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**Political Participation, Pluralist Democracy and Freedom
in the Constitutional State**

Polityczne uczestnictwo, demokracja pluralistyczna i wolność w państwie konstytucyjnym

In an essay on the totalitarianisms of the right, written with precise references to the modern mass democratic societies as well, Erich Fromm wrote in 1941:

"Freedom has a dual meaning for modern man: that he has been freed from the traditional authorities and has become an «individual», but at the same time, he has become isolated, impotent, an instrument of purposes outside himself, alienated from himself and from others; and furthermore, this fact is an attack upon his I, weakens it and cuts it down, disposing him to submit to yet other, new, forms of servitude."

The situation of man's alienation from "himself and from others" in the societies running on the principles of advanced capitalism, the "new forms of servitude" that oppress him, to say it in a word, the radical dearth of freedom in which he lives are at the center of contemporary sociological analysis, whose results — from the criticism of Marx's 'apparent freedom' to the subsequent contributions made by western Marxism (Lukacs, Korsch, etc.), and on up to the most recent "critical theory of society" (Horkheimer, Adorno, Marcuse) surely cannot be summarized here.¹

It is significant to bring out how the topic of freedom has taken on a leading role in the theory and practice of the recent countercurrent phenomena and movements that have emerged in the advanced-capitalism western societies, and, although under different perspectives, even in the area of the most highly-industrialized socialist countries. From this standpoint, the problem of freedom — which at some times has appeared, or has been presented as, a residue of eighteenth century aspirations and strivings (especially within the perspective of

¹ N. Luhmann: *Rechtssoziologie*, Hamburg 1977.

a mystificatory definition of freedom according to bourgeois legal-formal principles as the absolute model, or, anyway, as the only form for comparison) — has come up once again today as the preeminent subject of sociopolitical thought, as the discriminant of progressive movements, as the privileged subject of criticism and of the struggle going on within existing social systems.

It is not by chance that, for example, the students' movement has been characterized by, and took its point of departure from, a topic that, at least in its initial phase, identified in authoritarianism the essential feature of the so-called "high-capitalist" society, and, thus, the summarizing term of the very logic that presides over this kind of society. Authoritarianism — we read in an excellent essay on the students' movement:

[...] "refers firstly to the power structure in social institutions and organizations, that is not made functionally legitimate, and is justifiable only with positions of material interest. In the second place, reference is made on the passive side to the more or less mediated violence exercised on subaltern subjects acting in their several social roles, including the particularly family-type, internalized repression. Finally, reference is made to the general political and cultural climate of the society that is going through a phase of becoming more rational and efficient, which is not ready to tolerate the satisfaction of needs other than those that it itself imposes."

On the other hand, the problem of freedom is posed in no less dramatic terms, even if at a different and higher level, in the socialist countries of Eastern Europe. The higher level consists in the fact that, with the destruction of the material bases of bourgeois domination, certain structural premises for socialist freedom have been laid down. The dramatic lies in the fact that the confiscation of economic power has been historically realized to the advantage of bureaucracy that has substituted for the management of power for the profit of a class the management of power for the "domination" of an élite that has taken on the task of safeguarding the community at all levels, thus reproducing within the heart of the greatest revolution of the modern age historical situations that should have been left behind.

Perhaps the most surprising aspect comes just out of the observation that the identification and the denouncement of the condition of non-freedom involves, even at different levels, socio-economic systems and institutional setups based on structures that are profoundly different one from another or, at least, that appear so to be according to the reference categories or values habitually used in the analysis and comparison of social systems. Thus, and with all due differences taken account of (the condition of slavery of the peoples of Latin America, or of those already subject to Greek or Spanish Fascism, is evidently quite a different thing with respect that have reached a high level of industrialization and of technological development), it may be stated that the theoretical and practical coming to awareness of the radical dearth of freedom can be prospected today at

the universal level, whether as the effective universality of the concrete condition of contemporary man's existence, whether as the absence, within today's historic horizon, of an adequate reference model, whether, finally, as a coming to awareness — that is gradually being disseminated and generalized — of both the one and the other situation. In other words, it has come out that the coming to awareness that we are not living in freedom is taking on today the characteristics, and it may be expected that it will more and more take them on, of a historical awareness: it tends to take shape, on the level of the community or social consciousness, as a true coming to awareness, in the most complete sense of the term, which is to say no longer and not only as an individual moral concern, but rather truly as a practical criticism of the existing state of affairs set going by collective movements.²

