

***“Political Means and Political Liberalism as “Basic Law”: A Developed Reminder Suited to the Crisis”***

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**Abstract**

*Social Science provides tools of theorizing about social phenomena and social scientists try to select the appropriate tools for each empirical case.*

*The recent Greek economic crisis seems to be a multi-faced phenomenon as suggested by scientists, journalists, columnists and other social commentators. In this paper we focus on two particular aspects of it: A. The political means normally used to handle complicated situations, some of which are institutional, while some others are informal. B. The related issue of liberal politics and what liberalism has originally been.*

*The first question will be tackled through a resort to particular aspects of Machiavellian thought, some of which are quite thoughtful, while some others are treated by the author with a certain degree of skepticism. The debate constructed here will be closed with references to some Enlightenment authors, e.g. Descartes, Hume, Kant. The second question aims to develop a re-definition of liberalism, from the point of view of the above discussion, i.e. appropriate political means. It will be shown that liberalism was meant to be a humanizing tool especially as regards penal sentences and, as we argue, a “basic law” for human beings and their basic freedoms.*

*A final section is being added to help relate theoretical points to the Greek economic crisis. Some relevant social science questions are tackled in the footnotes section.*

**Key words:** Postmodernism, new realism, political means, fortune, Greek crisis.

“The state of nature has a law of nature to govern it, which obliges every one: and reason, which is that law, teaches all mankind, who will but consult it, that being all equal and independent, no one ought to harm another in his life, health, liberty or possessions”

(Locke 1991/1690 in Ball & Ragger 1991: 81)

“It is only light and evidence that can work a change in men’s opinions; and that light can in no manner proceed from corporal sufferings, or any other outward penalties”.

(Locke 1991/1689 in *ibid*: 77).

“No man should be accused, arrested, or held in confinement, except in cases determined by the law, and according to the forms which it has prescribed”.

“The law ought to prohibit only actions harmful to society. What is not prohibited by the law, should not be hindered, nor should anyone be compelled to that which the law does not require”.

(Declaration of the French Revolution 1991/1789 in *ibid*: 109).

“Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted”.

(Bill of Rights of the US 1791 in *ibid*: 39, art. VIII).

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“Adoration of ends opens an appetite for means.

Too many means are to weaken the ends.

I adore means, I adore ends.

I adore means as well as images”.

( Kioukias 2014).

## *Introduction*

The years of economic crisis and fiscal reorganization across Europe for all the benefits promised seem to have ushered in some new ideas about political and social order. Order, for example, is supposed to be more important, at least for some time, than some individual rights in order (!) for the European economies to become more efficient and adjustable to global economic competition. Neo-institutionalism, “public market” or “new public management” (e.g. Chandler, ed. 2000, Makrydimitris et al 2014) have surfaced as new ways of improving governance. So far, so good, but a particular kind of political realism appears to accompany institutional methods and their transparency with the result that several critics feel that various constitutional rights might have been suppressed or misinterpreted (e.g. Manoledakis 2007).

Yet it may not be solely the Market or the new institutional means to blame. Other students have put the blame on post-modernity<sup>1</sup>, that is a culture which maybe rightly

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<sup>1</sup> Post-modernity is a social science concept which denotes a new phase of late history which has gone beyond classical ideologies and definitive answers to historical and social problems (some basic sources are: Lyotard 1993 and Cahoon 1996).

To better substantiate this claim we may remind that political and social institutions are to a great degree shaped by culture. For instance, Max Weber attributed the coming of modern capitalism to the cultural background which to him was the “protestant spirit”. However, Weber himself admitted that market functions were observed in nearly all past civilizations: “Capitalism and capitalist enterprises, even with an advanced rationality of capitalist calculation, there have been existed in all civilized countries of the planet, as far as we can judge on the basis of economic documents: In China, Babylon, Egypt, Mediterranean countries of the classic era as well in the Middle Ages” (Weber 2010). Therefore, in his well known book he appeared to define a new stage of market development (see also Kioukias 2010: 29 ). The concept of “stages of development” appears in other (different) theories too (e.g. in Brewer 1980). If we combine these two theses (importance of culture and stages of development), we confirm the above thesis on the shaping force of postmodernism upon market and

sought to overcome some old ideological rigidities (dogmatic narratives), but at the same time contributed to an extreme relativism. The state and the law came under attack, while the political and social fragmentation which followed did not seem to provide an integrated political proposition. It seems that postmodernism is well suited to the transitional phase of the current global economic and political convergence. For as borders increasingly relax, so borders between public and private spheres as well as borders between “private” and “private” seem to do (a theme sometimes expressed by scholars as “hybrid” culture, see e.g. Moutsopoulos 2001).

