of all these phenomena, things and values takes place is exactly the human body which reunites in itself the immense variety of the universe. 9

And, as for the body politic, it is the popular feast that makes it unite and, more importantly, historic:

But this unity did not have here a so simply geometrical and static a character, but was rather more complex, more differentiated, and, what is more important, it was historic. On the public place of the carnival, the body of the people feels above all its own unity in time, therefore, it is not a static image of its own unity (eine Gestalt), but the unity and the continuity of its own becoming and of its own growth. 10

This multiplicity lies, ultimately, at the basis of the grotesque effect that the images portrayed in the work of Rabelais conjure up. It is only by understanding the historic

10 Ibid., p. 279.
power of the converge of conflicts contained in them that it is possible to understand why they look so “deform, hideous and outrageous”, as Bakhtin describes them: it is because they are seen from a “classical” esthetical point of view, namely an esthetics “of the objective reality that is already given and accomplished”, which is historically overcome by them.\footnote{Ibid., p. 31.}

In the popular feast, in the carnival of the Renaissance, therefore, the multitude finds its own unity and is able to defy the stillness of the political power of its present – a stillness that, it must be recollected, could be considered as the expression of the restraining historical power of the Christian empire during the Middle Age, at least according to Schmitt.\footnote{In this sense, Schmitt (Der Nomos der Erde, Berlin, Duncker & Humblot, 1974, p. 29) argues indeed that “[A]s Reich des christlichen Mittelalters dauert solange, wie der Gedanke des Katechon lebendig ist”.} By doing this, it is even possible for the multitude to acquire a sort of counter-institutional form, as in the case – by turning back to the issue of the vagabonds – of the community of the cerretani. As a matter of fact, in addition to the popular representations of the unstableness of the world in which the individual had to live, the issue of the vagabonds got institutionalized soon. It is relevant to notice that this ‘counter-institutionalization’ was consistent with the system which had expressed a close bond between the beggars and the Christian principles on which the legitimacy of the institutions rested: whereas this bond had led to the birth of religious orders such as the mendicant ones, at the same time there emerged irregular communities such as the cerretani, whose organization is described by Camporesi exactly as “a malign semblance of antichurch, a grotesque ecclesiastical simulation built on fraud, mystifying the sacred, thriving with the name of God on the lips upon the miseries and weaknesses of the rest of the humanity, gigantic parody of the Church of the poor”.\footnote{P. Camporesi, Introduzione, in ID. (ed), Il libro dei vagabondi, cit., p. I.II.} Apart from their

\[\text{\footnote{11 Ibid., p. 31.}}\]
\[\text{\footnote{12 In this sense, Schmitt (Der Nomos der Erde, Berlin, Duncker & Humblot, 1974, p. 29) argues indeed that “[A]s Reich des christlichen Mittelalters dauert solange, wie der Gedanke des Katechon lebendig ist”.}}\]
\[\text{\footnote{13 P. Camporesi, Introduzione, in ID. (ed), Il libro dei vagabondi, cit., p. I.II.}}\]
Rabelaisian grotesque character, what distinguished these community was the adoption of a specific language, which implied a development with respect to the official language of the Holy Roman Empire. As Camporesi remarks, unlike the false beggars, the cerratani were the outcome of a specific historical situation, and in particular of the crisis that afflicted the Church in the fifteenth and sixteenth century.14

Consistently, even though (or perhaps exactly because) the sixteenth century saw the rising of other beggars’ organizations that proved to be able to oust the cerratani, those years witnessed the development of a language that was soon to become the object of interests also for writers such as Luigi Pulci or Pietro Aretino: the lingua “zerga” or furbesca, namely the ‘secret’ distortion of the official language that from then on characterizes the clandestine organizations as their jargon (or argot).