In the perspective in which we have been placed here, it is of no interest either to reconstruct the itinerary and the conclusions of the critical theory of society, or to identify the effective conditions of this dearth of freedom, rather, what is of interest is the fact of this diffusion of the coming to awareness of the current lack of freedom, of course taking the term "coming to awareness" in the sense of a practical criticism of the existing state of affairs at the community level. When this comes about we are in the presence of a situation in which the theory-practice circuit has the potential to release all its effects: should this happen, the theoretical results of the social or political search, coming together with the reality of the concrete contradictions that do exist and are experienced within the social system, become politically operational values, that is, which are capable of contributing to establishing a political practice that, while always coming into being from the presence of an effective condition of social conflict, finds in those theoretical results the starting lines orientating its motion, making possible then, in its turn, within the concrete context of social struggle, the creation of new ethical and political values, and of new lines of operation. It is thus that the coming to awareness of the dearth of freedom represents the politically most meaningful aspect of the matter at hand, since it is *de facto* translated, according to its most coherent manifestation, just in the criticism of the existing freedoms and in the search for new dimensions of freedom.

A thesis has been put forth here: we are in the presence of an orientation, one still in its initial and minority phases, of the social or community awareness that is tending to bring back to the center of social and political practice the problem of freedom, as the consequence of a coming to awareness (that is becoming ever more generalized) as to the current radical lack of freedom. The salient aspect of this coming to awareness is its practical-operational characteristic, that is, the translating of it, even if according to procedures that are still vague and confused, into the invention of and the experiment with new liberating practices and new

² R. A. Dahl: *Modern Political Analysis*, Bologna 1967 (Italian translation).

dimensions of freedom, which represent as many proposals and conquests, however as yet limited and unorganically conceived, that are objectively alternatives to the existing social and institutional order. Thus, the coming to awareness mentioned represents, more than a moral or cultural datum, a "political phenomenon", since — as regards that little of it that exists — it takes on the *de facto* characteristics of a "practical criticism of the existing situation."

Man has always stayed at the center of cultural and scientific research and of any discovery. However, it is only in modern times, owing to the confluence of a number of branches of learning (consider the extraordinary developments of a series of sectors of science: from biology to psychoanalysis, to etiology, to sociology, to social psychology, to anthropology, and, then, the economic and political sciences themselves) that we have arrived at the commencement of an overall scientific knowledge of man in his physico-natural reality historically and socially situated, to the point that a new course in science is being spoken of, as well as of a scientific "rediscovery" of man. And it is particularly in these most recent times that the dissemination of this knowledge and of this view of man, the dissemination of it into the common consciousness so as to have become by now an element constituting it, has been exerting its effect not only on the cultural apparatus of the individual, on his beliefs, on his ideal options, but quite as well on community customs and orientations.³

It may be observed, in particular, that the development of scientific cognitions has led to shedding light on the complex of conditionings (bio-psycho, physico-natural, ethnic, historic-cultural, socio-economic, and so on) operating on man, on his operating choices, on his very ways of knowing things — thus determining the collapse of an ingenuous myth of freedom taken, at its limit, as the absolute absence of conditionings — this having led at the same time to identifying with greater clarity what the historic, contingent, and functional characteristic of a dominion or power structure — it too only historically given — may be of a whole series of conditionings deemed earlier as being "natural" and for that same reason not to be eliminated and impossible to get past. The demonstrated historicity of a whole complex of conditionings that imprison man is the equivalent, at the level of the collective consciousness, to the affirmation of its being possible to free oneself from them: the moment when there is introduced into the common consciousness the coming to awareness of the historicity and of the consequent susceptibility of being overcome, at least potentially, of certain conditionings, which coming to awareness that perhaps represents at its start the guiding idea of the action of only a minority group and a fact that is still only confusedly divined by growing areas of the collective consciousness, at this time there opens up a usually unstoppable historic process (even if it is one whose outcome cannot be foreseen, considering the multifarious factors flowing together to bring it about).