One particular consequence of this state of affairs is some kind of superficiality as regards political institutions and methods. Sometimes one may come across particularly severe laws, some other times one may find some kind of erratic behaviour, even on the part of decision makers. Thus, we indeed can talk about a new “realism”<sup>2</sup>. This is facilitated by new technologies, as communication provided is

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politics. Some aspects of “postmodern capitalism” so to speak can be found in Rifkin 2000 and Drucker 1996).

Another scholarly current seems to disagree with the previous thesis, arguing that postmodernism, rather than being an autonomous shaping factor (an independent variable we might say), it is in fact the product of late capitalism (e.g. Jameson 1999). It does not disagree, however, with the thesis of “stages of development”, as Jameson talks about “late capitalism”. It can be inferred then that there might have been existed a different kind of capitalism which did not produce such symptoms as those allegedly attributed to postmodernism. In addition, I would argue that, since culture refers to regulation of human relationships, it seems to be a wider concept than the market. We cannot, for instance, claim that Babylonian market produced the kind of human relationships observed in Western cultures. In other words, if cultures are different, human relationships will be probably different and markets (organization of production) may differ too. This is particularly evident in non structural factors as in the behavior of the working force and the management. Naturally some common and ecumenical principles – derived from the characteristics of human species- must exist. In conclusion, in our view, market is a subdivision of a culture and is operated via particular human beings. Sometimes, it increases its power, while some other times politics, technology, religion or ethical norms play a major role in society. Vernant, for example, observed that in the ancient Greek city states the market was both an economic and social place and built according to the general political architectonic pattern (e.g. many parallel circles around an acropolis).

<sup>2</sup> A connection between postmodernism and realism is also established by A. Heywood (Heywood 2007: 562) on the grounds that postmodernism brings about a “politics free of ideologies which is concerned more about realism than idealism: it offers political products, not political visions”.

often distant and hidden and provides opportunities for lax behavior and speech<sup>3</sup>. It could be argued at this point that the gap created by postmodern culture and the erosion of the state was partly filled with a democracy of the ephemeral personalities, icons and images and finally habits, cultural and/or physical ones (it may be noted here that postmodernism used to “glorify” the partial, the local, the ephemeral, the sarcastic, or the “cult”).

More often than not comparing different epochs, that is resorting to some sort of historical analysis (including history of ideas), proves helpful in order to better understand the latter epoch. Consequently, we thought it useful to return to the roots of “realism” and juxtapose it along with classical liberalism. We believe that both traditions in the form of brief interpretations may bring light to some modern crises and hopefully help decision makers and citizens to reconsider some of their options.

### *Political Realism and the Practical Exercise of Power*

As it is well known every day politics cannot solely rely on legal statute; as human beings assume the task of making laws “talk”, calculations, interests, rhetoric, passions and human relationships are also involved. The latter constitute the real exercise of power (the “actual implementation” function distinguished as it were from

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<sup>3</sup> Sometimes it is falsely assumed that sociological analysis of mass media and internet is also a critique of their technical capabilities and necessarily aim to question their importance. We would not like to take part in this fallacy. To provide an example, telephone was also a major invention, but it also favoured lax speech, while it contributed to a modification of social relations. With regard to some new forms of publicity, again one may not particularly like certain visual representations, but one may not necessarily reject publicity as such (in all its manifestations).

the “theoretical” and legislative ones-irrespective of the fact that implementation entails some “theoretical” and non material elements too: e.g. speeches, persuasion techniques, influence). A major figure of political thought, Machiavelli, well understood it and worked more on this side of politics than the institutional side.

Some writers of early modernity thought he pushed his argument too far, for he seemed to overstress atypical methods at the expense of legitimate ones. One of his “enemies”, Frederic B’, charged him with not bothering about cruel methods, calling him “master of horror” who in addition “softened” words normally associated with “horrible actions”. The King seemed quite offended by the “Prince”, for he would prefer him to have conveyed to the future statesmen positive messages such as love of education and devotion of life “to the hard task of discovering the truth” (see Kioukias 2009).

