Establishing Democracy
Choosing the right system

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II. Table of Abbreviations

AHV   Swiss Social Security System

Art.   Article

AWB   Afrikaner Weerstands Beweging

e.g.   [lat.] exempli gratia, example given

Eds.   Editors

f.   following

FDP   Free democratic party of Switzerland

ff.   and following

i.e.   [lat.] id est, that is

nBV   New federal constitution of Switzerland of April 18, 1999

SBB   Swiss Federal Railways

www   World Wide Web (Internet)

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A Preface

My special thanks go to Doreen "Doortjie" Castagno, Neerach, who proofread and corrected this book.

B Introduction

Sir Winston Churchill's famous dictum: "Democracy is the worst form of government, except for all those other forms that have been tried from time to time.[1]" still holds. We struggle with democracy, but we have not found anything better to substitute it with. Many attempts to bring democracy to troubled regions failed, last experienced when the Americans attempted to introduce democracy in post-Saddam Iraq. But democracy has its advantages, which I shall attempt to describe here. At the end I will try to enlighten the Swiss Model of direct democracy, on which I have a bit more first-hand experience. My experience with politics made me very partial: It comes as no surprise that the outcome of my deliberations about the best political system is direct democracy.

C The appropriate form of government

C.1 Finding the appropriate form of government

In the following paragraph I would like to outline a choice of forms of government as they exist or existed in reality. This does under no circumstances mean that they are all valid choices when building a democratic state. But at least some of them will be suitable for a democratic development, such as constitutional monarchy, presidential democracy, Westminster-type democracy and direct democracy. And this list is by no means complete, as many other systems also provide for a certain degree of democracy, like certain African Councils of the Elders or certain Islamic Councils.

In the discussion about the best state, history has to be consulted. For centuries if not millennia, man has suffered from the abuse of power and thus thought about systems which would create a state which would grant freedom, efficiency, safety and public welfare at the same time. The first democratic models were created as early as in ancient Greece. Even today's "revolutionary" systems are somehow or other based on ideas which were already known then.

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[1] from a House of Commons speech on Nov. 11, 1947

C.2   About the best state

C.2.1   *The Greek Polis*

When the Greek Polis developed into city-states, different types of state such as tyranny, democracy and Oligocraty, but also legislation were formed. The sovereign in these city-states was the Ecclesia (peoples assembly). Only authorised citizens (which made up about 13% of the population) were admitted. The meeting held legislative and executive powers at the same time. The council of the 500 was the management committee. The chairmanship changed every day to prevent it from developing abusive powers.

There were hardly any elections since offices were usually allocated by the lot. There were no clear procedures for law-making. Nor were there any safeguards for minorities. Voting was done by the noise-principle, i.e. it took place through acclamation, shouting, clapping and rattling. The result was determined by referees, who were listening behind a wall. When the majority vote was introduced, the people had to divide into two or several camps and the bigger camp won the vote. Officials, police and receivers of revenue were generally commissioned by the lot. Only the strategist (commander) was elected. Jurisdiction stood on uncertain legs. There was a large number of citizens available as jurors. Sycophants (private plaintiffs) acted as prosecutors and there were kangaroo courts, which could sentence an accused person without the slightest proof.

C.2.2   *Herodot*

According to Herodot, the rise of an individual to autocracy is problematic, because it would be a reign of arrogance and envy. If the people ruled, the offices would be allocated by the lot. There would be full accountability and resolutions would be taken by public consent. However, if the people ruled, they would be subjugated to the capriciousness of the unrestrained majority. Moreover, they lacked the necessary know-how. Therefore, a reign of the selected few should be established. Since all three types of government are problematic, the reign of a good individual is preferable to the other types of government.

C.2.3   *Thukydides*

Thukydides gave a detailed account of the Peloponnesian war. He described the Athenian democracy without reference to the other two types of government. He portrayed the first kind of mixed constitution, the "Constitution of the 5000" in Athens. The aristocracy was tied back in the (authoritative) Perikleian democracy, i.e. tied into

the concept of democracy. Thukydides was one of the most outspoken opponents of Perikles. The political credo of Thukydides is all but encouraging considering that what was represented in "archaeology" and in his works is a violent sequence of political powers, not cyclical and leading into an uncertain future.

C.2.4 *Plato*

According to Plato, the completely just state is the monarchic or aristocratic reign of the philosophers. In the completely just state, there are three classes: The nutritional class to cover basic needs like food, clothes, accommodation; the guardian class to maintain the internal and external security and the sovereign class. No one of the three classes pursues egotist interests. Man and woman are equal. The arts are subjected to a rigorous censorship. In the guardian class, rigorous eugenics and birth control prevail. In the sovereign and in the guardian class, private property and the family are abolished. In the "Politeia" and the first part of "Politikos", Plato discusses the theoretically best state. He recognizes it as impractical and replaces it with the practically best state in "Nomoi" and the second part of the "Politikos".

In the aristocracy, which he regards as the theoretically best state, the sovereign - being the perfect union of spirit and power and an incarnation of political science - stands above the law. Following this, it is immaterial whether the power is exercised with or without the consent of the reigned or even with force.

In the nomocraty, which he regards as the practically best state, the law restricts not only the reigned but also the sovereign. The legal monarchy is the best, second-best is the legal aristocracy and third-best the legal democracy. Under the degenerated political systems, the lawless democracy is least bad, followed by the lawless oligarchy and the lawless Tyrannis.

Plato praised the Spartan mixed constitution[2], which featured a dual kingship, a senate (Gerousa) and a citizens assembly (Apella). The members of the Ephora (government) were elected by the Apella for a one year term. The Ephora had the right to propose laws, which then would be discussed with the Gerousia and the kings and submitted to a public vote. The power of the Ephora was restricted through short terms of office and the principle of cooperativeness.

In the eighth letter and in his "Nomoi", Plato proposes some drafts of mixed constitutions, which were based on the rule of law and the distribution of power on several power-bearers, partly of a monocratic, partly of an oligocratic and partly of a democratic type.

To the Syracusians, Plato proposed a system of three kings, a council to pass the constitution and laws, a committee of 35 "guardians of the law" to deal with politics concerning national security, courts and a kind of citizens assembly.

The essence of the theory expounded in the third book of the "Nomoi" is the recognition of the right measurement of mixture. Intemperance leads to instability, moderation guarantees permanence.

In the fourth book of the "Nomoi", Plato proposes a classless, integrative, binomial Oligodemocracy without a monarchic element and based on the rule of law. At legislation, the right order of values must be observed. The ideal state of the "Nomoi" is made up of four social groups: Free citizens, craftspersons, dealers and slaves. Plato does not strive for the community of goods, but for a balanced distribution of property.[3]

C.2.5 *Aristotle*

In his politics, Aristotle wants to teach how to act beneficial, to accomplish the "good life" in the state. From there he generates a vision of the best state, i.e. a state, which allows the nature of the human being to develop best.

Prerequisites of the good life are the goods of the soul, i.e. the virtues. All virtues are co-ordinated by the virtue of intelligence. The ethical virtues are no natural abilities, they must be learnt. If the process of education is to succeed, suitable surroundings are required. Ethics must be embedded into a bigger entity, the state. The human being is of a political nature. The Polis (city-state) must be moulded to the nature of the human being. As the human being has reason as well as a political nature, he can approach happiness through reason. But the emotional part of man must be restrained by force, for the sake of learning to live better.

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[2] Bates uses the term "mixed régime", quoting Mary Nichols, as be the best translation of the type of regime (Strauss) or government Plato envisaged. I will use the term "mixed constitution".

[3] Riklin, Platon, 155-180.

In his morphology of states, Aristotle describes a hierarchy of three good types of state (1) Basileia (monarchy); (2) aristocracy (3) politeia and three degenerate types of state (4) democracy (5) oligarchy (6) tyrannis.

Plato distinguishes good and bad types of state on the basis of their adherence to the rule of law. Aristotle distinguishes them according to their degree of public welfare. He distinguishes between three meanings of the best state: The quintessential best type of state is the monarchy, which works only when the monarch is superior to all others in virtue. The best type of state "under the circumstances" can be each of the three types of state if an individual or a group towers above all in virtue. The best type of state "on average" is the Polity (Politeia), i.e. a mixture of democracy and oligarchy, which makes less great demands on virtue. Democracy is to be moderated by oligarchic and oligarchy by democratic elements to obtain a middle position. Thus democracy and oligarchy are no longer deemed degenerate types of state.

Aristotle distinguishes nine parts of the state: Six social groups such as farmers, craftspersons, merchants, day labourers, guardians and the wealthy, and three political powers such as the advisory, judicial and executive force. Since all parts may be combined, except the poor and the rich and because the poor in the majority and the wealthy in the minority, Aristotle defines the democracy as the reign of the poor and oligarchy as the reign the wealthy. Democracy and oligarchy are to mutually moderate each other. The members of the oligarchy are determined by tax assessments.[4]

Aristotle doesn't ask for the theoretically best state, but for the practically best type of state, which is realisable for most states. He strives for the cautious improvement of the existing states. His polity is a constitutional state, in which the uppermost authority is given to the constitution and the laws. The administration has only insofar legitimate powers as are granted by constitution and law. When the law is amended, Aristotle recommends to establish meticulously whether the benefits of the revision outweigh the damage done.

Aristotle makes no difference between political rights of participation and franchise, although he only attributes a franchise to those entitled to carry arms. Apart from the obviously included wealthy, at least part of the lower classes should be enfranchised, too, in order to make the majority of the adult men citizens. Strangers, slaves and

women had no political rights. There is no coherent answer to whom should be a citizen; he proposed a qualified franchise based on a tax assessment, though.[5] Franchise and civic duties such as taxes and military service, are to be balanced. The militia principle is applied to the army and the best part of the offices. Since there are more entitled citizens than offices, a swift rotation of offices takes place, leading to a continuous change of reigning and being reigned.

The Polity consists of three powers: The advisory, the executive and the judicial power. The officials and the judges are partly determined by election from the oligarchy, partly by the lot from general public.

Although Aristotle considers the family as the foundation of the state, he proposes that legislation requires the abortion of excess children and the abandonment of abnormal children.

The state must not only handle domestic affairs, but also offer protection against external threats and therefore always be ready for war. The optimal size of a state enables autarchy but remains nevertheless easily comprehensible.

Aristotle refuses the communal property of goods since the abolition of private property causes neglect and new injustices. He also rejects the even distribution of the property, as proposed by Plato. According to Aristotle, there are three social groups in each state, the very wealthy, the very poor and the middle class. If moderation and the good middle ground are admittedly considered the best, moderate property must be the very best.