³ E. W. Böckenforde: *Staat und Gesellschaft*, Darmstadt 1976.

It may anyway be brought out that the start of such a process already marks, and by itself, a qualitative turning point in the way freedom is represented and in intuitions of it, since it demonstrates the widening out of the sphere of freedom as historically proposable, at least "freedom" in its sense of "freedom from", that is, the liberation from a set of conditionings that are not coessential with the "structural" or "natural" reality of man as historically situated.

I believe that there can be no doubt that one of the fundamental elements of today's incipient awareness of the dearth of freedom consists just in this gap, one ever more felt, between the freedoms that exist today, that is, between the space given, socially and institutionally, to freedom, and the freedoms intuited as historically possible within the framework of a restructuring of the social system, or — in other words — in the gap between the complex of conditionings that appear, at present, to be uneliminatable, and the amount over that of conditionings imposed by society and institutions relative to which, then, the possibility of getting past them, of leaving them behind, is in itself historically proposable.

The phenomenon of the ever more frequent withdrawal of consent by individuals and groups from existing ideologies and institutions (parties, trade unions, churches, etc.) and the contingent phenomenon, even if smaller in extent, of the search for new ethical values and for new political procedures, can be connected to another conquest made by modern culture that begins itself to become part of the heritage of the common consciousness, which is to say, the fact of the historicity of ideologies and of socio-political systems. The debunking of ideologies, that is, the demonstration — being done more than by anyone else by the sociology of knowledge and by anthropology — of their functioning as instruments of a power structure historically given to us, and of their essential character as instruments of domination, marks a datum of incalculable importance to the maturation of the contemporary consciousness, which, "freed from the justification in absolute terms of the existing ideologies," discovers how, within the historical order, no values are given but relative values and it is given us to identify the nexus that normally connects values to a given power setup, therefore we now finding ourselves thusly having available a potential of criticism and of freedom that were, up till now, unknown.

It is within this wider context that the social awareness begins to discover not only the reality of power and the concrete conditions of servitude, or, if you prefer, of alienation that in fact underlie the great myths of democratic freedoms, but still more the essential historicity of the representative democratic system, of the values that it aims to incarnate, and — what is of most interest here, of the forms and of the very concept of modern freedom.⁴

⁴ H. D. Lasswell, A. Kaplan: *Power and Society, A Framework for Political Enquiry*, Milano 1969 (Italian translation).

It is not possible to go further into the argument: let a few remarks suffice to clarify the burden of what has been asserted above.

Modern freedom, as it has been being affirmed since the Renaissance, is embraced in a dual process, on the one hand by the progressive restriction of the sphere of the state, denuded of its ethical and sacral duties and reduced to essentially lay tasks, and — on the other — by an increasing "autonomization" (that is, by the conquest of a relative independence and self-sufficiency — of the sphere of the individual.