It is clear that Frederick’s style was not especially akin to Machiavelli’s cynical descriptions. In addition, he thought that he did not choose the right examples from past History (Frederick, it must be noted wrote at a later time when liberalism had made quite a few advances). As a result, due to such charges, the diplomat from Florence was supposed to have taken the path of a tyrant maker, one who excessively relies on realistic means<sup>4</sup>, supposing there can be drawn a sharp distinction between a

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<sup>4</sup> By the term “realistic means” we mean here non transparent and not formally legitimized means. The term “realism” in our view is not always clear. In any case we think that a good calculation of real power capabilities is a good aspect of realist school. The suitable means for action in particular cases is another thing which always puzzles statesmen as they have to take into account the existing institutional environment. The term “policy selling” is relevant here. We also think that the question of just decisions is inherent in human nature; consequently it cannot be avoided in politics. Indeed it seems that in most cases recognition is most desirable and therefore a “just” decision is sought. In some other cases it may happen that a leader or a leading group view and interpret justice in a narrower sense, in a somehow divine sense. In such cases accountability to wider audiences plays a minor role. In addition, under warlike circumstances there often appears the doctrine of the “lesser evil” which however may be interpreted either widely or narrowly. However, all political affairs cannot always be reduced to unsurpassable dilemmas, for in such case the decision makers may be charged with incompetency.

“superior” code of behaviour and a common ethics code (reserved for the masses). Descartes and David Hume basically agreed on this argument saying that certain practical means suit more tyrannical governments than constitutional ones, even though the former found in Machiavelli’s work some interesting observations (Machiavelli in *Eleftherotypia*, n.d.a) - indeed the kind of comparative analysis pursued, particularly in “Discorsi”, justify the claim that he was the founder of modern political science. But, most notably Kant’s little book on “Perpetual Peace” was a famous critique of realist and Machiavellian methods, as it sought to establish an ethical and law based political community both at the national and international levels. His main methods consist of toleration of foreign territories, denouncement of conquest, concerted and consensus decision making and legal agreements (Kant 1992).

More favourable views about this kind of thought argue that it is more rational and democratic (as indeed the thinker urged the statesman to take into regard his people and seek the love of them). In addition, he was supposed to pursue a right cause. This is an argument which gives the goal higher priority than the concrete means to be pursued to achieve this goal (also see note 2). In any event, it could be argued here that democracy is not just about the goals of a political authority; it is also a method in itself (see Sartori 1987: 152). Neither is it, we could add, a mere public interest. A good democracy should narrow the scope of public interest, just as it legalizes most areas of social life (and power itself). A leader is not judged by democratic wishes, but by observing the democratic procedures. Therefore we can say that democracy as an end does not justify all kinds of means.

Following Machiavelli, it could be argued that indeed real life is wider than constitutional agreements; that the boundaries of the legal rules are somehow

artificial. Would it be possible to shrink all human motives and actions to make them fit with (enforceable) legal formulas? An answer to this could be that laws normally embody common as well as advanced ethics to a great degree. From this point of view, one of the great dilemmas posed by Machiavelli, i.e. a sharp distinction between an advanced ethic versus common ethic, a so to speak platonic distinction between wisdom and common wisdom, need not excite us so much. For much of the wisdom is captured by the laws which in a democratic constitutional order connect the leaders with the led through a common communication code (though intermediaries and representatives are often required to make it functional).

Plato was explicit in that advanced wisdom is communicable-not without hard struggle though. In 'Polity' (Plato, Sinclair 1951: 143 ff) he seemed to adopt a particular kind of mysticism by limiting the gift of advanced knowledge to an inner circle. In his 'Laws' (Plato 1992), however, he appeared in favour of "a second best", suggesting that laws can be a sort of benign compromise. Laws in this light are compromised wisdom communicable to all.

Human relationships are often more complex than compromised and ratified wisdom makes of them, yet through such compromises and official ratifications we can establish a common (to all) code of (right) behavior.

Machiavelli, having studied the Greek and Roman letters, seems to be a mystic too. Both *virtú* and *fortuna* testify to this. For the former is an expression of a strong will (not necessarily accountable), whilst the latter is the hidden and the unspoken. Greeks had their own word for this: *moira*. This was a kind of farm inherited by chance

(morja=lot<sup>5</sup>). Hercules, for instance, had his own *moira*. Greek myths showed that you can use your virtue to fight a difficult fortune (to be finally rewarded). According to the myth Hercules opted for virtue at the expense of ‘malice’. The Machiavellian hero on the other hand is just led by the survival instinct. When faced with this dilemma, he did not bother to move to various options and found a good excuse for taking a lot more liberties. Deifying to him was not fighting within the frame of the law, but rather standing above the law.