In his final speech for moderation, Aristotle refers to his dogma of the virtues. The state is to be a community to the purpose of a consummate and self-sufficient life. Final purpose of the state is the beatitude (Eudämonia)[6].

C.2.6   *Polybios*

Polybios, like his predecessors, considers the mixed constitution of monarchy, aristocracy and democracy as the best type of state. He concluded that Rome was enabled by its specific constitution to conquer its vast empire. Polybios thus arrives at the theory of the cycle of the constitutions in which he believes to have discovered the

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[4] Aristotle, 1292, 40.

[5] Aristotle, 1291, 40.

[6] Riklin, Aristoteles, 341-351.

law of history. According to this theory, the six unmixed type of states, namely monarchy, tyrannis, aristocracy, oligarchy, democracy, ochlocraty are in a compulsory sequential cycle. The cycle can only be stopped by a mixture of the three good constitutions, which are monarchy, aristocracy and democracy. However, a major flaw of his theory is that it is not at all applicable to the mixed constitution of ancient Rome. Following this, his theories on the context of political power and dispositions, victory and defeat remain unacceptable generalisations[7]. Remarkable is Polybios' description of the "checks and balances"[8].

C.2.7 *Cicero*

Cicero discusses the theory of the mixed constitution mainly in the first two books of "De Re Publica". In his view, the state is a matter of the people (Res publica res populi) achieved by the recognition of the law (iuris consensus) and the mutuality of the benefit (utilitatis communio).

Each of the three types of state (monarchy, oligarchy and democracy) is bearable if it subscribes to the principles above. The main weakness of the pure types of state is their proximity to the degenerate types of state, in which lawlessness and self-interest prevail. Cicero sticks to the classic models in the sequence of monarchy, aristocracy, democracy, rabble-reign, oligarchy and tyrannis. Although he also refers to a cycle, he does not describe it as a rigid, natural law-like sequence.

His model of a mixed constitution unifies the three good types of state: Welfare (monarchy), insight (oligarchy) and freedom (democracy)[9]. The mixed constitution is considered stable except in cases of serious mistakes of leadership, while the pure types of state are only stable in the case of a godlike art of leadership. He puts forward a mixture of rights, duties and contributions as well as power, authority and freedom[10]. The mixed constitution is thus characterised by the tripartition in monarchy, oligarchy and democracy, as well as its moderation, balancing and justness. Cicero praises the Roman republic as the practically best state because of its stability and its functioning in large political structures.

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[7] Gizewski im www.

[8] Riklin, Polybios and Cicero, 22-33.

[9] Cicero, I/54

[10] Cicero, II/57

Cicero's idea of an ethical foundation of the state stands in sharp contrast to Polybios' theory of power politics. According to Cicero, power requires moral justification. State, law, political power and ethics form an inseparable unit, whereas personal and institutional ethics are mutually necessary[11].

C.2.8 *Thomas of Aquin*

Thomas is by many regarded as one of the originators of socialism because of his theory of the social commitment of property. But this would not do justice to his achievements in political studies and stands in sharp contrast to many of his teachings.

In his main work "Summa theologica", Thomas indicates the mixed constitution as the best political regime. He identifies legislation as the most important task of government, attributing it to the general public or the magistrate to whom the welfare of the public is entrusted. If legislation is entrusted to the general public, practices observed by everyone attain legal status, otherwise only if the practice is tolerated by the legislator. According to Thomas, everyone must somehow or other have a share in political power. Referring to the Old Testament, he concludes that the constitution must consist a mix of kingship, aristocracy and democracy.

In his "De Regimine Principum", Thomas approves of the monarchy, referring to Aristotle's teachings of the types of state. He expounds that the smaller risk is to be chosen, as it is more likely that a Polity degenerates into a democracy than that a monarchy degenerates into a tyranny. However, he proposes a limitation of the monarchy, with four safeguards: (1) The election of a suitable king; (2) compliance of the king's action with the constitution; (3) limitation of the king's powers and (4) the right of the people to vote out a tyrant. Thomas considers the tripartite constitution, consisting of monarchy, aristocracy and democracy as superior to Aristotle's dual mixed constitution, consisting of oligarchy and democracy.

Riklin explains the contradiction of Thomas' ideas with a hierarchy in the works of Thomas', which places the "Summa Theologica" in first position. Furthermore, the kingship of the 13th Century was more like a monarchic-aristocratic mixed constitution than an absolutistic regime. Thomas' model of a mixed constitution subsequently merely softens the monarchic elements in comparison to the status quo. Furthermore, Thomas

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[11] Riklin, Polybios and Cicero, 22-33.

seems to have written his "Regimine Principum" with regard to his (noble) clients. In the result, his ideas of the mixed constitution and of the monarchy are very close. It is possible that Thomas regarded the monarchy as the theoretically best state and the mixed constitution as the practically best state.

However, it can be assumed that Thomas' ideal of the practically best state was the tripartite mixed constitution. His historical explanations referring to the biblical Israel are very reductionist, though. He attempts to prove that Aristotle's teachings on the best political order came to almost the same conclusions as God's revelations of the Old Testament. Thomas emphasised that the ultimate goal of the best political order were virtue and the attainment of the divine promises[12].

C.2.9 *Macchiavelli*

Macchiavelli maintains that in politics, morally perfect action can be sacrificed to political efficiency. The dilemma is rooted in the contrast between spiritual salvation and fatherland. His demand to subordinate religion to politics marks the transition from the middle ages to modern times. He approves of the unconditional commitment of politics to the conservation and consolidation of the state.

The main points in his theory are: (1) The best form of government is the republic in which all citizens participate; (2) religion should not dominate or be part of government; (3) maintenance of a strong citizens army is necessary; (4) states change in government by evolution or revolution; (5) states must be ever vigilant to remain free and independent.

Macchiavelli identifies religion as an outstanding instrument to create a nation. His thesis, that the prince shall at the end of his life transfer the political power to the people, makes Macchiavelli one of the first theoreticians of a national state.[13]

The much quoted ethical deficits of Macchiavelli's teachings are merely located in their exaggeration of public interest, their unconditional patriotism and their glorification of the fatherland[14].

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[12] Riklin, Thomas von Aquin, 67-90

[13] Münkle, 977-978.

[14] Riklin, Macchiavelli.

C.2.10 _Donato Giannotti_

In his work "Republica Fiorentina", Giannotti puts forward a secret plan to the re-establishment of the Florentine republic in an improved form. He proposes - for the first time in history - a total revision of the constitution. His ideas of the separation of powers is already shaped by the principle of interconnecting powers; he assigns executive as well as leading and governing functions to the government. His incorrect (!) declaration of the parliament as legislative and the government as executive has preserved itself to the present day.

C.2.11 _Gasparo Contarini_

In his political work "De Magistratibus et Republica Venetorum" (1523/24), Contarini describes the political structures of the Republic of Venice. There was no actual hierarchy amongst the Venetian state's five councils. The councils were not separated, neither with regard to staff nor function and strongly interconnected among each other. The political powers were more or less evenly distributed to all bodies. This yielded a working model of "checks and balances". Contarini recommends mixing the pure types of state and thus arrives at the tripartite mixed constitution. The elitist structure of the Venetian constitution did not perturb Contarini, who recommended to keep the people in a good mood by creating structures which exploit their strive for recognition. It therefore turns out that he actually refers to a dualistic mixed constitution, which consists of monarchic and aristocratic elements.

C.2.12 _Jean Bodin_

In his main work "Les six Livres de la République", Bodin extends the hitherto concept of the state by the concepts of national sovereignty and of the monopoly of force. ("La souveraineté est la poussance absolue et perpetuelle d'une République - maiestas est summa in cives ac subditos legibusque soluta potestas"). This view was in line with the growing concentration of sovereign authority at the time.

Bodin was opposed to "mixed regimes". Only one authority in the state, namely the monarch, should be entitled to enact laws. Although Bodin is considered by many as an apologist of absolutism, he imposes limitations on the monarch: (1) pre- and supranational laws, i.e. law of nature; (2) traditional principles of constitution; (3) family and private property.

C.2.13 *Thomas Hobbes*

Hobbes concludes in his "Leviathan" a mechanically-causal concept of nature and explains social and economic conditions with economical concepts. Instead of intuitive theories, he asks for proof and makes things measurable. Hobbes was strongly influenced by the unlimited faith in progress of his time and attempted to introduce systematic and scientific thinking into the social sciences.

The triad of Hobbes theory is (1) state of nature, (2) contract and (3) state. Since the state of nature is a "war of all against all", a contract or social covenant is concluded, obliging the people to give up their natural freedom and restoring peace. The contract makes the people citizens. The political authority is only legitimate if such a contract exists.

While Aristotle attributes the individual's quality of life to the quality of the political community and Cicero conceives the law as a pre-determined and irrevocable law of nature, Hobbes rejects everything metaphysical and sharply refutes law of nature. Hobbes goal is the satisfaction of the individual's own interests. The state should stop preaching truths. Religion and state should be separated (secularisation of the state). The state should act neutral. Virtue is replaced with economic rationalism. The objective truth is replaced with a competition of truths.

Aristotle's idea of the state as a natural political community is replaced with the notion of an artificially created structure. While the former puts the community before the individual, the latter puts the individual ahead of the state. The integrated community of human beings is replaced by the sovereign individual.

Hobbes' theory of "Leviathan" legitimises political authority and power through voluntary self-restriction in one's own interest, with strict and institutionally guaranteed reciprocity. The state is an absolute authority equipped with compulsory measures and a monopoly of force. The ideas of separation of powers or mixed constitution are discarded in favour of a well-functioning and scientific bureaucracy securing peace. The idea of the absolutist monarchy is born. Leviathan, i.e. the contractually established state, is so superior that the citizens remain in awe of it, so that they can be constrained.

C.2.14 *John Locke*

Locke, in contrast to Hobbes, wants to break the claim to absolute monarchy and offer a certain protection against the incursions of the state.

Locke refuses Hobbes' theory of a state of nature as a "war of all against all". Consequently, the individual should not transfer all his freedoms to the state but only as many, as is necessary to achieve the purpose of the state, keeping his pre-state rights, i.e. life, freedom and property.

In his "Two Treatieses on Government", Locke develops the idea of pre-state rights innate by nature to mankind, i.e. the human rights based on the law of nature. The three rights - life, freedom and property - cannot be transferred. The state must offer safeguards against the transgression of pre-state rights and its actions are to be restricted by the law[15]. In contrast to Hobbes, the positive law must remain within the scope of the unwritten law of nature. There are state-free spheres, like for instance, the freedoms of assembly and privacy, parental rights and unrestricted political views.