Language in the carnival literature, however, does not need to be an esoteric lexicon in order to subvert the political power of the present and allow the historic action of the multitude. An example is provided by the literary works of Giulio Cesare Croce, whose main characters Bertoldo and Bertoldino cannot use a jargon, since they speak directly to kings and queens, but are able nonetheless to subvert the power of the latter. More specifically, Bertoldo is able to impose his popular wisdom on the authority of the king, but, as Piero Camporesi notices, there are no real subversive effects in his discursive action, which downsizes the sovereign without actually ousting him; quite paradoxically, this effect is attained with the character of Bertoldino, the son of Bertoldo, who, far from sharing the wisdom of his father, is able to subvert the power of the sovereign by obeying his orders literally, to the point that they result contradictory or without meaning. As a matter of fact, Camporesi notices that Bertoldino’s “inability to grasp the signs of the historical reality, the forms of power and the symbols of the hierarchy”

14 Ibid., p. LVIII.
makes for the “destruction of the social values”, namely for the “orgiastic carnival chaos” which is

the moment of the latency of the pre-formal, of the undifferentiated, the confused moment that follows a death and precedes a new birth, a new man, a new cycle, a new year, a «new world».

More specifically, the subversion operated by Bertoldo and Bertoldino stems from the adoption of the official language of the sovereign power and the exasperation of its intrinsic contradictions and inconsistencies: a rhetorical device of the carnival literature that, perhaps, was brought to its most extreme consequences by Ulrich von Hutten and other humanist scholars through the literary work known as the *Epistolæ obscurorum virorum*, which actually used the device to carry on a real political strife. It is known, indeed, that the *Epistolæ* were written in order to support Johannes Reuchlin against the Dominican scholars of Cologne, who in 1509 had obtained the authorization to destroy all Jewish books from Holy Roman Emperor Maximilian I: in this dispute, von Hutten and the other humanist scholars forged letters of support for the latter (that is, the Dominican monks) in which their opinions were actually ridiculed by “parodying the quibbles of the late Scholasticism” and by “citing, consistently and more preferably inconsistently, from the holy scriptures and from stale university handbooks”, furthermore in a “terrifying language, a miswritten Latin filled with solecisms and German constructs, without consecutio temporum, without an infinitive” – rather the opposite of the letters of support received by Johannes Reuchlin from distinguished humanists, the *Epistolæ clarorum virorum*. A “mimetic satire”, as David Friedrich Strauss

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defined it,\textsuperscript{17} meant to prove the shallowness of the Dominican scholars by exacerbating the ignorance and inconsistency on which their accusations rested.

Moreover, the \textit{Epistolae} are relevant as their linguistic operation, which took place on the threshold between the decline of Latin and the rise of the German language, was actually representative of a political passage, namely the one from the Middle Age institutions (namely empire and papacy) to the nation-state. In Rabelais it can be said something similar, since Bakhtin points out that the modern novel, of which \textit{Gargantua et Pantagruel} is representative, appears on the border on which both the dying and the rising languages watch each other directly and recognize in each other their own limits and possibilities: such border is indeed “perceivable with regard to everything, to every notion, to every point of view” because “two languages are really two conceptions of the world”\textsuperscript{18} – starting from their very foundations, if we are to remind that passage by Merleau-Ponty in which it is remarked that Latin was founded on declinations, while French rested on the proposition.\textsuperscript{19} To Rabelais, according to Bakthin, this difference was particularly clear, as “[i]n the limits of the system of medieval Latin, which levels everything, the \textit{traces of time} get lost almost completely, the conscience lived here as within an eternal and immutable world. In this system it was extremely difficult to be able to perceive time (as well as, incidentally, space, etc., namely feeling the originality of one’s own nationality and one’s own province)”.\textsuperscript{20}

As a matter of fact, it could be said that the linguistic strife between medieval Latin and rising national languages, which took place with particular harshness in the carnival literature, was actually the expression of the strife between two forms of political power,

\textsuperscript{17} Cited in \textit{ibidem}.
namely the medieval and the modern one: the empire and the papacy against the royal and national state. According to Rabelais, indeed,

the royal power was the embodiment of that new principle to which the immediate historical future belonged, namely the principle of the nation-state. It is for this reason that he was hostile both to the papal claims and to those of the empire about a supreme supranational power. In the claims of the pope and of the emperor, he glimpsed the agonizing past of the gothic centuries, while he considered the nation-state as the new and young principle of the historical life of the people and of the state.\(^{21}\)