Moreover, whereas in politics we often have to do with great (magnified) issues, we do not always face great dilemmas- which often provide governments with good excuses to widen their notion of public interest (see note 2). That we are called to choose through a ‘yes/no’ formula shows of course that most of the issues are made such great as to appear as urgent moral dilemmas (and we apply a common morality if we are to truly participate in politics. There is, of course, always a case we elect though a common moral code to make possible for the elected to apply a superior moral code-here we apply a simply functional and pragmatic formula).

Nevertheless, the outcomes of our procedures are laws (most of the times) which are lengthy, detailed, rarely reduced to a yes/no formula. In addition, if laws are good, they allow for various levels of punishments and rewards which are guided by a spirit of proportionality (weighing our actions and reactions in face of specific cases and circumstances seems indeed similar to tolerating).

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<sup>5</sup> It should be noted here that etymologically the word “democracy” (“*Democratia*”) was derived from the prefix “*da*” (tha) which in archaic times meant “lot” (share)- see Cohen: 117). Therefore, from this point of view democracy must be interpreted as a distribution of shares (farms initially), or, in later language, property rights. Democracy as a rule of the people (*Demos*) seems to be derived from classical thought. The most accurate definition of democracy seems to combine both dimensions, i.e. property rights and their distribution as well as the number of the rulers (see on this Blondel 1990: 24 ff).

Now there will always exist an area not governed and regulated by laws. Politics and diplomacy, morals and ethics usually govern this area of human transactions. Machiavelli, a diplomat by profession, aspires to be a professor of diplomacy as well as political psychology. He understands that human relationships cannot be solely handled through orders. He well understands the role of image in mass communication and a good deal of his suggestions in this area look like a common place by modern standards. However, he is so fascinated with political games that he does not bother at all to denounce particular techniques and practices. Unlike the Greeks (and some of the Roman heirs such as Cicero-Clarke 2004: 103), he does not care about suggesting change in the ways of doing things. Instead he makes himself a captive of a prehistoric cave, turning back to basic instincts. As such he makes us think that famous superior wisdom is nothing more than the wisdom of the underworld (a theme often showed by numerous contemporary cinema movies). What is more he constantly points out to states of both hidden and open war as if they were a routine state for politics. Politics is then truly the other face of war to paraphrase Clausewitz's dictum. It is politics by all means.

The man from Florence wished to portray things as they really are, that is why he is held to be a genuine representative of the realist school. Things as they really are: yes and no. Some phenomena are omnipresent (in human relationships), some others are 'new'. Some things become what we make them to be. Human relationships can be improved, for instance, by refraining from activating aggressive instincts. Some people may believe that this can be done through suppressing individuality. Some others may wish to uphold it. What is for sure there is a kind of knowledge which is capable of elevating human beings to a level higher than an one sided knowledge of survival may allow for. This is not an always easy knowledge and that is why the

people who dedicate their lives to haunting the 'truth' deserve recognition by the "Prince".

As a source has it, when in exile the man from Florence used to take off his dirty clothes, put on the garment of an official and sit down to write (Curry & Zarate 2011: 47). He did not just write about the "Prince" and Discourses; he also wrote about his misfortunes. A cynic would laugh at him, for his virtue and other suggestions of a diplomatic kind did no good to rescue him from bad fortune. The professor of diplomacy was a bad diplomat when it came to his own affairs (or we may say that fortuna was not on his side). Besides he lived at a time of extreme turbulence, division, fractionalization and intrigue. Thus, in a similar way to Hobbes' suggestions, he seemed to understand life as a continuous battle, a life with no much prospect, in which the instinct is the other side of fortuna. In such times some men adopt a heroic realistic stance; they seem to suggest that, if life is so cruel, everybody must be strong and tough too. A writer however who writes not just for present time, but for the future as well, may state some of such conditions and distinguish remedies for such conditions and remedies for other conditions. Yet we do not know much about the writer's feelings and inner thoughts, after all a hero who professes diplomacy is someone who is supposed to talk and write less. The students of his writings ought however to take them in principle at face value, reserving secondary interpretations for the end of their reading (or writing). When they reach this stage, they are supposed to explain to new students that what they interpret is a post script.