Locke approves of the division of power into three forces: Legislative, executive and federal force, the latter meaning the exterior representation of the state. He recommends a mixed constitution, i.e. the division of the political power on different social groups. The monarch is entitled to the executive; the House of Lords represents the aristocracy and the House of Commons the propertied bourgeoisie. The right to vote is tied to a tax assessment.

Primary task of the state is the protection of the pre-state rights. Whoever is violated by the state in his rights has a right of resistance.

C.2.15 *Montesquieu*

Montesquieu is widely regarded as the creator of the separation of powers ("la séparation des pouvoirs"), although he never advocated a strict separation of government functions. He actually recommended a pragmatic synthesis of the separation of powers, the principle of legality and basic rights.

"When the legislative and executive powers are united in the same person, or in the same body of magistrates, there can be no liberty; because apprehensions may arise, lest the same monarch or senate should enact tyrannical laws, to execute them in a tyrannical manner…again, there is no liberty, if the judiciary power be not separated from the legislature and executive. Were it joined to the legislature, the life and liberty of the subject would be exposed to arbitrary control; for the judge would be then the legislator.

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[15] Locke, No. 136.

Were it joined to the executive power, the judge might behave with violence and oppression…there would be an end of everything, were the same man or the same body, whether of nobles or of the people, to exercise those three powers, that of enacting laws, that of executing the public resolutions, and of trying the causes of individuals...."

Since Montesquieu believed that political power inherently leads to its abuse, he recommended that "To prevent this abuse, it is necessary from the very nature of things that power should be a check to power. A government may be so constituted, as no man shall be compelled to do things to which the law does not oblige him, nor forced to abstain from things which the law permits"[16].

There is little controversy about Montesquieu's role as inventor of the concept of the restraint of power, the "Checks and Balances". As mentioned above, he doesn't plead for a strict separation of the three political powers of legislative, executive and judiciary. He subdivides into the social forces of the monarchs, aristocrats and propertied bourgeoisie. He further subdivides the state in voters (propertied bourgeoisie), house of commons, house of lords, court of commons, court of lords, ministers and the king. Moreover, he subdivides each political power into the different tasks and areas of authority (facultés), which are distributed to the different social forces.

In brief, the rules governing the distribution of the political powers are as follows: (1) Only one political power may be at the exclusive disposal of one social force; (2) No one of the three forces may be entrusted exclusively to one single social force or one single branch of government; (3) each social force shall be appropriately participating in each of the three powers it is subjected to; (4) the equality and independence of each social force should constitute the basis of their co-operation, regardless whether it is made up of a single individual, a chosen few or many.

The concept of equality is not applied to individuals but to the social forces. The division and distribution of power is achieved by subdividing the political power horizontally (legislative, executive, judiciary), vertically (municipality, region, nation), and according to social forces (aristocracy, general public). The forces should be preferably independent of each other.

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[16] Montesquieu, 11th book, Fourth chapter.

Montesquieu adopted the idea of the basic rights from the works of Locke and Pufendorf.

Since the mixed constitution had acquired a poor reputation because of the events in England, Montesquieu incorporated his idea of a mixed constitution into the separation of powers. This explains why it is sometimes referred to as the redemption of the "mixed constitution" by the separation of powers.

C.2.16 *Rousseau*

Rousseau understands civilisation as a history of decline. The human being, once healthy, has become sick because of his progress. The division of work caused personal dependence on others and social differentiations. Natural self-gratification has turned into the selfishness, causing a war of all against all.

The human being, torn between natural self-centredness and social adaptation, must either fully adapt socially or leave society. The only alternative is re-education to social behaviour in the community (which was taken up later by the Socialists and Communists), since the human being must be forced on the right path.

The law must have unlimited compulsory force over the human being in order to fight egotism. Nobody may oppose the law. All rights are transferred to the state. The law replaces the undesirable personal dependence of the individual with an undespotic and impersonal dependence of all on all.

Since the people would only follow their own free will, laws are only generally binding if created by all citizens and applied to all citizens. Political authority means direct self-government of those concerned, i.e. no parliament, no representation and certainly no Leviathan.

The "Volonté Générale" may only be determined by the general public. Therefore the best political solution is a small state since the citizens must meet in a public place in order to adjudicate. The Volonté Générale is not a fiction but an intention innate to each human being. The state must be so small that a person can identify itself with the next. If one felt at home in a community, one would only desire what is good for the entire community. The citizens elect and supervise their magistrates, who are not sovereign, but public servants.

The highest authority in the state is the law. Laws can only be passed by the assembled citizenry and each law is to be subjected to a public vote. The executive is to handle the

judiciary. The magistrates are public servants. The executive is completely subservient to the legislative, since Rousseau believes that excessive strengthening of the executive represents a great danger. Therefore regular meetings of the citizenry are to be held, whereas the magistrates can be recalled anytime. The ratification of laws as well as the election and control of the government takes place through the citizenry.

According to Rousseau, there are no inherent limitations to the authority of the state, no basic rights and no protections of minorities. The latter is achieved by everyone knowing that his political decisions will affect him, too. The government is subordinated to the citizens and must annually account for its actions.

Rousseau is certain that the average-citizen is not capable of overcoming his egoism by himself. Often, he would not even know what he actually wanted. This leads to the conclusion that already at foundation, the republic is to be steered onto the right tracks. A political leader shall make proposals, which are subsequently confirmed by the assembly. To improve his credibility, he could put his suggestions into the mouth of a higher authority, preferably God, which is not really undermining the freedom of decision-making but represents a mild help to come to the right conclusions.

The "Contrat Social" appears to be exaggerated. However, one must take in consideration that it was not written as a philosophy but for the citizens of Geneva.

The indirect leadership of the magistrates shall be discreet, through the proposal of laws and the right to convene public meetings. The people should notice nothing of it. The government is given an immense freedom, which should be put to use. Political maxims are necessary to prevent the development of personal dependencies. Furthermore, the sense of community is to be developed by public celebrations and rituals.

The theory's ambiguity is provoking. On the one hand, it promises egalitarianism, on the other hand elitism with discreetly disguised authoritarianism. The human being is regarded as mulish and unreasonable, so that he must be led indirectly from the background. A superficial appearance of freedom should however prevail.

Rousseau rejects the mixed constitution in principle. On the outside, he wants a democracy, which is tied to the dictatorship of the people. He hands the executive powers to the citizens and refuses any kind of heteronomy. Although he does not acknowledge oligarchy, he is ready to admit it informally. He justifies it with the notion that steering those who give orders was preferable to giving orders without legitimation.

Therefore, he recommends to connect direct, formal and safeguarded government with indirect and informal government.

C.2.17 *Althusius*

Althusius' basic idea is the concept of the sovereignty of the people. The people alone are entitled to sovereignty and it can't be disposed of or transferred. Only its administration is transferable. Every state is based upon a silent or explicit, anytime revocable social contract between the people and the authorities. The social contract constitutes the only permissible legitimation of the sovereign.

If the sovereign fails to meet his obligations to further public welfare, the people may dissolve the contract. In this case, the right of resistance against the sovereign is legitimate.

As a generic term for any type of human community, Althusius refers to the "Consociations" of family, collegium [guilds], commune, province and republic, which remain in a hierarchy and a mutual relationship to each other.

He understands federalism as the self - and co-determination of all "consociations". They follow the principle of subsidiarity, meaning that only tasks necessary to fulfil the community's purpose are transferred to the larger community. His idea of power-sharing is decentralised from the basis upward. He represents the idea of a constellation between a unitary state and a confederation, so to speak as a forerunner of the federal state.

In his dialectics of federalism, he distinguishes between (1) the rôle supplétif to facilitate matters that lower authorities cannot solve on their own; (2) the rôle subsidiaire as a distribution of authority to the most efficient level; and (3) the rôle immediate as autonomy, i.e. the undivided authority of the respective decision-making level.[17]

C.2.18 *Madison*

Madison represented the idea of a strong central power. The state is to be reigned by a small number of elected citizens. The form of Government must be capable of governing a large nation.

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[17] FIT in the www; Wiedemann in the www; Riklin, Verfassung, 225-227.

The constitution shall be drafted at a convention (a constituend meeting), not by a single "wise legislator". The convention should consist of representatives of the member states. The member states have to ratify it.

Madison rejected direct democracy since in his view it could not guarantee the protection of minorities, personal security and property rights. The people were to be excluded from government and instead, representatives should be elected.

He ties this to two conditions: (1) The country must have a certain size, in surface and in population, so the individual interests are multiplied and (2) a federal state, that handles all interests of the member states centrally, on the basis of subsidiarity.

According to Madison, faction-fighting represented a great political danger if one of the rivalling factions succeeded in obtaining a majority. Either the causes or the consequences of the rivalling interest groups were to be removed. To remove the causes by imposing the same ideas on everyone was utopian. The people differed too much, already with regard to their property. A system must therefore be devised to restrict the damaging effects of rivalling groups, particularly by federation and distribution of the power.

Madison recommended a modified version of the separation of powers with "checks and balances", moulded on Montesquieu's model. Federal laws are to be directly applicable in the member states. The member states have a share in the powers of the federation. Moreover, Madison introduced a second chamber of parliament with a federal character.

Madison's comrade-in-arms Hamilton implicitly established the principle of constitutional jurisdiction, i.e. scrutinising the conformity of laws with the constitution.[18]

C.2.19 *Karl Marx*

Marxism has, like no other ideology in world history, found enormously militant supporters. Yet Marx did not invent anything fundamentally new. His strength was the clean scientific argument and a polemic and revolutionary mode of expression that was unknown until then. He adapted his dialectic - thesis, antithesis, synthesis - from Hegel and the materialism from Feuerbach.

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[18] The Federalist Papers.

Around 1840, the needs and interests of the workers gradually fell in disparity with those of the bourgeoisie. Moreover, a radical belief in reason and progress prevailed. Saint-Simon's early socialism which already referred to the "classes", originated. In 1837, Sismondi wrote in his "Etudes d'économie politique" that the modern society lives at the expense of the proletariat. Germany stood under the influence of Hegel, who maintained that reality adapts itself, once the consciousness develops.

Marx didn't want to merely interpret the world like the philosophers, but to change it. Consequently, his theory does not take the values and ideals of the people into account, but only what he regards as their real interests.

His historic materialism is an explanation of historical dynamics, that are driven by productive forces (technical progress). These determine the conditions of production (ownership) and are in a constant dialectic with each other. As these historical processes are subject to certain patterns which can be rationally explained, they can be anticipated. Thus impoverishment, polarisation of the social conditions and revolution are a compulsory sequence.