Within the typical context of modern individualism freedom becomes more and more the obtaining, relative to the political community (the State) of an autonomous individual sphere whose aim is the conquest of private happiness: the state's function is limited — whether within the classical liberal viewpoint, whether within the more recent social democratic viewpoint — to the aim of guaranteeing, in the first case, the legal and formal conditions of existence and of independence in the individual sphere, and in the second the so-called substantial conditions for this. In the one and the other version a splitting of freedom is effected — coessential to the very concept of modern freedom — into political freedom and civil freedom, in which Constant saw the basic premiss of representative democracy as an authentically modern conquest. If the role played by political freedom is the guarantee of the one true freedom, civil freedom (as an autonomous individual sphere: independent of the State, that is to say) the institution of political representation is posed as the typical functional procedure guaranteeing freedom to modern folk, for whom having themselves represented in the government of the *res publica* is the same thing as saying the freedom to delegate to a few representatives the exercise of the power of government (political freedom), is a condition of the freedom to be able to devote oneself to the — essentially private, individual and independent — sphere of the conquest of happiness (civil liberty). What has been effected with this, both in law and in fact, is a net and radical scission between "seeing to the household", the activity that is of the economic, professional and social spheres — in a word, the sphere of civil society — and the public sphere properly so-called, the policy of the *cura rei publicae* given over to the management of whoever has been delegated (elected) to do just this by the citizenry. Of significance from this standpoint is the classical distinction — received in all liberal-democratic constitutions — between the holding of sovereignty, this being acknowledged the people's, and the exercise of sovereignty, given to the delegates (representatives) of the people.

The most recent versions of representative democracy (so-called "social democracy" of which the Italian constitution is a typical model) introduce no qualitative innovations in the picture delineated: universal suffrage, the admission into the context of the institutions of such great mass organizations as parties, trade unions, pressure groups, etc., the acknowledgement of social autonomies (intermediate groups of various kinds) and the acknowledgement of

local autonomies represent no more than historically more sufficient procedures, in that they are more categorized, for the assignment of the proxy power to the representatives, which is and remains the typical institution for legitimizing the oligarchies holding power in the various spheres and at the various levels of social life that the citizen has. Similar considerations hold good too for other characteristics of the democratic State of modern times, such as the emergence, in the State sphere, of social and socializing demands, the assumption of ever vaster competences by the State in the social and economic fields, that is, in the area that was traditionally "private", the growing importance of the public authority as regards the promotion and dissemination of certain services (education, social welfare, social security, etc.). These are characteristics that are in part due to the deepening modifications of the economic-production activity itself, and in part due to the pressure of the intermediate mass groups (parties, trade unions, companies): but not even they, if one looks at the matter properly, really effect a jump in quality — from the standpoint of freedom — relative to the essential "guarantist" function of the liberal democratic model, since their aims remain those of guaranteeing, using updated procedures, the autonomous individual sphere within the line of the splitting between political liberty and civil liberty, and of the primacy of the latter over the former. Thus the myth (the authentic flag of all the democratic left-leaning movements) of "social democracy" as opposed to "liberal democracy", of "substantial liberties" as the qualitative surpassing of the "formal" freedoms, lies revealed in all its mystification, based as it is on a contraposition that to a good extent is not existent: the "substantial" freedoms, the institutions and characteristics of social democracy, all move exactly within the conceptual and institutional framework of modern freedom, constituting the attempt to safeguard — using tools able to meet the complexity of social and economic reality — the private autonomous sphere, that is, civil freedom as the sphere reserved from and torn from the political sphere, relative to which political freedom carries out the function of means by which one may remove oneself from the *res publica*, it being delegated to others.⁵ The logic does not change: what remains is the logic of giving a grant of powers to a few citizens for the exercise — on a *de facto* permanent basis — of the political power (or the cultural power, or the trade union, or the economic, etc.); the logic of the separation between the social role (economic-professional) and the political role of the individual (with the subordination of the latter to the former); the logic of the dominant oligarchies, they in practice not being subject to any control or to any change of executive structures (consider only the stability of the power, of government or of opposition, in Italy and consider, too, the non-existent renovation of the political executive class).