Time is not always on our side, is, in our view, one of the nicest Machiavellian sayings. As a matter of fact, historical progress may bring about greater civility and subtler political ways. Widespread democratization has been a method to achieve this end. On the other hand, renewed interest in Machiavelli and 'his' policies has been

evident in the 20th century, especially in foreign affairs (where public interest can be interpreted more widely than in domestic politics). Moreover, an eclectic intellectual spirit which has marked the last decades created some apparently strange bedfellows: his ethic has been associated with various public figures, both statesmen and intellectuals. Whether such associations are always convincing or not is here less important than the inference that this may have happened just because much of Machiavelli is about methods and ways. He is at the same time much about naturalism, that is to say (and confirm) that modern political institutions have not extinguished fundamental human roles and archetypical relationships. This kind of realism should not nevertheless render our inquiry purposeless. The key question of the relationship between a higher and conventional wisdom should be borne in mind. The art of Government should not be dissociated from law (including international law), as the latter, albeit imperfect and 'conventional', embodies both higher and conventional wisdom thus establishing a common language for leaders and led. Though human relationships cannot be 'ruled' by law altogether, the area freed from the realm of law should not be covered by primitive morality. Democracy is shown it cannot easily dispense with some primary rules, but it is a method in itself (not just a type of formal government). It makes sense to evoke it, particularly when it is in a position to humanize politics and society.

Machiavelli has offered us a platform for discussion as well as important insights in order for us to understand the roots of political realism in its particular manifestation of a view of politics as it is often practiced, especially when the rule of law is not held into great regard. In such cases laws become quite instrumental, furthering to a great degree particularistic interests, becoming populist or asymmetrical and unjust. Sometimes they appear unjustifiably severe, sometimes quite partial, some other times

sudden and quickly changeable. As it has been suggested by ancient Greco-Roman literature, the ups and downs of the laws signal that something is wrong with them as well as Government (e.g. Polybius, Plato, etc.). A cosmogony in the legal system resembles the mythical Giants vs Titans wars, i.e. a transition to a new social order. Normally the legal system is stabilized after a finite outcome of such struggle.

Sometimes social scientists tend to overstress the underlying conditions beneath social theories and ideas. However, it must be born in mind that the persons themselves can also create conditions- and ideas. That is to say that there is no reason to consider individuals mere captives of their social milieu. For instance, personal reading and relative choices cannot be precluded from the process of thinking and theory formation. Thus people who also lived in turbulent times came up with different conclusions from those of a particular kind of political realism. We turn therefore to classical political liberalism, as it seems that it offered some other ideas in relation to the issue of the practical exercise of politics, the political means and the art of government.

*Classical Political Liberalism: An Enriched Reminder.*

Is classical liberalism an antidote to the symptoms of excessively “realistic” politics as presented previously? A new (and personal I might say) reminder to such a tradition might add some new insights.

Liberal tradition has been transferred and made an impact in the modern constitutions: It constitutes a basic pillar of democratic constitutional states. According to it the state, or any sovereign by international law political authority is supposed to confine

itself to specific competences defined in turn by law. Among others it assumes the task to defend citizens against fellow citizens when they intrude into their personal sphere (sphere of freedom that is) and cause malaise to their life and creativity (as the latter is a basic aim of life and in the absence of it man/woman falls into a state of simplistic-elementary existence). In this Liberalism seems to incorporate a kind of ecumenical –natural law (Locke 1991: 81), as in nearly all past civilizations such goods have been regarded vital and the act of harming them unacceptable. Indeed inhibition of vital functions of the human body/organism is subjectively met with reactions and when a lot of subjects react, it is probable that a collective regulation which aims at the easing of relative inhibitions will come about.

Yet History has known instances of a quite cruel treatment of human beings-both by political authority and other men. In what in late centuries was called liberal-constitutional state there was institutionalized the principle of “non exemption” of the state from the general rule applied to all citizens. As it was said, political authority is confined to specific competences-powers , in Montesquieu’s words power controls power (Montesquieu 2006, Petroulakos 1995: 31), in order for a power to lose appetite for trespassing the “fences” of the people (Locke 1991-from this point of view liberal-constitutional authority, I would add, is not a borderless authority and distinguishes itself from communal utopias such as that of T. More).<sup>6</sup>

From this point of view, property is indeed under protection<sup>7</sup>, as there is a strong belief that not everything belongs either to the state, or the elites (an excessive concentration of means in the hands of a ruling elite would probably distort the liberal

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<sup>6</sup> The question of fair possession has been handled by John Locke, yet redistribution issues are not part of our subject, as we deal with liberalism as a rudimentary but fundamental starting law.