Marx regards the state as the bourgeoisie's instrument for the exploitation of the workers. Therefore, the work force should take it over and use it for their own purposes. After 1871, he altered this concept. The state must not be taken over anymore, but abolished altogether.

As the forcible revolution is bound to take place as soon as social conditions drop to a certain level, the work force must be politicised to fulfil their historic role. For the moment, a dictatorship of the proletariat must be established, to break the resistance of the bourgeoisie.

The objective of the revolution is to overcome the state through new forms of a decentralised and direct-democratic administration. Each human being does what he does best. All goods are to be produced and distributed according to scientific methods. There is no economic pressure anymore and no poverty.

Marx was successful because his teachings met the reality. He spread a religion-like message of salvation, promising immediate improvements to those doomed by society and offering a concrete model of a classless society.

C.3   Conventional non-participative forms of government

C.3.1   *Absolute Monarchy*

In an absolute Monarchy, the reigning monarch pulls all the strings personally. There is no public involvement in decision-making. The sovereignty is restricted to a single ruler (King, emperor) who receives his office by birthright or by force. He is only accountable to himself. A strong police force ensures stability in the interior. It is characterized by quick, sometimes erratic decision-making by the ruler. The country is burdened by corruption, favouritism, high tax burden and economic inequalities. The stability is tightly knit to the popularity and the economic situation of the Royal Family. Absolute monarchy is virtually extinct today.

C.3.2   *Tyrannis*

Political decision-making is restricted to the (often rigged) election of a ruler. Once elected, he will henceforth represent the sovereignty. The form of government usually turns into a dictatorship. Formally known as "tyrannis" in the ancient Greece, it is representing one of the earliest forms of popular election. Most African governments resemble strongly this type of leadership. According to Professor. Dr. Claude Aké from Ghana this form of government can satisfy Western standards, as it appears at first sight like a real democracy. The further implications are listed under "Dictatorship".

C.3.3   *Dictatorship*

In a dictatorship, no involvement in political decision-making is possible. A strongman seizes power by means of election (see Tyrannis), revolution or political upheaval. The people are henceforth excluded from any political decision-making. A dictatorship does not automatically mean that the dictator is unpopular. Very often his popularity leads actually to the upheaval that propels him into office. His power is based on a strong and loyal army and/or police force and economic influence, sometimes also on economic advantages given to a certain group that supports him (Germany 1933: "Arians", South Africa 1948-94: "Whites", African countries: own tribe). Very often based on totalitarian (e.g. Fascist or Marxist-Leninist) ideas. It allows for quick and efficient decision-making and is open for new ideas (for instance the construction of the capital of Yamoussoukro in Ivory Coast). In a dictatorship, fast social or economic progress can be made by means of big-scale planning and low cost of (partially conscripted) labour. The country's resources may be allocated freely, often in the dictator's own bank account. Dictatorship

may provide good interior stability, but a poor score on civil rights. Repression and political terror, usually from government as well as from anti-government sources, are common. A dictatorship is only stable during the ruler's peak of power.

C.3.4   *The person-centred government state*

In cases of democracy failing, a person-centred government state may result. The modern, functional state offers little resistance against malicious attempts to destroy it. A return to an authoritative rule is consequently offered as the only way to save the state from inner decay. In these times of uncertainty, democracy is willingly exchanged against the provision for continued existence, civil rights for a promised improvement of the situation and personal rights against a diminution of personal risks.[19] The driving force in the state is the head of government, not a governing body.

The three typical types of person-centred government states are: (1) The *pre-constitutional state*, where the ruler's authority was not vested in him by the people. Having no meaningful constitution, this state is unable guarantee the rule of law. A typical example would be Ethiopia under the Negus Haile Selassie. (2) The *plebiscitarian democracy*, whereby it makes little difference whether the ruler was elected in a free and fair election; it is sufficient if he came into power by acclamation. A typical example is Germany under Adolf Hitler or Italy under Benito Mussolini. (3) The *neo-national state* is the result of colonial structures and imaging the lack of national awareness. Typical examples are Mozambique under Samora Machel or Zimbabwe under Robert Mugabe. The constitution can either be (a) reshaped to accommodate the new ruler's needs, alternatively it may (b) remain unaltered when the ruling party is in a monopolistic position or (c) a second control structure (secret police etc.) is created within the existing, unaltered system, thus efficiently preventing politically inopportune verdicts, but keeping up a constitutional facade.[20]

The person-centred government state and the totalitarian forms of government covered in the next chapter are at times identical.

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[19] Imboden, 75, 77.

[20] Imboden, 78ff.

C.4   Totalitarian forms of government

C.4.1   *The nature of totalitarianism*

Totalitarianism is often equalled to authoritarianism[21]. The definition of totalitarianism is much narrower, though. C.J. Friedrich[22] defines Totalitarianism as follows:

- An elaborate ideology which covers all aspects of man's existence and which contains a powerful chiliastic[23] moment.
- A single mass party, led by one man, forming the hard core of the regime and being superior to or intertwined with the governmental bureaucracy.
- As system of terror by the police and secret police directed against real and imagined enemies of the regime.
- A monopolistic control of the mass media.
- A near monopoly of weapons.
- The central control of the economy.

This definition is more universal than the definition supplied by Kogan,[24] which centres on Nazism. Totalitarianism may occur in Fascist as well as in Socialist or Communist systems. To determine whether a regime is totalitarian, a majority of the above elements have to be fulfilled. Furthermore, one needs to examine those aspects of totalitarianism differentiating it from other types of authoritarian regimes.

A totalitarian system seeks to control all aspects of human life, in line with Mussolini's famous slogan: "Everything for the state, nothing against the state, nothing outside the state", thus depriving the individual of all autonomy and personal space.

Totalitarianism is a recent development. It relies on modern means of communication and mass control, such as radio or TV. It may only occur in a mass society in which individuals are fearful, isolated and uncertain, and promises to give a new meaning to life. Current suffering is dedicated to a higher purpose, the emergence of a new world.

Totalitarianism is based on the concept that human beings are able to control their own destinies. While traditional societies are based on custom, religion and fate, Totalitarianism seeks to actively create a new society.

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[21] http://www.cf.ac.uk/hisar/people/kp/kpteach/HANDBOOK.html.

[22] C.J. Friedrich, Totalitarianism, 1945.

[23] Expectation of some event to happen in the near future.

[24] Kogan, N., Fascism as a political system, in Woolf, S.J. (ed), The Nature of Fascism, 1968.

C.4.2   Communism

C.4.2.1   The history of Communism

Originally, the term Communism signified an ideal society in which property would be owned in common and the necessities of life shared by members of the community according to their   needs.[25] Around 1300 B.C., a system with communistic elements was known in Crete. Lycurgus used a similar system in Sparta, although private ownership was not completely abolished. This inspired Platon, who advocated a form of Communism which was still heavily reliant on slave labour, though. The first Christians in Jerusalem were said to have practised some kind of Communism, as they sold their belongings and laid the price at the feet of the Apostles for re-distribution. Today, it is rather seen as a kind of altruistic behaviour, as it lacked most elements of Communism. St. Thomas More's "Utopia" (1516) was a romantic account of an ideal commonwealth for economic reasons. ". Further forerunners of Communist ideas were "Oceana" (1656) by James Harrington, "The City of the Sun" (1625) by Thomas Campanella, Francis Bacon's "New Atlantis" (1629), Gabriel de Mably "Doutes proposés aux philosophes économiques" (1768), Morelly "Code de la nature" (1755). F. N. Baboeuf founded the "Society of Equals" in 1796, but was betrayed and guillotined. Count Henri de Saint-Simon, "Nouveau Christianisme" (1825), did not demand common ownership of all property and was thus rather a Socialist than a Communist. Charles Fourier in his "Traité de l'association domestique-agricole" (1822) did not advocate the abolition of all capital, and limited his plans to local communities, which he called "phalanxes".

In 1831, the first worker uprising had taken place in Lyon. The first national worker movement, the Chartists, reached its peak in 1838-42. The class struggle between proletariat and bourgeoisie became prevalent.[26]

Etienne Cabet introduced a detailed account of a Communist society in his book "Voyage en Icarie" (1842). In his summarising literary representation of all previous Communist ideas, he identifies a imbalance of wealth and power, private property and money in the civilised society and seeks to replace individualism with solidarity.

Communist experiments were conducted by Owen and Cabet and of Socialist experiments by Fourier and St. Simon in the United States. They established small

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[25] Multimedia Encyclopedia.

[26] Lexikon des Sozialismus, 319ff.

agrarian settlements based on collective property, communally organised labour and the total absence of money inside their boundaries. None of them succeeded.

With Proudhon and Marx, a sound substantiation of Communist social criticism was established.[27]

Marx attributed the utopian character of the previous Communist conceptions to the underdeveloped social circumstances. Already in his economic-philosophical manuscripts of 1844, Marx represents the thesis that Communism is not founded on the negation of the property but on an inescapable historic development. Empirical and theoretical basis is the movement of private property. In its critical analysis of political economics, this forms the theoretical basis of the Marxist theory.[28]

According to Marx, the Communist movement must comprehend one's own history as a component of the history of the civil society, in which the inadequate control of the social production-process becomes increasingly obvious. For Marx, Communism is not a future vision, for which should be striven, but a movement, that does away with the present conditions and which is bound to emerge from the present economic realities.

The estrangement is for Marx not only an issue of distribution, but could only be lifted by universal real and ideal relationships. He therefore distinguishes the phase of raw Communism, in which the abolition of private property allows not yet individuality, and the developed Communism.

In their Communist Manifesto (1848), Karl Marx and Frederick Engels applied the term Communism to a final stage of socialism in which all class differences would disappear and mankind would live in harmony. Marx and Engels claimed to have discovered a scientific approach to socialism based on the laws of history. They declared that the course of history was determined by the clash of opposing forces rooted in the economic system and the ownership of property. Just as the feudal system had given way to Capitalism, so in time Capitalism would give way to socialism. The class struggle of the future would be between the bourgeoisie, or capitalist employers, and the proletariat, or workers. The struggle would end, according to Marx, in the Socialist revolution and the attainment of full Communism.

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[27] Lexikon des Sozialismus, 319ff.

[28] Lexikon des Sozialismus, 319ff.

Marxism became the dominant body of thought in European socialism in the 19th Century. Socialist parties grew rapidly and, despite their revolutionary theories, began to elect representatives to national legislatures. Much controversy raged within the parties between those who felt the need for a revolutionary overthrow of Capitalism and those who held that socialism might be achieved through gradual reforms.