The truth is that notions such as "participation in power", "decision-making

⁵ C. Mortati: *Istituzioni di diritto pubblico*, Padova 1969.

intervention at the base", "direct democracy", and so on, are not only wholly extraneous and abnormal relative to the structures and institutions of representative democracy, but are even incompatible with the very concept of modern freedom with which those structures and institutions hook up: and it is exactly this concept of freedom, up to this point ideologically presented as an "ethical absolute", or as a perennial value, that becomes extraneous to the collective consciousness.⁶ What rather comes out of this context when, owing to the effect of the socio-cultural factors that we are listing, one begins to feel in the common awareness the radical inadequacy of a freedom exactly understood as freedom from taking part in power; when the suspicion begins to be introduced that this is not the only nor the most comprehensive modality of being of freedom; when, especially, one becomes aware that even such a modality is reduced — in the societies of advanced capitalism — to very small margins in relation to the new forms of slavery of man as consumer-worker and as citizen (his political role being limited to ratifying his representatives, whether these be the executives of great labor unions, parties or economic organizations, or those governing the *res publica* at the national or local levels); when, finally, one begins to acquire the cultural-practical capability to think differently about freedom and to feel it according to modalities that, to date, have not been known.

The very rapid process of concentration of companies, which have by now risen to the level of authentic protagonists nationally and supranationally, with *de facto* powers not inferior to those traditionally the property of governments and States; the reality that follows from this on the level of international relations, which are more and more conditioned by the solidarity and interdependence that are determined — quite beyond the traditional ideological-political differentiations — between States belonging to homogeneous areas of economic and technological development; the very function that the state has been taking on within the socio-economic and production spheres: these, together with numerous others, are the factors that have led to the falling apart of classical distinctions — upon which the modern concept of freedom is based — between the public sphere and the private sphere, between political power and economic power. The identification between the two domains, just as between the two powers, appears today to be very nearly complete, so much so that the point is reached that it is not mistaken to consider today's phase of capitalism as the phase of "monopolistic State capitalism" (where the very term "State" indicates a kind of reality, of functions and of structures that are very different from those of the past).

Relative to such a situation, in which the traditional private sphere of economic-production relations is absorbed in the public sphere, and in which private organisms (such as for example companies) exercise (without even the

⁶ R. Nozick: *Anarchy, State and Utopia*, Firenze 1981 (Italian translation).

formal control of a delegation of democratic representation) a power that is *de facto* public, the classical structures of representative democracy reveal their incapacity to safeguard modern freedom, even in its peculiar current acceptance of being freedom from the public sphere for the enjoyment of a private autonomous sphere in which to exercise one's freedom to "pursue happiness". It is in fact obvious how, in a social system tending toward the total integration into it of the individual, and that has available means that have been scientifically identified and abundantly furnished by technology (instruments of mass communications, advertising, party and trade union indoctrination channels, schools, social services etc.) in order to arrive at the progressive placement on the margin of any residue of autonomy, of reserved space, of space not invaded by the public sphere (as a social and political production sphere) the distinction between public sphere and private sphere is being nullified, and how, then, an institutional trim modelled on a conception of freedom that derived from that distinction and that found in it the distinctive characteristics relative to other historic forms of freedom, cannot help but be radically turned upside down. Certainly — as is by now documented by not a few studies and researches — we are in the presence of a social system that has the potential to realize the most systematic and the most radical form of totalitarianism that human history has ever known, in that it is favoured by the inevitable implications of an irreversible process of growing socialization, and founded on current scientific knowledge of social behaviour, with, more, the abundance of means furnished by a technology that has never been so perfect before.⁷ Recent researches demonstrate, for example, how even the erotic-sexual phase (one of the most "private" aspects of interpersonal relations) is not only being ever more intensely conditioned — like every other aspect of individual life — by the modes of existence imposed by the dynamics of the socio-economic system, but is tending on the other hand to be invaded by the "public" sphere, and taken on, its own self, as one more element of integration into the social system. Relative to the picture sketched out, the current institutions and forms of freedom inevitably resolve down into instruments of consensus induced from above and of the systematic placing on the margin of any residual dissent, that is essentially an instrument of freedom. We are faced then by the absurd fact of a conceptual apparatus and institutional trim set up for freedom that are being transformed, by the reality of the changed social relations themselves in which they find themselves having to endure, into instruments of oppression and of freedom: this is the typical process — already discovered as in being in other historical epochs — of the survival of institutions as facts in themselves, of their persistence in time as the "accumulated and petrified waste" of the past, of their consequent conversion into historically arbitrary realities.