In this sense, the grotesque that characterizes the works of Rabelais becomes the paradigm of a literature that expresses the transition that is taking place during the Renaissance. The immense and lively nature of Rabelais’s characters, just like the rising of the cerretani and of their competitors, the ‘tricks’ and ‘simplicities’ of Bertoldo and Bertoldino, or the deformity of the Epistolae, represents the irrepressible energy of a historical conscience that cannot be retained within the worn-out limits of the ‘historic power’ that would like them to remain within an eternal present: it is, in Aristotelian terms, the expression of a potentiality whose energêia is accumulating and deforming the meaning of the institution that is meant to limit it in order to deflagrate. As remarked by Ricoeur, it is under the pressure of the laugh stemming from the carnival literature that the distance which divided the “perfect past” of the medieval epic from the collective experience of the present collapses, abolishing de facto the difference between a “low” and a “high” literature: with the literary movement culminated in Rabelais’s work, a momentous turn occurs, placing the writer, his characters and his readers at the same historical level.\(^{22}\) In this sense, we can cite once again Bakhtin by saying that in the

\(^{21}\) Ibid., p. 498.
\(^{22}\) P. RICOEUR, Temps et récit II. La configuration du temps dans le récit de fiction, Paris, Seuil, 1984, p. 228.
carnival literature there emerges a “new historical conscience, concrete and realist, which is not an abstract idea of the future, but the living perception that each human being has of his being part of an immortal nation, which creates history”.23

Carnival literature and satire in the Middle Age and the Renaissance might appear, therefore, as one of the most vivid expression of the new historical conscience that concurred to the overcoming of the established kind of sovereignty (a kind of sovereignty, again, that was concerned with the permanence of its own historical preconditions) and the affirmation of a new one, that of the modern nation state. What is crucial in the expression provided by this peculiar literature is the use of language that can be found in it, which reflects the passage it witnessed not just by rejecting the old linguistic framework, but rather by bringing it to its most extreme consequences through the use of the grotesque, and then by letting the new linguistic framework emerge from it as the inevitable new historical principle.

Only then, apparently, this movement that precedes the advent of the state can be followed by a rejection of everything connected with the old principle of sovereignty, as for the work by Rabelais, which with the modern political age got undeniably neglected by the artistic expressions related to the thought of the new, bourgeois Europe. As a matter of fact, as Bakhtin notices, the grotesque even loses its comical connotation, to the point that Hegel (just to stick to the main subject of the inquiry) never considered it from this perspective, but rather only as the expression of the pre-philosophic conditions of the spirit.24 And yet, if the people may succeed, as the embodiment of the Volksgeist, in establishing a new juridical order in the form of a national institution, an important role should be acknowledged to its cultural manifestations, among which the

24 Ibid., p. 4.
carnival expression was certainly not the least important. In particular, consistently with the regenerative dynamics described by Bakhtin, it could be even argued that the carnival literature helped the people express its own annihilation as a community belonging to the former sovereign order with the aim of acquiring its new historical form under renewed linguistic, and logic, conditions. After all, in the restricted economy of Hegel’s dialectics, it is laugh that exceeds the sense on whose conservation such economy is focused: “[J]e rire seul excède la dialectique et le dialecticien : il n’éclate que depuis le renoncement absolu au sens, depuis le risqué absolu de la mort, depuis ce que Hegel appelle négativité abstracte”. And Derrida, by citing Bataille, reminds that the excess is par définition what lies outside reason.  

It is this excess, this laugh, that ultimately marks how it is ultimately the community that decides the historicity of the political power: “Cet éclat du rire fait briller, sans pourtant la montrer, surtout sans la dire, la différence entre la maîtrise et la souveraineté”, argues Derrida by referring to Bataille, as he illustrates how the Hegelian system is deeply affected by the absence of laugh in it, a deliberate absence (“Hegel s’en débarasse à la hâte”, writes Bataille) that makes the system forced to fold on itself. In this respect, therefore, it is not surprising that some of the main elements of the carnival literature did emerge again once the forms of modern politics met their deepest crisis by increasingly recognizing their own conditionality: “aucune logique désormais ne commande le sens de l’interprétation, puisque la logique est une interprétation”, is (according to Derrida) the precondition to subvert Hegel’s interpretation, and this subversion is possible only once the sovereignty (souveraineté) is allowed to make reason convey within “ses bordures illimitantes de non-sens”.