In the Russian Revolutions of 1917, Lenin and his followers seized power and established the USSR as the world's first Communist state. In the aftermath of the Second World War, the USSR was at the peak of its political power, having most Eastern European countries as tributaries and expanding steadily.

Today, Communism has lost its attraction. The Comintern and the Cominform have been dissolved, international Communist unity dwindled away. After the fall of the Eastern European Communist regimes and the end of the COMECON and the Warsaw Treaty Organisation in 1991, the Soviet Union disintegrated almost at once.

Today, China, Cuba and some African states officially still profess to follow Communist doctrines, but only Cuba still pursues Communist ideals in their true sense.

C.4.2.2 The Russian Revolution

According to Prof. Richard Pipes,[29] the Russian revolution is no proof for the validity of the Marxist theory of history. He says that Russia was receptive to Communism because of a combination of Western and Eastern ideology. Russians never experienced citizen's rights, the Orthodox church remained apolitical, communal cultivation of soil was common and the government had always been unjust and domineering.

In Russia, the theories of Marx and Engels were read selectively. While Lenin maintained that Russia was already in the capitalist stage, which it was not, the populists claimed that it could skip the capitalist stage. Marxism acquired an anti-democratic and anti-capitalist cast.

After the civil Revolution of 1905, Russia enjoyed relative freedom. But Tsarism had lost its prestige after the defeat in the Crimea, the lost war with Japan and the loss of Poland. Public discontent still ran high as a result of the pre-1905 political conditions and the governments mismanagement of World War I.

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[29] Richard Pipes, 12-29.

Tsar Nicholas abdicated to prevent defeat which he thought was immanent when the mutiny of a Petrograd garrison was threatening to spread to the front. The liberal-Socialists proved incapable of governing and the Bolsheviks as the largest homogeneous group and featuring a military-style organisation grabbed power.

The classical October Revolution which removed the government of Kerensky was a classical coup d'etat, carried out in utmost secrecy and involving at most 25000-30000 workers and sailors. In the elections of November 1917, the Bolsheviks gained a respectable one-fourth of the vote, but the majority went to the Socialist-Revolutionaries. Thus the Bolsheviks illegally assembled the Second Congress of Soviets on October 26, 1917 and packed it with their members and supporters. Sensing that a one-party state would not go through, they proposed the transfer of power to the Soviets as a superior form of democracy, which was readily accepted.

The Bolsheviks won the final vote by promising the opposite of what they intended to do.[30] They promised transferring the land to the peasants, self-control to the workers and peace to the soldiers. When the population felt cheated and rose in anger, the Bolsheviks launched large military campaigns against them.

The initial period of Lenin's Soviet government was characterised by trial and error in the midst of economic dislocation, social chaos, domestic civil war, and foreign intervention. Lenin soon abandoned the notion that the government could function as a "democratic dictatorship of workers and peasants." He dissolved the Constituent Assembly and outlawed all other parties.[31]

C.4.2.3 Philosophy

Marxism is made up of three component parts: Marxist philosophy, Marxist political economy and scientific socialism. According to Marx, all our ideas and thinking are controlled by the ruling class. The class, that controls the methods of production, disposed also the methods of mental production so that the thoughts of the public were subservient to it. The ruling thoughts were only the expression of the ruling material circumstances, therefore the thoughts of the rulers.[32]

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[30] See fn. 40.

[31] Multimedia Encyclopedia.

[32] Marx/Engels, Works, Vol. 3 p. 46, in Marxistisch-leninistischen Ethik, 10.

The former chairman of the CPSU, Leonid Brezhnev, made plain what more was needed. "The core of the entire ideological-educational work of the party is the formation of a Communist philosophy within the large masses of the workers, their education to the ideas of the Marxism-Leninism. But even the most progressive ideology turns only into a real strength, if it seizes the masses, moves it to actions, controls the norms of daily behaviour."[33]

Marx stands for a social and historic materialism, that sees the basis of the historic development in the respective contrast of productive forces and circumstances of production. The political institutions, ideologies and religions are merely superstructures of this socio-economic basis. The development of the basis is to be taken as a guideline to the interpretation of history.

The historical determinism is very complex, but already recognisable in the transition of the pre-bourgeois (manufacture) to the bourgeois society (industry). The character of the productive forces becomes increasingly collective, in contrast to the private character of the proprietary order,.

The conflict between productive forces and circumstances of production is reflected in the class struggle. The dynamics of the circumstances of production increasingly divides the society into capital-magnates and impoverished proletarians. This leads to a proletarian revolution, the conquest of political power and the socialisation of the productive forces. The "dictatorship of the proletariat" is however only an intermediate stage on the path to a class- and ruler-less society, since all other classes vanish.[34]

C.4.2.4 Materialism

Materialism regards - in contrast to idealism - the historic development as a consequence of the material conditions (as consequence of the distribution of goods).

Marxism distinguishes three meanings of materialism:

1. In a scientific context, history must be viewed in the light of the living conditions of the individuals.

2. As a philosophical explanation of the world (dialectical materialism), the structures of the development of nature, society and thinking are attributed to three laws of movement

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[33] Brezhnev, Leonid, Report to the central committee of the CPSU at the 24. Convention of the CPSU, Moscow/Berlin, 1974, p. 112f. in Marxistisch-leninistischen Ethik, 34.

[34] Lexikon des Sozialismus, 423f.

of the matter: (a) gradual quantitative changes increase until they finally lead to a leap in fundamental qualitative change (quantity changes to quality); (b) in all objects and matters, there is a struggle of contrasts as a motivating force of development, leading to the annihilation of the old and to the formation of new forms (unity and struggle of the contrasts); (c) this fight leads to the negation of the old and the development of the new, while viable elements of former stages of development remains. The new contains contradictions causing the negation to start anew (negation of the negation).[35]

3. As a social-ethical role, replacing religious hierarchies with the mortal existence of the human being and natural conditions and ecological barriers as limitations of the industrial society.[36]

C.4.2.5 Criticism of political economics

Central categories of the Marxist analysis of political economics are merchandise, money and capital, representing objectified social circumstances: The merchandise is an unit of utility and monetary value; money is the "ware of the merchandise" and capital the relationship between two individuals, founded on the property of the means of production by a minority and the poverty of the majority. Work is considered at the same time as concrete work in order to produce an utility value and abstract general work in order to produce a monetary value. The capital alters its appearance in the process of production and returns only to its original appearance (of monetary value) after the sale of the merchandise.[37]

C.4.2.6 The Communist Manifesto

The Communist manifesto was written in 1848 in London by Karl Marx after a draft of Frederick Engels. Marx understood the history of society as a series of class struggles, resulting in the antagonism of the two major classes, the bourgeoisie (the wealthy) and the proletariat (the poor). He identified the first bourgeois amongst the burghers of the early modern ages. After the discovery of the Americas, a rapid development was to have set in and an industrial society developed. He critically remarks that industrial millionaires have increased industrial production and capital to dominate every other class.

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[35] Lexikon des Sozialismus, 427.

[36] Lexikon des Sozialismus, 430.

[37] Lexikon des Sozialismus, 424f.

He reckoned that the modern representative state was factually controlled by the bourgeoisie, replacing previous paternal feudal relations with egotistical self-interest. He saw every occupation doomed and all family relations destroyed. According to Marx, the bourgeoisie is, through its exploitation of the world market, destroying the national character of industry,[38] forcing all nations to adopt the bourgeois mode of production and creating artificial nations. In his assessment, modern bourgeois society is like a sorcerer who is no longer able to control the powers of the nether world. The result are periodic commercial crises, which, with their subsequent over-production, keep destroying productive forces and pave the way for more destructive crises.

Marx and Engels believed that the bourgeoisie, too greedy to be the ruling class in society, was heading for self-destruction, by creating an impoverished working class and causing the middle-class to follow suit gradually. An incoherent mass of isolated workers would start a struggle against the bourgeoisie, destroy imported wares and smash to pieces machinery. They would form trade unions, which would expand rapidly, using the modern means of communication, and centralise the numerous local struggles. The organisation would gradually turn into a class and a party and gain political representation due to conflicts between bourgeois factions. The bourgeoisie, being embattled by aristocracy, faction fighting and foreign bourgeoisies, would turn to the proletariat for help. A section of the bourgeoisie would go over to the proletariat and whatever is left would decay.

As the authors believed that the proletarians have nothing to lose in the current society, he saw their mission in the abolition of individual property.

Marx and Engels maintained that the Communists were not opposed to other working-class parties, but were the most advanced and resolute working-class avant-garde, who clearly understand directions, conditions and aims of the proletarian movement. Their immediate aim is to form a proletarian class which will attain political power. He says that "the Communists may be summed up in the single sentence: Abolition of private property". Capital is understood as a social force, which is to be converted into common property.

In anticipation of Bourgeois objections to Communism, Marx and Engels drew up a long list of pre-emptive answers. They maintained that Communism gave no space to

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[38] This most surprising, as Marx otherwise advocates internationalism. See fn. 39.

bourgeois individuality, independence and freedom, in particular free trade. Fears that all work will cease were cynically countered with the remark that if it were to happen, the bourgeois had long ago gone to the dogs. The loss of culture and jurisprudence was merely regarded as shaking off bourgeois instruments of oppression. As the bourgeois society had already destroyed the proletarian families, the abolition of the family would cause little change. Education was to be rescued from the influence of the bourgeois. The advocated community of women was only doing openly what the bourgeois had done long ago through promiscuity. Countries and nationality were to be abolished because the proletariat left national antagonism and differences to vanish.[39] Communism would abolish eternal truths, such as freedom, justice, but also religion and all morality, as they were all based on a class antagonism, which will disappear in a Communist society.

Marx and Engels were convinced that the proletariat would succeed to wrest the capital from the bourgeoisie and nationalise all instruments of production. They were aware that this would require some "unavoidable" despotic inroads.

1. Abolition of property in land and application of all rents of land to public purposes.

2. A heavy progressive or graduated income tax.

3. Abolition of all rights of inheritance.

4. Confiscation of the property of all emigrants and rebels.

5. Centralisation of credit in the banks of the state, by means of a national bank with state capital and an exclusive monopoly.

6. Centralisation of the means of communication and transport in he hands of the state.

7. Extension of factories and instruments of production owned by the state; the bringing into cultivation of waste lands, and the improvement of the soil generally in accordance with a common plan.

8. Equal obligation of all to work. Establishment of industrial armies, especially for agriculture.

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[39] This is somewhat conflicting with the lamented loss of national identity above. See fn. 38.

9. Combination of agriculture with manufacturing industries; gradual abolition of all the distinction between town and country by a more equable distribution of the populace over the country.

10. Free education for all children in public schools. Abolition of children's factory labor in its present form. Combination of education with industrial production, etc.