⁷ J. Habermas: *Öffentlichkeit*, [in:] *Fischer-Lexikon: Staat und Politik*, Torino 1980 (Italian translation).

The last element that it is wished to indicate here as a factor, perhaps the most relevant among those indicated, that has intervened in and is intervening in determining the process of historical coming-to-awareness of the radical dearth of freedom and of the proponibility of new dimensions of freedom, is just this observation — that the common awareness has by now been led to make daily — of the possibilities that science and technology provide man today; an observed fact experienced — and this is the newest and most significant fact — no longer in terms of the nineteenth century myth of science as the magical and exclusive dispenser of happiness for man, but in the awareness of the substantial ambiguity of science (that can lead to life as it can to destruction), and, more especially, of the fact that the utilization of it according to the one or the other of its potentialities belongs to a choice that is political in nature. And this is the same as saying that the process with which the collective consciousness has been invested following scientific and technological progress, is a dual one: on the one hand it is aware that spheres of the real and of the hypothetical, which up till yesterday were deemed subject to the dominion of natural laws or of superhuman forces (*fate*) or fell anyway within the sphere of the historically impossible and of dream (*utopia*) have today been given back to man's control and fall within the sphere of the historically possible (and this determines, just by itself — consider, for example, the implications, on the religious level, or the philosophical and ideological level — a very important cultural leap, one such as to put the whole knowledge-gathering apparatus and all the values inherited from the past in crisis); and on the other hand, consequently, the common awareness has become aware of the fact that the choice between the historically possible alternatives, so far from being the fruit of uncontrollable and unknown forces, is itself given back to the sphere of the human, that is, to being an object of collective choices, and thus has become an essentially and exclusively political fact.⁸

What at one time was the most important thing, to save one's soul, has been thus structurally converted into a political fact acquired by socialization, inserted in the psychic metabolism of the man of this civilization: "[...] take part in the decisions concerning one's own destiny in as much as they are tied to the collective destiny of your species and of the cosmos."

The redefinition of politics means, finally, the re-invention of the object of doing politics and of the modalities of doing politics, within the context of a historically new reality such as the one existing in the societies of advanced capitalism; it means the understanding that one is not to tackle and one is not to attack a unidimensional and integrated social system like the one we have before us except by the start-up of enormous collective processes of coming to awareness relative to the reality of the contradictions in society, that is, unless there is a generalized "[...] capacity for the practical criticism of the contradic-

⁸ A. Rosmini-Serbat: *Filosofia del diritto*, 2 vol., Padova 1967-1969.

tion, which includes both political-theoretical analysis and organized practical experience." From this standpoint the first act of true liberation that is required of the forces that intend to make themselves the protagonists of a new liberating practice, which is first of all a practice of the repoliticization and of the self-management of struggle, is the elimination of the nineteenth-century residues that lead us to conceive of revolutionary social change as the immediate fruit of minority vanguards, of the barricades in the streets, of the explosion of dynamite bombs and, finally, of an elite management of the political struggle.

STRESZCZENIE

Na początku XVI wieku w dwóch znakomitych dziełach: *Księżę* i *Utopia* zostały ujawnione sprzeczności natury ludzkiej w jej wymiarze powszechnym. W modelowej postaci im bardziej dochodzi do głosu społeczeństwo mieszczańskie, im swobodniej się ono rozwija, tym bardziej obojętnie i wrogo odnoszą się do siebie ludzie jako jednostki, grupy, narody i klasy. Na tym tle ukazany został odwieczny problem wolności oraz wynikający zeń wniosek, iż wszystkie instynkty, każde bezwarunkowe i absolutne pożądanie szczęścia tłumi się na rzecz starań o „dobro ogółu”. W czasach nam współczesnych ekonomia ukrywa rzeczywisty obraz władzy pod pozorem niezależności podmiotów gospodarczych, a filozofia — pod idealistycznym pojęciem absolutnej wolności człowieka.