26 Ibid., p. 377.
27 Ibid., p. 382. It is interesting to notice that Derrida defines the laugh in philosophy (le rire en philosophie) displaced (déplacé).
This inscription of history and reason within the framework of a non-sense, that is, within the moment that defines the definitive renouncement to the sense of the historical discourse. This is exactly what happens in the case of the literary work by Jaroslav Hašek, in the period between the First and the Second World War.

It is in Hašek’s masterwork *The good soldier*, indeed, that both the subversion of logic by means of laugh and grotesque accumulation and the issues of displacement and transition (which were particularly felt in Central and Eastern Europe after the First World War, as explained in the first chapter of this inquiry) find their ultimate culmination. In this unaccomplished book – a book that could have lasted forever, just like the saga of *Gargantua and Pantagruel* – the antimilitarist critique seems to be just the most noticeable aspect of what is an actual reversal of all the principles of the modern political logic, starting exactly from the role of the individuals. Already from the preface, indeed, Hašek immediately rejects the traditional distinction between heroes and simple men:

Great times call for great men. There are unknown heroes who are modest, with non of the historical glamour of a Napoleon. If you analysed their character you would find that it eclipsed even the glory of Alexander the Great. Today you can meet in the streets of Prague a shabbily dressed man who is not even himself aware of his significance in the history of the great new era.28

These opening lines already are meaningful as regards our inquiry, since they implicitly reject the role of the Hegelian *welthistorische Individuen* in the post-modern age, the “great

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28 J. HAŠEK, *The Good Soldier Švejk*, New York, Knopf, 1993, p. 3. The same concept will be made clearer already in the first chapter, in which Švejk’s maid exclaims “So they’ve killed our Ferdinand!” and Švejk replies without understanding that she is speaking of the archduke Ferdinand, asking instead whether she is speaking of Ferdinand the “messenger at Průša, the chemist’s” or of “Ferdinand Kokoška, who picks up the dog manure”.
new era”: as in Rabelais, according to Hašek history is made by the individuals belonging to the people, who – like vagabonds – stroll across the land, instead of being the unconscious objects of the wandering development of history. And Švejk strolls, indeed, as proven by the famous anabasis that leads him all around South Bohemia in order to find his battalion, that has been moved to České Budějovice: a long road along which everybody tries to dissuade the protagonist from rejoining his battalion, causing a flow of anecdotes and paradoxes that focus, in the end, on the absurd situation of the individuals in that common situation of political modernity that is war among states – and especially in the exacerbation of it represented by the Great War.

It is exactly this slavish obedience to the law, which could be even perceived as a parody of what is perhaps the central point of Hegel’s political philosophy (as it is in the rules of the state that, for Hegel, the individuals meet both their freedom and their necessity), that in the work of Hašek becomes the fulcrum of its intrinsic satiric critique: a critique that Hašek had already even brought to real life already in 1911 as he presented himself for the Austro-Hungarian elections of that year as the candidate of the “Party for the moderate progress within the bounds of the law”, which he himself had founded. Consistently with what his character would have done later in his novel, Hašek had set himself the goal of adhering to the principles of the established power so closely that the result would have been to make its rationality result grotesque.29

Hašek’s satirical critique is relevant, then, because it directs its laugh against a political system in which the individual is meant to live and is nonetheless constantly displaced, just like Švejk, who is urged by the laws to abandon his peaceful bourgeois life and join

29 Quite interestingly, it could be noticed that the ‘party’s discipline’ already mentioned the theme of the displacement, as Hašek reported of a pilgrimage inflicted to some new members as an “apostolic activity”, who nonetheless turned into comical scrapes: J. HAŠEK, The Red Commissar: Including Further Adventures of the Good Soldier Švejk and Other Stories, London, Faber and Faber, 2011, p. 256ff.
the army, or like Franz Kafka’s characters, whose tragedy lies exactly in the abrupt annihilation of their certainties. An anarchist writer, Hašek actually lived and worked in Prague at the beginning of the twentieth century, and his work may be really considered as the counterpart of that of his fellow citizen and contemporary Kafka: as Angelo Maria Ripellino remarks, the direction undertaken by Josef K. as he is brought by two warders towards the Strahov quarries in order to get executed is trodden, in the opposite direction, by Hašek’s good soldier Švejk as he is brought by two soldiers from the Hradčany district towards the Old Town.\textsuperscript{30} For the fate of Hašek’s character is quite similar to that of Josef K.: they are both individuals caught in a logical system to which they are meant to obey and which, nonetheless, remains out of their understanding. And yet, whereas the more Josef K. (as the other characters created by Kafka) try to understand that system, the more they are left without any chance of escape, Švejk is able to survive the horrors of the First World War by doing exactly the opposite, namely by obeying to it literally (just like Bertoldino) up to the point that the inconsistencies of the system itself cannot but emerge in all of their absurdity.