<sup>7</sup> According to J. Rifkin possessions are closely associated with “personality”. For instance, if one was deprived of one’s intellectual products, one would feel as something without person (see Rifkin 2006: 233. The author bases this argument on Hegel’s equation of possession with liberty and personality).

idea which is mainly pluralist and in favour of divided power. In addition, there may be cases wherein an elite may interpret its position as such of a collective owner, I would argue).

If such conditions are actually held in the real world, a good example is transmitted to the body politic. However we do not think that liberal government is excessively relied upon example; it is rather an institutional government. In other words, let me argue this, this is much less a government through morals than it is through law<sup>8</sup>. It normally intervenes least in social morals, it appears indeed a “minimal government” (we have also come across the term “neutral government” which resembles more a balanced government than a true neutral government).

Nonetheless, such minimal expectations from a government may appear somehow problematic: “Minimal government” has often been criticized for appearing to be an indifferent one. This kind of discretionary non discretion especially as regards “life rights” has not always drawn proper attention and the normal rule is a constant call for state intervention. To draw an analogy, it may be not enough for a parent to directly (both *in expressis verbis* and in deeds) establish rules and practices of peaceful and

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<sup>8</sup> This is distinction in the ways of government was made by Montesquieu, 2006. The emphasis on governing by law is expressed especially in the Declaration of the French Revolution, see above passage.

To avoid any misinterpretations this conception does not contradict morality, particularly as Locke speaks on behalf of natural laws. Yet, in the classical liberal tradition there was drawn a distinction between issues which should be and become public (through law and publicity) and merely private issues against which a certain degree of toleration had been established (the role of publicity in Liberalism is well stressed in Dohn & Fritzsche 1977. This work by the way describes accurately the phenomenon but also makes critical remarks). We could add here that the term “minimal government” normally associated with Liberalism could well apply to this case too. What is public should not be confused with private, as Montesquieu wrote: “We should not attempt to regulate private issues via public law” (in Kioukias 2004).

To take the matter a bit further one might argue that in a modern complex society this rule may not be easily enforceable. There is still however a great space of private matters and traditions which could be left out of politics, or treated in a technical way (the question of whether politics is everywhere is tackled among others in Kioukias 2004).

convenient children upbringing; he/she must also intervene in family life in order to distribute evenly possessions.

Political authority is not of course a paternal or maternal power; it is a legal agreement concluded via representatives. Nevertheless, it will still be obliged to proceed to some kind of intervention, especially to attend social aims. But the way of such intervening which, once it manifests itself in practice, colors and personifies each political authority, varies with particular values and ideas. In any event it is subject to specific rules which do not infringe upon vital spaces of (free) life, as these are defined in constitutions' fundamental rights. Thus, while a particular mode of intervention bestows the exercisers of power with "natural personality", i.e. an identity and a concrete set of ideas, its exercise goes hand in hand with a so called "honest routine".

From this point of view, Liberalism is a fundamental *conditio* about the way of intervening. It is made to be a least coercive power-due to specific limits crossing of which might betray a qualitative change of the mode of government (*politevma*). For instance, if one deducts from democracy formal and essential freedom of speech, one may take a silent government. Then there may be developed indirect forms of expression, iconolatry, conspiratory tendencies, an excess in practical doings, hidden authoritarianism (lack of speech and resort to psychological pressure means) as well as other symptoms normally associated with tyrannical regimes (see e.g. Xenophon, Strauss, Kojève 1995).

The liberal way seems to be above all a component in the term "liberal democracies". As such it colors the way power is exercised as well as nearly all kinds of human relationships. It divides power to avoid confusion and possible alienation of powers. It

creates John Locke's famous "fences", to separate not just state from society, but also one citizen from another, to avoid infringing upon rights, capacities, creations (e.g. intellectual and artistic). It does that by limiting power representatives and simple citizens to their legally exercised business. Thus, according to the classical economic liberal credo creation of monopolies (either public or private) is despicable.

More often than not such claims have been regarded as utopian. The well known Marxist critique, for example, holds that in any case the state is a mere instrument of class interests, not of the people as a whole, but of a particular class (it may be noticed that without the word "class" the same expression would be much more acceptable by such critics, for the term, for instance, "public services" which are ought to service the people is normally quite desirable, while the role of the state as an instrument is not necessarily bad, at least when the state cannot be a Mind). For, if a state falsely presents itself as a Mind (an infallible one sometimes), it had better be an instrument. But equally a political authority which relies too heavily on sentiment may be proved to be just a propagandistic one).