The authors believed that class antagonisms and the proletariat's supremacy as a class would cease to exist, when the proletariat had become the ruling class and swept away the other classes.

In the section on Socialist and Communist literature, the authors distance themselves in quite harsh words from what they perceive as reactionary Socialists, conservative or bourgeois Socialists and critical-utopian Socialists.

In a political action plan, the authors maintain that the Communists were never to tire to bring the working class's attention to the hostile antagonism between bourgeoisie and proletariat. Every revolutionary movement against the existing social and political order of things was to be supported. The Communists were not to conceal their views and aims.[40] They were to declare openly that their ends could only be attained by forcible overthrow of all existing social conditions. The ruling classes were to be kept in fear of a Communist revolution, because "the proletarians have nothing lose but their chains. They have a world to win".

C.4.2.7 Leninism

Not all Marxists are Leninists, but most Communists follow the teachings of Lenin. He advocated the following, much of it emanating from the Russian situation of 1917:

(1) Imperialism is the highest stage of Capitalism; (2) the proletarians of the developed countries are bribed to stay passive by exploiting cheap labour of the development countries; (3) the rivalry of the developed countries leads to imperialist wars; (4) the working class needs to be led by a Communist party which is led by professional revolutionaries; (5) decisions of the party are to be made democratically and then enforced by a central mechanism that doesn't allow further dissent; (6) the leadership of the working class by the vanguard party continues into the period of socialism; (7) the

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[40] During the Russian revolution, the Bolsheviks did exactly the opposite, see Richard Pipes, 29.

Socialist state needs to be strengthened because of all its internal and external enemies; (8) the exploiters need to be liquidated as a class.

C.4.2.8 Stalinism

Stalin established a totalitarian political system. Under Stalin the party strove to control every aspect of Soviet life, including the activities of workers, peasants, artists, writers, and athletes. A cult of praise that amounted almost to deification developed around Stalin as supreme leader. Stalinism added the following elements to Leninism:

(1) As socialism goes from triumph to triumph, the class struggle intensifies as the enemy becomes more and more desperate. Thus rivals have to be eliminated. (2) National conflicts are to be solved by a federation organised in a way that is national in form and Socialist in content. (3) The Soviet Union is the Workers' Fatherland, and workers all over the world owe it loyalty. (4) Any movement that calls itself Socialist but does not accept the leadership of the Soviet Union and Comrade Stalin is objectively anti-Socialist and even objectively Fascist. Such movements and their adherents may be treated as class enemies.

C.4.2.9 Maoism

Maoism understands itself as an ideology to raise Marxism-Leninism to a new third stage. It is shaped by its own unique experience and blended with the ideas of Mao Zedong. According to Mao, mankind is engaged in a permanent struggle against nature. Society is engaged in antagonistic contradictions between classes and nonantagonistic contradictions between groups.

The revolution would solve the antagonistic contradictions, thereafter the nonantagonistic contradictions that existed among the people and even within the party had to be worked out. The revolution had to continue against the vestiges of the old culture and bureaucratic habits. The Russians remained deeply suspicious of the Chinese Communist movement.[41]

The essence of Maoism is (1) political power under the leadership of the proletariat in the democratic revolution; (2) political power for the dictatorship of the proletariat in the Socialist and cultural revolutions; and (3) political power based on an armed force led by the Communist Party, seized and defended through a people's war.

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[41] Multimedia Encyclopedia.

The Maoists pursue the theory of the New Democracy, which explains the three types of dictatorships: (1) the bourgeoisie; (2) the dictatorship of the proletariat as in the USSR and China before the revisionists seized power; and (3) New Democracy as the joint dictatorship of the worker-peasant alliance led by the proletariat under the leadership of the Communist Party. New democratic revolution means a new economy, new politics and new culture, i.e. overthrowing the old order and building a new one with guns in hand, which is deemed the only way to transform the world.

C.4.2.10 The difference between Socialism and Communism

To sum up the difference: Socialism implies "from each according to his ability, to each according to his *deeds*" and Communism "from each according to his ability, to each according to his *needs*". Socialists thus advocate the distribution according to quality and quantity of work performed, while Communists are in favour of equal distribution to all.

Both systems share the same roots. They are based on public ownership of the means of production and centralised planning. Socialism grows directly out of Capitalism, being the first form of the new society. Communism is a second, more advanced stage in this development.

Socialism builds upon the previous capitalist system by nationalising the "means of production" (i.e. corporations, resources, banks, etc.), but not by making everyone equal. The transition from Capitalism to socialism may occur without smashing the capitalist state apparatus, by gradually penetrating its framework. Socialism does not mean taking away private property of a personal nature. Only the means of production are to be nationalised.

Communists advocate Socialism because it is the next necessary step to get to Communism. They believe that the proletariat must forcibly remove the capitalist dictatorship over the working class and create the dictatorship of the proletariat as a first step towards a classless society. Communism clearly demands the abolition of all private property.

C.4.2.11 The Breakdown of Communism

In the 1980s, everything went wrong: Commodities prices dropped, weapons exports were hampered by striking defeats of Russian weaponry in Lebanon and the Red Army was losing a war in Afghanistan. 25% of the GNP was absorbed by military expenses.

Solidarity in Poland was undermining Russian morale. Reform was needed. Gorbachev was chosen to lead the change. A limited amount of free speech and incentives for superior performances and a limited scope for private initiative were introduced. The projected economic reforms immediately faced stiff resistance from the Nomenklatura. They took to passive resistance, bringing the reform to a grinding stop. A return to classical Communism was not feasible. It became clear that Communism was not reformable. (p. 38f.)

When Gorbachev made structural reforms to the CPSU, the party apparatus fell in disarray. He proclaimed "Glasnost", which basically meant the relaxation of censorship. By 1990 the Soviet Union ceased to be governed, with Gorbachev vacillating between reactionary forces and democracy. The West failed to understand how far the USSR had already been eroded. Once the rigid control mechanisms were removed, the Communist regime had become highly vulnerable. It ended up collapsing unexpectedly fast. Today, public opinion polls show that the majority of Russians do not want to return to Communism.[42] (p. 51)

Vaclav Havel said that "the end of Communism is, first and foremost, as message to the human race. It is a message we have not yet fully deciphered and comprehended. In its deepest sense, the end of Communism has, I believe, brought a major era in human history to an end. It has brought an end not just to Nineteenth and Twentieth Centuries, but to the modern age as a whole. The modern era has been dominated by the culminating belief ... that the world - and Beings as such - is a wholly knowable system governed by a finite number of universal laws that man can grasp and rationally direct for his own benefit ... [It] gave rise to the proud belief that man, as a pinnacle of everything that exists, was capable of objectively describing, explaining and controlling everything that exists...It was an era in which there was a cult of depersonalised objectivity ... Communism was the perverse extreme of this trend ... [It's] fall can be regarded as a sign that modern thought - based on the premise that the world is objectively knowable, and that the knowledge so obtained can be absolutely generalised - has come to a final crisis ... I think the end of Communism is a serious warning to all

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[42] Daniel Pipes, 30-59.

mankind. It is a signal that the era of arrogant, absolute reason is drawing to a close and that it is high time to draw conclusions from that fact."[43]

C.4.2.12 Communism and democracy

Marxists regard democracy, which is almost unanimously written in quotation marks, with contempt. Majority rule is opposed by principle because it is deemed not to cater for the needs of minorities or smaller nations. Allegedly, conservatives refer to democratic processes where there are in fact none. The term "Democracy" is regarded as imprecise, as it was referring to the "American way of life", but gave no insurance against poverty. Marxists believe that democracy does not work in practice and is a mere façade.[44]

Communists - in contrast to the utopians[45] - believe that democracy is superfluous in mature Communism. Democracy is a necessary stage, though, on the way to Communism. Marx wrote that "the Waterloo of the official democracy is to be regarded as a victory".[46] However, the contempt that Marx and his followers held for democracy must be understood against the background of the young, poorly developed democracies at the time and their shortcomings. Engels suggested that Communists appeared as democrats, as long as democracy was not yet achieved, in order to avoid unnecessary fights with democrats.[47]

Lenin saw no space for democracy in a Communist system. He wrote "…and then democracy starts to perish, because of the simple circumstance that people, freed from the capitalistic slavery, the countless horrors, brutalities, absurdity and meanness of the capitalistic exploitation, will accustom little by little, the elementary, time-proven and for millenia valid rules of social coexistence, without force, without compulsion, without subordination, without the apparatus of compulsion that names itself state... Finally Communism makes the state completely superfluous, because there is nobody to hold

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[43] Vaclav Havel, Address at the World Economic Forum in Davos, Switzerland on February 4, 1992.

[44] http://www.etext.org/Politics/MIM.

[45] Daniel Pipes, 53.

[46] Marx an Josef Weydenmeyer, in Löw, 72.

[47] Engels, Der Freihandelskongress in Brüssel, in Löw, 56.

down, "nobody" in the sense of a class, in the sense of systematic struggle against a certain part of the population...."[48]

C.4.3   Fascism

Fascism[49] is a modern political ideology that seeks to regenerate the social, economic, and cultural life of a country by basing it on a heightened sense of national belonging or ethnic identity. It rejects liberal ideas such as freedom and individual rights. The term Fascism - first used by Italian dictator Benito Mussolini in 1919 - derives from the Italian word fascio, which refers to "union" or "league" but also to the ancient Roman symbol of power, a bundle of sticks bound to an axe.

Fascism is rooted in two major historical trends of the early 20th Century: Political mass movements and the rejection of the theories of enlightenment. In the Europe of the late 19th Century, government and politics were controlled by small groups of social elites, which faced a sudden challenge when large new political mass movements counting thousands or millions of members were formed. Also, many intellectuals, artists, and political thinkers in the late 19th Century began to reject the philosophical emphasis on rationality and progress that had emerged from the 18th-Century intellectual movement known as the Enlightenment.

Fascism became popular after World War I (1914-1918), capitalising on the intense patriotism that emerged as a response to social and political uncertainty in Europe. Germany and Italy had only recently become nation-states in the 19th Century and their parliamentary traditions were weak. The settlement terms of the Treaty of Versailles were humiliating and pressing. Communism was threatening because of the success of the Bolsheviks during the Russian Revolution of 1917.

In Italy and Germany, Fascists managed to win control of the state and attempted to dominate all of Europe, resulting in millions of deaths in the Holocaust and World War II (1939-1945). Today, although widely discredited, Fascism persists in new forms.

Scholars disagree over how to define the basic elements of Fascism. Marxist historians and political scientists view Fascism as a form of politics adopted by governments to

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[48] Lenin, Works, Vol. 25, p. 476-478, in Marxistisch-leninistischen Ethik, 14.