This aspect reveals the relevant difference with Kafka’s idea of literature. As Deleuze and Guattari point out, Kafka’s literature is a “minor” one due to its three main characteristics: “la déterritorialisation de la langue, le branchement de l’individuel sur l’immédiat politique, l’agencement collectif d’énonciation”.\textsuperscript{31} It should be clear, however, that such a literature might end by reflecting the features of the katechon such as observed up to now. A “minor literature”, indeed, reflects the problems of the individuals living “in a language that is not their own”, such as the German Jews in the Prague of the Twenties,

\textsuperscript{30} A. M. RIPELLINO, Praga magica, Turin, Einaudi, 1973, p. 5.

of course, but also as the migrants and of their sons. In this sense, Deleuze and Guattari suggest that there are two ways for this kind of literature to carry out its effort of deterritorialization: either by opting for the ‘dried’ vocabulary of the alien language, which was Kafka’s choice and is described as “[aller toujours plus loin dans la déterritorialisation… à force de sobriété”, or by artificially enriching that language (enrichir artificiellement cet allemand) by drawing on symbolism, even though it might cut out the popular roots of such language. And yet, once deterritorialization has become one of the main characteristics of the sovereign action and individuals get nailed to a specific historical conscience, a third way must be found. Such third way is neither an enrichment of the dominant language by means of original additions, nor its use as a restricted lexicon: on the opposite, it is the reversal of that language by interpreting it within the framework of the individuals’ own lexicon – an exasperation, that is, of the former’s intrinsic logical contradictions, which are intensified up to the point in which it is brought in the “bordures illimitantes de non-sens”. Bertoldino’s reversal of the king’s orders by a re-interpretation of the same words within the alien logic of the country people gets renewed in the modern age by Švejk, who confounds the Archduke Franz

32 Ibid., pp. 34-35.
33 Ibidem.
34 In this sense, Deleuze and Guattari (ibid. pp. 41-45) actually pinpoint the linguistic reflection of what, in the first chapter, has been observed with Bottoni as regards the institutional and administrative framework, namely that “[A] decomposition et la chute de l’empire [des Habsbourg] redoublent la crise, accentuent partout le mouvements de déterritorialisation, et suscitent des réterritorialisations complexes, archaïsantes, mythiques ou symbolistes”, and, in this respect, they write about an “intensive usage” (usage intensif). However, such use is defined “asignifiant” as it is not meant to provide a meaning (and in this sense it echoes the post-historical language described by Kojève), whereas the intensive usage provided by the Carnival literature aims at the deformation of language and words exactly under the weight of their meaning.
Ferdinand with a delivery boy or a collector of dog excrements just because they share the same name.\footnote{“So they’ve done it to us,” said the cleaning woman to Mr. Švejk. “They’ve killed our Ferdinand.” […] “Which Ferdinand, Mrs. Müller?” he asked. “I know two Ferdinands. One is the pharmacist Průša’s delivery boy, who drank up a whole bottle of hair potion once by mistake. And then, I know one Ferdinand Kokoška, who collects dog turds. Neither one would be much of a loss.”}

This was how Carnival literature in the pre-modern period became able to contrast the ‘historical power’ of the imperial sovereignty and made history progress; this is how Hašek’s good soldier Švejk is able to survive the absurdity of war, unlike Kafka’s characters, who cannot escape the absurdity of their own society. Whereas a resigned Josef K is conducted by the embodiments of the sovereign logic to his capital punishment, in the opposite direction Švejk supports (by re-interpreting it) that same sovereign logic and willingly heads towards the destruction of the old world he belongs to. Josef K. dies under the violence of the sovereignty, Švejk lives on its debris: it is clear who holds a real historical power.