In any event, this is a quite philosophical question which at the end of the day might be reduced to the matter whether man is capable of mastering his mind and soul independently of his material position. So we ask sometimes whether the fed is able to understand the hungry, the lucky guy the unlucky, or the one who comes from a "complete family" the orphan. So we argue here, if, aided, as it were, by modern science and audio-visual civilization which help us widen our visual scope, we are able to see beyond our nose and physical needs, then everything is possible: We actually can understand even under conditions of inequality and difference. Why is it then impossible for the teacher to understand the pupil, contemporaries History, politicians the citizens, independently of class and bias?

But, as we have slightly been distracted in relation to the basic argument, we shall close this parenthesis and our discussion by making reference to some other – in our view more actual- aberrations from liberal doctrine which it might be said has an appeal to numerous sides of the political spectrum.

Thus, the liberal state, or rather the liberal mode of governance, seems to have lost some of its balances in the face of various new social transformations and perceptions. Much has been said about the role of economic factors and regional or global convergence. What we could comment here is that many states seem to have confined their liberalism to an ethological and group pluralism as well as a concomitant ethical relativism, partly departing from classical liberalism as described above. Despite the fact that their law was kept individualistic to a great degree, there were developed quite a few (informal?) conceptions of group and collective responsibility as well as indirect responsibility, often not transferred to formal legal statute. What is more, there appeared a considerable increase in public and collective regulations at the expense of private space.

In conclusion, our comments- on a much discussed subject to be sure-aim to hopefully remind us of the fact that historically liberalism largely meant protection of individual rights and (self) protection of political authority from abuses and violations of such rights. Even if such kind of terminology may not directly appeal to people's sentiments today, perhaps a welcomed magnification of our inspection lens may make us more sensitive, especially when we encounter common but not happy human stories with close relevance to the individual rights theme: Honor/reputation, housing and living conditions, quality and quantity of legal sentences and relative suctions, torture and experimenting on humans, intellectual and artistic products, etc. As it was told, here we have to do with a quasi natural law (as it seems that such kind of rights

have been at all times and places of great concern<sup>9</sup>), a primary law, we could add, from which every kind of *vita contemplativa* and *vita activa* (Arendt) does begin. As such it does not of course cover every aspect of human life, but is a basic precondition for them, especially in eras in which political means tend to forget the liberal part of constitutions.

### *Lessons for the current Greek economic crisis*

It seems that in Greece too postmodernism gradually has become the prevalent culture, even before the Crisis. Some of its manifestations appear to us to be:

- The increasing significance of a new realist thinking and the decrease in the allegiance to the state, political institutions, older social institutions, grand (historical) narratives, the law, etc. Some of these beliefs were enhanced during the Crisis, as political institutions were considered inadequate to prevent it or efficiently handle it. Certain, disputed, values were replaced by a new realism with a concomitant belief in power and unlimited individuality. The liberal respect for life and society appeared less important and law and proper jurisdiction was rather equated with formalism and instrumentality. Sometimes, contemporary law was perceived as severe and imbalanced, that is not symmetrical with the actions attempted to be regulated. It seems that for various segments of society Crisis as a critical blow on basic property and income rights contributed to the weakening of the acceptance of law and political institutions. Heavy taxation, for instance, may be considered as an unjustified state intrusion in vital individual rights, especially when it is not accompanied by generous social compensation. As in principle the “Social

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<sup>9</sup> Here we provide a brief explanation to the question whether liberalism with all its rational pretenses in reality is initially based on irrational claims such as natural law (see Dohn & Fritzsche 1977).

Contract” is largely based on this formula, i.e. taxation with representation and social protection- a quid pro quo between clearly defined state intervention and true opportunities for human development- it is more than possible that the political system will be destabilized (in Greece and for that matter other countries too).

- As a result the power of non state groups, or personalities will be expected to assume more power and influence. This phenomenon which is comparable to what is happening in other countries is shaded by modern communication technology that increasingly focuses on image, lifestyle, habits, scandals (another word for habit), nutrition, psychology, ethnic groups, etc. Public persons are judged more on the basis of habits than achievement. Personal stories are constructed more on such basis than on a linear and global one.
- On the other hand, it should be added, efforts have been made for an avoidance of the pitfall of picking moments as good criterion of judgment and seeking objective criteria. Although in such cases a new personal narrative is not reconstructed or rehabilitated (except in the cases of submitting brief and formal biographies), readymade questionnaires and similar techniques are servicing evaluation needs. For, it seems that in postmodernity ensuing fragmentation has to be channeled to new representative, albeit minimal, forms.
- This is quite responsive to an ethics of efficiency which have succeeded the ethics of belief (according to Max Weber’s distinction). Technical objectification techniques came as an answer to the problem of fragmentation and subjectivity (which indeed has been observable). From this point of view,

expertise assumed part of the state's control mechanisms (a natural answer in an era of continuous economic competition, save for the cases in which an abstract representation of this kind does not leave much room for essential discussion<sup>10</sup>).