[49] This section is based on an article by Professor Roger Griffin, School of Humanities, Oxford Brookes University.

support Capitalism and to prevent a Socialist revolution. According to them, most authoritarian regimes which are not Socialist-orientated may be labelled as Fascist. Some non-Marxist scholars regard Fascism as a form of authoritarianism that is without any objective beyond the exercise of power. Another definition bases Fascism on a set of basic traits, but there was for a long time disagreement on the extent of them. Today, it is commonly agreed upon that they include three common features: anticonservatism, a myth of ethnic or national renewal, and a conception of a nation in crisis.

C.4.3.1 Anticonservatism

Fascist movements usually set out to create a new type of total culture in which values, politics, art, social norms, and economic activity are all part of a single organic national community. Deviations are not tolerated. They celebrate the ideal of the "new man" and "new woman". It might therefore be concluded that the Fascist movements in Germany and Italy were not reactionary political movements, but attempts to create revolutionary change.

C.4.3.2 Myth of National or Ethnic Renewal

Fascist movements usually emphasise the revival of a mythical ethnic, racial, or national past. History is idealised, claiming that the ethnic diversity, the rise of powerful business groups, and a loss of a shared sense of the nation have destroyed former national greatness. Thus, horrible actions such as "ethnic cleansing", as witnessed in Nazi Germany, Bosnia or Rwanda, take place to "purify the nation". Fascist ideologies are hostile to most other ideologies, rejecting conservatism as much as liberalism, individualism, materialism, or Communism.

C.4.3.3 Idea of a Nation in Crisis

Fascist movements usually claim that the nation faces a profound crisis, which is only resolvable through a radical political transformation. As the nation is depicted of having entered a dangerous age of mediocrity, weakness and decline, it can only be saved from itself by drastic action against its "inner" enemies. A new age will begin that restores the people to a sense of belonging, purpose, and greatness. The end result of the Fascist revolution, they believe, will be the emergence of a new man and new woman. This new man and new woman will be fully developed human beings, uncontaminated by selfish desires for individual rights and self-expression and devoted only to an existence as part of the renewed nation's destiny.

C.4.3.4 Fascist Movements

Fascist movements combine quasi-scientific racial and economic theories or religious beliefs with mythical pasts to form a larger justification for a Fascist transformation. Yet each Fascist movement has its own individual intellectual and cultural foundation.

Some seem to follow the theories of the French philosopher Georges Sorel, who argued that social change should be brought about through violent strikes and acts of sabotage organized by trade unions.

The Fascist tendency to advocate the superiority of a particular race is based on the increasing intellectual preoccupation with racial differences in the late 19th and early 20th Century and on an interpretation of Charles Darwin's theory of evolution saying that the "survival of the fittest" required the destruction of supposedly inferior peoples.

The main features of German Nazism which created its extraordinary destructive force were the myth of national greatness and the availability of modern technology. The Nazi myth of national greatness suggested that the country was destined to become an imperial and great military power. Romantic notions about national history and character were blended with pseudo-scientific theories of race, genetics, and natural selection. All ethnic Germans were to be united within the German nation and a vast European empire free of racial enemies created. Nazism was developed in the context of a modern economy and society. Even after Germany's defeat in World War I, the country was still one of the most advanced nations in the world in terms of technology, infrastructure, government efficiency, industry, economic potential, and standards of education. Germany also had a deep sense of national pride, belonging, and roots, and a civic consciousness that stressed duty and obedience.

Since 1945 many racially inclined Fascist organisations have been inspired by Nazism. These so-called "Neo-Nazis" modify the original Nazi doctrine to today's requirements.

Some Fascist movements regard an existing set of national boundaries as an artificial constraint on an authentic people or ethnic group living within those boundaries. They advocate extending the frontiers to include all major concentrations of their own ethnic group. This Ultranationalism and ethnocentrism is closely linked to an obsession with restoring the biological purity of the race and the destruction of the allegedly degenerate minorities. Many modern Fascist movements seek not to extend national boundaries, but to racially purify existing nations.

Fascist movements do not share a single approach to religion. German Nazism was generally hostile to organised religion, while the Italian Fascists linked themselves to the Catholic Church. Today, there are Fascist groups in the USA and in South Africa combining Fascist ideas with Christianity.

Fascist movements also vary in their reliance on military-style organisation. Originally, Fascist movements relied on military groups staffed by civilians. Since the end of World War II, most Fascist movements have had to switch to other forms of organisation.

Political Rituals were intended to stage the Fascist belief that life under Fascism was historical, life-giving, and beautiful, in contrast to the absurdity and emptiness of life in a democracy. Today, Fascist movements lack the mass support for staging such theatrical forms of politics.

Although Fascism comes in many forms and flavours, not all right-wing movements are Fascist in the sense of the definition above. Some right-wing movements attempt to restore for instance a Royal Family to power, being anti-democratic and violent, but embracing the myth of national or ethnic renewal.[50] Other right-wing movements are nationalist but do not attempt to create a new nation state.[51] Some form alliances with true Fascist movements to achieve other goals, such as independence.[52] Some right-wing movements are purely racist and do not include other elements of Fascist ideology, such as the early Ku-Klux-Klan in the USA.[53]

C.4.3.5 Modern forms of Fascism

When the world became fully aware of the enormous human suffering that occurred in Nazi concentration camps and extermination centres, the defeat of Fascism was regarded as a historic victory of humanity over barbarism.

The sustained economic growth in post-war Europe and the tight social and political control in the USSR and its tributaries prevented Fascism from gaining a foothold again.

But Fascism never completely disappeared. New movements adapted the ideology to the changed political environment. While some former NSDAP members hoped for a revival of Nazism, and a new generation of sympathisers aimed to rebuild the Fascist

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[50] For instance the Action Française in France around 1890.

[51] For instance the Kuomintang (The Chinese National People's Party).

[52] For instance the Ustasa in Croatia during WW II.

movement. During the Cold War, these new Fascists focused their efforts on combating Communism, the arch-enemy of their movement.

Fascist groups may still be found in the Europe, the Americas and South Africa. Modern Fascist movements may be based on fear of immigration[54] or increased concern over ecological problems[55]. They have adopted new tools, such as rock music[56] or the Internet[57] to spread their ideas. Contemporary Fascism remains tightly linked to its origins in the early 20th Century. It still aims to overthrow the liberal democratic institutions, such as legislatures and courts, and to achieve absolute political power. Fascism also retains its emphasis on violence, sometimes spurring horrific incidents. For instance, Fascist beliefs motivated the 1995 bombing of the federal building in Oklahoma City, Oklahoma, that killed 168 people and wounded more than 500 others. In Germany, Fascist groups in the early 1990s launched scores of firebomb attacks against the homes of immigrants, sometimes killing residents.[58]

In South Africa, the white supremacist paramilitary movement of the Afrikaner Weerstandsbeweging[59] under its charismatic leader Eugene Terreblanche gained short-lived support during the transition period in the late 80s and early 90s. Although it hit the headlines several times, it never gained popular support and disappeared as quick as it surfaced.

Since World War II, Fascist groups have remained politically insignificant. Even in areas of strong ethnic tensions there is little support for Fascist ideas. Visions of a reborn national community based on self-sacrifice, suppression of individualism and isolation from global culture and trade, have been extremely unpopular for a long time. The attacks on World Trade Centre of September 11, 2001, which were basically motivated by a combination of Fascist and religious beliefs, seem to have started a revival of

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[53] In the meantime it has become a true Fascist movement.

[54] France (Front National) and Holland (Lijst Pim Fortuyn).

[55] Schweizer Demokraten and VgT in Switzerland.

[56] For instance "Landser", "Sperrfeuer", "Frontschweine" or "Donnertyrann", detailed information about right-wing bands on http://www.hagalil.com/archiv/2000/07/rechte-musik.htm (26.8.2002).

[57] For instance http://www.nazi-lauck-nsdapao.com

[58] On August 24, 1992, a building, housing mainly Vietnamese refugees, was besieged by extreme-rightists. Under the applause of thousands of sympathetic bystanders, they threw firebombs into the building.

[59] Afrikaner Resistance Movement.

Fascist ideas, not only in Muslim communities, but also within some anti-globalisation and environmental circles.

One of the most important new Fascist strategies is to form small groups of ideologically committed people. Some of these groups even turn to terrorism. Since 1945, many thousands of such small groups have sprung up, with memberships ranging from a few hundred to less than ten. There is a constant change, with groups being dissolved and founded, their names changed and members moving restlessly through a number of groups or even belonging to several groups at once.

Some scholars claim that those groups remain insignificant, because they lacked mass support and their forces were divided in many splinter groups. Yet the extent of their networking and co-ordinated actions remains in the dark. Certainly they are not harmless. They may create a climate of racial intolerance by distributing fliers, holding marches and meetings and encouraging discrimination. Due to their small size and constantly changing organisation their activities cannot be controlled by the government. There are apparently ties between Neo-Nazi groups and the Al-Kaida network. Some Fascist groups pretend to follow legitimate causes, such as animal protection.[60]

Another new Fascist strategy is to form legitimate political parties and participate in elections, concealing their larger Fascist agenda.[61] The revolutionary agenda is watered down to attract protest voters who do not want a Fascist regime, but are unhappy with present conditions. Fascist parties focus on issues such as the threat of Communism, crime, global economic competition, mass immigration, and the need for a strong, inspiring leader.

A further strategy of modern Fascist movements is to advocate a cultural transformation towards ethnic identity which will create the necessary conditions to achieve a radical political change. Around this core, the so-called "New Right" was formed, opposing globalisation and all other trends that encourage the loss of racial identity. Exponents of the "New Right" maintain that opposition to racism destroyed racial identity and promoted racial hatred. The "Differentialists" proclaim their love of all cultures, which

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[60] Such as the VgT in Switzerland.

[61] Such as the Italian "Alleanza Nazionale", the German Republikaner, the French Front National, the Austrian "Freiheitlichen", the Belgian "Vlaamsblok" or the Russian "Liberal Democratic Party".

shall be maintained, but may not mix. "Third Positionists" claim to reject Capitalism and Communism in their search for a "third way" based on revolutionary nationalism.

There are attempts to create an international Fascist movement. This stands in sharp contrast to the nationalist ideas of Fascism. Furthermore, Neo-Nazi groups world-wide hope to build a global movement around a central element of white supremacy.

Another new element in Fascism is the historical revisionism, publishing pseudo-academic propaganda materials to play down, trivialise, or excuse the horrors of Nazism. In particular the Internet has made it easy to anonymously spread these materials.