However, if Hašek’s good soldier Švejk represents the possibility for the individual to manage the crisis of the modernity that was occurring in the part of Europe emerging from the collapse of the Austro-Hungarian empire (thus providing a different point of view not only with regard to Kafka, but also to Joseph Roth), it cannot be neglected that such crisis was taking a more dramatic turn where the modern nation-state had already been established, namely in the neighboring Germany. The kind of answer stemming from the roots of carnival literature and satire was, consequently, very different. As a matter of fact, already during the Twenties, the stages of the cabarets in Berlin were the place where a certain grotesque satire was enacted. Such satire, whose main representatives were Karl Kraus and Karl Valentin, was different from Hašek’s, although it worked as well by accumulation in order to make the horror of the present
situation perceivable: as a matter of fact, whereas the latter made even the most humble individual capable of altering history, the satire of Valentin and Kraus rested on the laugh of desperation stemming from the feeling of impotence in dealing with a dramatic matter, such as it will be for the jokes the prisoners of the concentration camps (camps whose first implication was a deportation, a displacement) told to each other: a laugh called ‘green laugh’. The paramount example for this kind of satire is the famous statement with which Kraus opens his *Die dritte Walpurgisnacht*: “*Mir fällt zu Hitler nichts ein*”. And yet, in the silence declared by those words, the roar of upheaval could be nonetheless heard: the ‘silence’ of language against the acts of the sovereign ‘historic power’ (which in Kraus’s case was the Nazi dictatorship), the roar of the still unexpressed potentiality against the actuality of the sovereign power, the difference between the mastership (*maîtrise*) of the institutional logic and the sovereignty (*souveraineté*) that reverses the sense of that logic. Walter Benjamin described it as “*ein gewendetes Schweigen, ein Schweigen, dem der Sturm der Ereignisse in seinen schwarzen Umbang fährt, ihn aufwirft und das grelle Futter nach außen kehrt*”.

Both in Švejk’s slavish obedience and in Kraus’s irreverent silence, however, there may be found a common feature, namely the permanence of their opposition to the established historic power at the stage of potentiality: as a matter of fact, they let the sovereign power express its own contradictions by itself instead of establishing an actual alternative logic. As individuals involved (fictitiously or not) in the logical and gnoseological orders that the historic power is meant to preserve against the world’s becoming, it is exactly as ‘openings’ of such logic that their fundamental role emerges with all its critical implications. In particular, the fact that the actuality of the sovereign

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logic is not just urged to cope with, but is even expressed through, a potentiality that stems from its own order should make it clear that even a power that is meant to retain history cannot give room to claims for an end of history as such: on the opposite, as has been repeatedly observed with reference to the concept of *katechon*, the very presence of such power makes it at least for the possibility of its getting overcome.

This is particularly true if we think of the already mentioned description of the historical *Vollendung* provided by Kojève in his interpretation of Hegel’s *Phenomenology of Spirit*. According to Kojève, the end of history can be described as an “eternal present” in which human language has been supplanted by an animal one, a speech without content exemplified either by the ‘American way of life’ or by the achieved formalization of the values in Japanese society. Whereas it has been remarked that this is a deviant interpretation with respect to what Hegel really wrote, it must be hereby also remarked that it does not fit with the kind of historical situation analyzed in this inquiry, either. On the opposite, the historical power that is meant to ‘arrest’ history rests exactly on a logic that is meant never to be ultimately formalized and to reflect the world’s becoming by insisting on linguistic creativity.

And yet, it is in such linguistic creativity that lies also the potentiality for the overcoming of the present historical situation. The concepts that define the action of the historical power, such as the *phronesis* as the form of wisdom that exceeds the *episteme* of the modern sovereignty or the *kairos* in which it is possible to establish the ‘sovereign’ interpretation may be used also by the individuals to undertake a creative action through language. This is, at least, the suggestion contained in Paolo Virno’s reflection on the subject of witticism (*motto di spirito*), according to which this particular use of the language denotes a “subnormative” creativity, namely a creativity “manifesting itself only in the lateral and incorrect [improper] pathways we happen to inaugurate while we to
strive to stick to a specific norm”.\textsuperscript{38} In particular, Virno highlights in the opening pages of his short essay that the witticism denotes a certain ability to grasp the event of contingency, by understanding its singularity, and to do it in the right moment. By doing it, the author of the witticism – as well as the audience that is listening to him – is able to discard the \textit{énodoxa}, the “opinion and beliefs shared by the community”.\textsuperscript{39} Whereas the \textit{énodoxa} may represent the necessary background for the linguistic action of the individual (to the point that Virno defines them as “the \textit{grammar} of a form of life”), and can be identified, therefore, with the conditions that define the historical interpretation (possibly the “\textit{événements dont, encore un fois, nous ne pouvons pas dire si nous les avons produits ou s’ils nous arrivent simplement}”), the witticism is meant to take them into consideration only in order to “corrode them from the inside”, to “reveal the disputableness [\textit{opinabilità}] of the opinions underlying discourses and actions”:\textsuperscript{40} to prove that any understanding of history, even though dominant, is just a ‘hermeneutical operation’. With the witticism