- To point to another relative matter, postmodernism is particularly manifested in social roles and relationships, part of which were invested with a good deal of parody play (quite characteristic of postmodern mentalité). Role confusion, even power games such as social status usurpation and finally quite instrumental (political and social) means may have been produced as a result.

We can suggest then that postmodernism in Greece is probably a vehicle through which the liberal part of the Greek constitution is being rendered obsolete and a new realism established.

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<sup>10</sup> For instance, while some technical instruments are well tested and respond to the social functions made for, there are others which leave much to be desired. The widespread use, for instance, of informational tests about individual capacity may sometimes fail to succeed. More generally question based evaluation tools resemble closed "language games" (Lyotard 1993) in the sense that the "right" answer is chosen from the list of the "manufacturers" and not from the common sense or the large knowledgeable community (present and past).

Thus, a good question is, in our view, one which does not by pass individual will and knowledge, leaving much to be supposed according to a prefabricated scheme, in other words being just on the mind of the "examiner". For it may be the case that a particular question could be answered through plural alternative routes and sometimes different words, perhaps of older origin, but in practice conveying the same meaning as particular new terms/words.

Just like the laws or similar regulations, questioning must be well defined and articulated, leaving less room for arbitrary interpretation, as the latter is normally considered to be partial and (sometimes) "despotic" (in the sense that it becomes a privilege of the ruler, not a right of the examined in which case a "lengthy" apology is offered).

For such reasons, we think that in certain cases more room should be allowed for a freer-less stereotypical and expected- development of an answer, at least where judgment is asked or sought. Furthermore, we think that technical instruments should be subject to both accountability and *improvement*. As being technical, they should not be let become social-ideological and thereby divide society. It must be noted here that liberalism is not just about neutral settlements, but also reason and proper jurisdiction-competence.

## **Conclusion**

A new kind of realism seems to have emerged in both in Europe and Greece under economic crisis with the result that the liberal aspects of modern constitutions seem to have somehow subsided. Postmodern politics have apparently made a good impact on societies, leaving room for this new realism, as postmodernism's main characteristic was a fierce critique of old political ideologies including liberalism. At the same time mass communication helped to uncover to the publics hidden political practices commonly understood or perceived as political corruption, while they chose to cultivate a "free" spirit of forgetfulness about "serious and grand narratives". In effect it seems that both demystification and entertainment fortified this new realism. The Crisis itself came in the end as an accelerator of this process. Fear, fun and "small stories" about hidden life swept the social landscape; social relationships became more fragile and politicians were reduced to a "small" category alike. Public order without necessarily full rights was then in order, albeit with full (enriched) political rights. Quite often, however, the markets' extreme fluctuation, new population movements, ecological dangers and terrorism did point to that direction. Quite often, though, a "realistic" adhocism would make its appearance, leaving the impression that a really grand plan was not there. Despite the good intentions and efforts to provide mechanisms of greater accountability and prevention, despite further coverage of social relationships with legal regulation, there seemed to be an impression of lack of (fair) regulation.

Machiavelli was a hero who lived in turbulent times and through his writings systematized political realism of which a main characteristic was the widening of the concept of “public interest”. Though political realism is useful in order for one to understand some actual power techniques, it should not be taken too far as a political method for it opens the way for a disrespect of human life, especially when the political means become quite advanced (as it happens in our times).

Classical political liberalism tried to humanize political and social relationships suggesting a well defined (by law), more tolerant and transparent political community. Human societies have gone further than this rudimentary Law, but any political settlement which will attempt to destroy natural and eternal foundations of life apparently embodied by liberalism will probably end in a new kind of tyrannical government, as the latter has been historically been combined with an extreme and non proportional attack on private life.

Technology advances rapidly. It offers more possibilities for the realization of human potential, but it also increases “the means”. These are not, of course, evenly distributed (as a good Machiavellian would well know) and therefore the weaker risk a much greater danger of losing freedom. So, apart from excellent means, we need excellent goals too. If we cannot avail such, we had better put some of our means and “weapons” aside (in a way similar to the nuclear weapons deactivation).

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