[the human praxis settles itself in the field of contingency. […] The witticism, as diagram of the innovative action, does not limit itself, however, to work effectively in contingent situations, but explicitly focuses on the contingency of all the situations (and of the same \textit{énodoxa} that prescribe the way to cope with them. In other words: the witticisms shows clearly how “what might be different from how it is” would look if it really were different from how it is.\textsuperscript{41}]

In this sense, the literary outcome of the peculiar situation represented by the historical arrest reveals how it ultimately can become a moment in which man redefines himself as such. As a matter of fact, with reference to the strife between an established

\textsuperscript{38} P. Virno, \textit{Motto di spirito e azione innovativa}, Turin, Bollati Boringhieri, 2005, p. 11.
\textsuperscript{39} Ibid., p. 30.
\textsuperscript{40} Ibidem.
\textsuperscript{41} Ibid., p. 33.
reason and its subversion as the ‘evil’ (against which the katechon stands), it can be
noticed with Camporesi that even the assumption of the carnival culture by the
aristocratic one in the course of the Renaissance – the foremost example being
Erasmus’s Praise of Folly – certified “the bankrupt of the privileged image of the man as
elaborated by the humanist culture”. The “homo quidam dens”, Camporesi notices, woke
up dressed in the raw tissue of Bertoldo, and “the human face, shaped after the divine
one, found itself counterfeited by the mask, eerie and sneering object inspired by the
enemy of God”.\textsuperscript{42} Man, therefore, far from being reduced with his linguistic potentiality
to a situation of repetitiveness (be it that of the animals or that of a formalized rituality),
not only can emancipate himself historically by means of his creative use of language,
but even bear, as Camporesi argues by referring to the Carnival, the mask of the
ultimate evil for the political order in which he lives – namely the mask of the historical
overcoming of such order. And yet, what is perhaps more interesting due to the paradox
it causes, among the main embodiments of this redefined humanity stands, as we have
observed, the vagabond, and, as Camporesi remarks, “still for many years,
notwithstanding all, the beggar (be it true or false) remained for the good people and the
good religious «man of God»”.\textsuperscript{43}

Of course, however, the historical periods are really different. The period in which the
vagabonds acted was pre-modern: as noticed for Rabelais and Croce, the role of the
individuals as members of the popular community was to push for the overcoming of
the medieval political present through the emergence of the modern nation-state; as for
their role in a Hegelian historical consideration, it has been already observed that the
grotesque is a “pre-philosophic” expression of that Sprit that is objectively embodied
\textsuperscript{42} P. CAMPORESI, \textit{La maschera di Bertoldo}, Milan, Garzanti, 1993, pp. 79-80. Camporesi also cites T.
Garzoni, according to whom the first mask ever was “undoubtedly” that of the “black angel”.
\textsuperscript{43} P. CAMPORESI, \textit{Introduzione}, in ID. (ed), \textit{Il libro dei vagabondi}, cit., p. LXXXI.
exactly by the state. What is, then, the role of the grotesque, of the Carnival literature, once the state has been not only already established, but is even involved in a process that might overcome it? The period in which Hašek could make his Švejk stroll around Central and Eastern Europe while Kraus and Valentin were forced to draw laugh from tragedy was the one indeed in which the last remnants of the pre-state institutions had been wiped away while, nonetheless, the nation-state was already coping with the reasons that would have urged the European leaders to look for a supranational authority once the Second World War had ended. There seem to be, however, aspects that might remind the pre-modern condition of men, such as the displacement (historical more than physical) that strikingly emerged in the course of the Eastern Enlargement as one of the main features of the individuals in the European Union, and the connected, albeit quite paradoxical condition that makes them both necessary and dangerous for the political system in which they live.

As a matter of fact, the final chapter of this inquiry has pointed out the fundamental role of the individuals in making the logic of a new kind of sovereign power function: I have suggested that they should be seen as the ‘openings’ of a logical and gnoseological system that is urged to be unaccomplished if it wants to stand against the risks of the world’s becoming. But I have also pointed out that such risks are actually to be found in the logical and gnoseological community governed by this sovereignty, and whose individuals – as in the case of Central and Eastern Europe in the framework of the accession process – are meant to be displaced, both spatially and historically. In other terms, the condition of the individuals under the kind of sovereignty embodied by the European Union seems to be the one of subjects that must be preserved and, at the same time, negated, a condition that is very close to Giorgio Agamben’s *homo sacer*, as well as that of the medieval vagabonds, ‘men of God’ notwithstanding the danger they
represented for the Christian political order. What is different with respect to the pre-modern age is the emergence of an awareness of the role of the historical conscience in the legitimization of the political sovereignty, something that has found its modern expression only after Hegel’s philosophy of history. The individuals who, according to Bakhtin, were making history in the Renaissance did not have the awareness of it, while the kind of sovereignty that has been the matter of this inquiry urges them to have it, as made clear through the analysis of the discursive aspects of the Eastern enlargement. As a matter of fact, what has emerged is that the field in which the individuals will decide the meaning of their being ‘openings’ is the historic power of logic, and consequently its expression through language.

And yet, it is exactly the historical outcome of the preservation of such logical system that makes for the displacement that affects the lives of the individual in the course of this still open transition. The reason lies exactly in the fact that the role of the individuals is connected with the centrality of the Now (jetzt) for the kind of sovereignty embodied by the European Union. Of course, if we look at the tradition of Carnival and satire, the theme of the displacement is as old as the genre, and can be traced back to the vicissitudes of Lucius in the Metamorphoses by Apuleius (whose last chapter, by the way, illustrates one of the supposed sources of the Carnival) as well as to the True stories by Lucian of Samosata. As a matter of fact, this tradition of parodying the Odyssey pervades the whole satirical tradition, and it can be found in the Fourth book of Pantagruel by Rabelais as well as in Cervantes’s Don Quixote.\footnote{P. Virno (Op. cit., pp. 77-78) even argues that the displacement, meant as exodus, represents the “political experience that marked, with different outcomes, our whole tradition” and, quite interestingly, links it with the witticism by defining as the way in which “instead of choosing what is better to do according to specific basic conditions, one strives to modify exactly these latter, namely the same «grammar» from which the selection of possible choices stems”.
} However, in the post-Hegelian
development of political philosophy described in this inquiry, the displacement occurs preponderantly within a temporal dimension: more specifically, as a deferment of that threshold between potentiality and actuality that is the Now. This is perhaps the main connection between the pre-modern and the (post-?)modern condition of the individuals and their gathering as a community: the overcoming of a historical Now whose overcoming is repeatedly deferred by the sovereign power.

In other terms, if we agreed with the analysis of Kafka’s literature by Deleuze and Guattari, the individuals would be urged by the sovereign power to face their deterritorialization either by shifting from the potentiality of language to the actuality of discourse by diminishing their linguistic possibilities or by adapting them to the dominant language, that is, to the dominant logic. On the opposite, the opportunity provided by the tradition of the grotesque in the Carnival literature would allow to actually transform the state of exception that characterizes the action of the katechon into that “effective” (*wirkliche*) state of exception already invoked by Walter Benjamin in his eighth thesis on the philosophy of history: a state of exception that is not a rule (*die Regel*), namely a formalization that perpetuates the permanence of the Now, but rather the condition under which the creativity of language may allow the individuals to recover the awareness of their historic role and, consequently, of the historicity of their freedom.

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45 In this sense, already P. Virno (Op. cit., *passim*) pointed out the close relation between witticism and state of exception.
JEAN II DE GOURMONT, *Mappemonde dans une tête de fou*, ca. 1575
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Absätze und öffentliche Vorträge

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