C.4.4   *Islamism*

C.4.4.1   *Islamism as political ideology*

Sayyid Qutb, convinced that Western civilisation was "leading to a pathologic condition and the alienisation of the human being", wrote that "the materialist civilisation will lead to spiritual, social and physical annihilation".[62]

According to the Egyptian "Muslim Brothers", the Western society has an ideology of democracy, the Socialists have an ideology of socialism, so the Muslims may well have their own ideology. They identified four rules of a Muslim society: (1) A strong belief in Islam; (2) Ritual duties towards Allah, in particular charity; (3) perceiving social problems as moral problems and (4) family, economy and state must provide a framework for a morally superior social order.[63]

Originally this was constricted to the Islamic world, but with mounting globalisation, this limitation has ceased to exist.

C.4.4.2   *The Islamic religion*

Islam is one of the world's largest religions. In contrast to other religions, it is devoid of any hierarchical structure. Muslims enjoy a direct relationship to God and need no spiritual leaders or clerics. The Islamic dogma is so simple, that it can be practised correctly even without specific religious instruction. Nevertheless, the correct practice of the faith is the most important feature of Islam[64].

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[62] Heine, 105, 107.

[63] Heine, 100ff.

[64] Heine, 13.

According to Muslim belief, it is God who brings a person into being and recalls him after a time. The time spent on earth is a test, whether he is able to obey God's will.[65]

Muslims believe that by sending down the Quran and Muhammad as his prophet, God has bestowed the ultimate perfection of religion upon mankind. Only those who recognise the message of the Quran as ultimate truth are deemed the true believers. The term "Islamic fundamentalists" is thus not used in Islam. In Muslim belief, all Muslims believe in the absolute inerrency of the Quran, obliterating any further distinction. The zealots are thus called "Islamists" or "activists".[66]

When there is doubt about a certain action's compliance with Islam, a legal expertise (*fatwa*), is made. This legal opinion is not binding, for the Sunni Muslims (it is, though, for the Schiite Muslims), causing a serious lack of certainty of law. Jihad is an integral part of Islamic law. If a scholarly essay omits to speak about it, it is usually only to avoid censorship. Islamic law allows the killing of enemies and in retaliation.[67]

The Muslim scholars, the "*Ulamâ*", remain sceptical of the West and usually recommend avoiding all possible contact with it. They take a more pragmatic view with regard to migrating labourers who have no other option to secure an income.[68]

The Quran espouses a common belief in the five pillars of Islam: (1) *shahada*, the pronouncement that there is no other God but Allah and that Muhammad is his messenger; (3) *salat*, the ritual prayer; (4) *zakat*, almsgiving (5) *sawm*, fasting during Ramadan; and (5) *haj*, the pilgrimage to Mecca. The six basic articles of faith include belief in (1) God, (2) angels, (3) scriptures, (4) messengers, (5) the Day of Judgement and (6) predestination. The Islamists have extended this list by the establishment of an Islamic government and the enforcement of shari'a law.

Muslims believe in the horrors of the grave. The deceased is questioned by the angels of death *Munkar* and *Nahir* and subsequently sent to the purgatory. Martyrs (*Šhahîd*) are not only spared from the horrors of the grave, but crowned with the crown of glory and

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[65] Heine, 36.

[66] Macksood; Burmeister 3.

[67] Heine, 16; 29f.

[68] Heine, 26.

married to 72 virgins (*houris*). The entire Muslim community is benefitting from martyrdom. This explains why families of Muslims killed in Jihad do not mourn.[69]

Shiite Muslims believe that Muhammad's grandchild Hussain died a saviour's death and thus regard martyrdom as the ultimate religious goal.[70]

The Western idea of a national state is foreign to the majority of the Muslims, although it was used to get rid of the Western colonisers. The concept of socialism is hardly compatible with Islam, as it rejects property, which the Quran regards as a loan from Allah which is to be accounted for. Socialists and Communists in Muslim nations are thus mostly of Christian origin, although there are some Shiite minorities who associate themselves with Socialist ideas.[71]

C.4.4.3 History of Islamic fundamentalism

Islamism[72] is a recent development in the Islamic religion, replacing the older term of Islamic fundamentalism.

Islamic fundamentalism goes back to the eight Century, when Islamic fundamentalists destroyed Cordoba in Moorish Spain, and has flared up time and again since.

The failure of Islamic society began when Napoleon landed in Alexandria and has continued since then in almost every walk of life -- in health, wealth, literacy, culture, and power. Muslims were no longer on top. As the mufti of Jerusalem put it, "Before, we were masters of the world, and now we're not even master of our own mosques."

This caused feelings of deep humiliation within the population and fostered their sympathy for the Axis powers in WW II. Islamic fundamentalism flared up, renouncing Communism as well as Capitalism.

After WW II, the United States failed to develop a compatible relationship based on mutual respect with the Muslim world.[73]

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[69] Heine, 31f.

[70] Heine, 37f.

[71] Heine, 82f.

[72] Khalid Duran, Islamismus, lecture of Nov 7, 2001 at the University of St. Gallen.

[73] Wakil, 2.

There were three main efforts to restore Islam: (1) Secularism, which means restricting religion to the private sphere. Its most prominent proponent was Kemal Atatürk. (2) Reformism and (3) Islamism.[74]

The Iranian revolution of 1979 came completely unexpected. Iran intended to seize the Islamist revolution, but Khomeini was too strongly committed to Schiitism to succeed in full. Nevertheless, Iran is supporting countless Islamist groups. Khomeini was instrumental in furthering Islamism when he declared that any action taken with a pure motive[75] (*niy'yah*) is acceptable in the eyes of Allah.

During the Russian occupation of Afghanistan, Pakistan and Iran built up groups of Afghan Mujahedeens, ignoring the nationalists. This enabled Pakistan and its secret service ISI to gain complete control of Afghanistan. Apparently, the Pakistanis even forced Afghani refugees to join fundamentalist parties. The Pakistani wanted to create an Islamist model-state, as a base for the global Islamist revolution. Today, it is widely alleged that the Sudan has taken over the role of the Islamist model-state.

With Libyan and Saudi Arabian funding, a Islamist political party by the name of Jama'te Islami was established in many Islamic countries. They promote a Jihad, which is understood as an offensive holy war against the unbelievers.[76] Although insignificant in elections, the party is incredibly wealthy and has a strong base in Pakistan and in the USA.

The Egyptian president Anwar Sadat was killed by Islamists in 1981. Islamist terrorists bombed US Marines barracks (1983), the US Embassy in Beirut and took American hostages in Lebanon. In the 1980s, they were responsible for a number of aircraft hijackings and bombings, and the bombing of PAM AM Flight 109 over Lockerbie, Scotland in 1988.[77] Islamists bombed the World Trade Center in New York in 1993.

In 1995, Islamists attacked the Egyptian Embassy in Islamabad, since many Egyptians, who were trained in Pakistan for the Jihad in Egypt, were deported. This was believed a test-run for the bomb attacks in Nairobi and Dar-Es-Salaam. On September 11, 2001, the

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[74] Daniel Pipes, 2.

[75] In this context, a pure motive means furthering adherence to Islam.

[76] According to Khalid Duran, this interpretation is contrary to what the Quran says.

[77] Burmeister, 1.

World Trade Center in New York was attacked, causing 2800 casualties and a world-wide economic crisis.

The collapse of the USSR has decisively strengthened Islamism, as weapons are now readily and cheaply available. Furthermore, there seem to be ties to Western Communist, Fascist and Anti-Globalisation groups. Lately, the permanent TV coverage of the Intifada in Israel has given additional rise to Islamism.

An interesting phenomenon in terroristic Islamist groups, is their dabbling in crime, particularly drug and arms trade, to finance their activities.[78]

Islamists regard jihad as "an individual obligation until all lands that were Muslim are returned to us so that Islam will reign again: before us lie Palestine, Bokhara, Lebanon, Chad, Eritrea, Somalia, the Philippines, Burma, Southern Yemen, Tashkent and Andalusia."[79] Osama Bin Laden even made calls to form a Islamist nuclear force.[80]

Western media, governments and geo-political strategists and academic experts on Islam regard Islamism as a major threat to Western civilisation.[81]

C.4.4.4 Who are the Islamists?

First and foremost it must be stated that the majority of Islamists does not subscribe to terrorism. Only a very small fraction from within Islamism crosses this ultimate border.

There are several theories why a person is drawn to Islamist terrorism. Belonging to a terrorist group may satisfy some personal inadequacy. Some see it as a quick means to achieve certain political goals.[82]

It is hard to find a pattern on whom the "warriors of the jihad" were. There are young Muslims from the numerous refugee camps in the Middle East, without education, work or an outlook on a better future. Some of them have been subjected to hate-filled lectures from their childhood. [83] But there are also the middle-class, educated youngsters, some of them having grown up in the relative prosperity and freedom of a Western society. Osama Bin Laden, who is seen by many as the secret leader of the Islamist revolution, is

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[78] Burmeister, 6.

[79] Abdullah Azzam in Bergen, 56.

[80] Osama Bin Laden in Bergen, 103.

[81] Said, Edward W. in Burmeister, 2.

[82] Bergen, 235f.

[83] Burmeister, 5.

from an extremely wealthy background and never had to experience poverty or exploitation.

The militant wing of Islamists (the "jehadis") are, according to Mohammad Wakil, characterized by (1) their exposure to tyrannical leaders, corruption and the lack of education; (2) nurturing feelings of hate, rage, bitterness, jealousy, powerlessness, self-insufficiency and fear; (3) an ideology glorifying martyrdom (4) the belief in the necessity of their suicide missions.[84]

C.4.4.5 Islamist beliefs

In brief, the essence of Islamist beliefs is said in the following two citations:

"If the religious duties of Islam cannot be fulfilled without the support of an Islamic state, it will be a duty to create such a state. If such a state cannot be created without a war, then the war is also a duty for every believing Muslim"[85] and "You should prepare whatever is within your reach in terms of power and horses to terrorise Allah's enemies"[86]

Al Qaeda in Afghanistan and Saudi Arabia, Hamas and Hezbollah in Palestine and Lebanon, Al Sayyef in the Philippines, and Al Itihad al Islamiya in Somalia, possibly Jaish-e- Mohammed and Lashkar-e-Toiba in India and Kashmir have been identified as Islamic terrorist movements.[87]

Many of the targeted governments claim that the onslaughts against them are inspired by Islamic centers abroad engaged in a conspiracy of subversion. As they are aware that corruption and poverty within the country adds to the ranks of Islamic fundamentalists, they tend to exaggerate the extent of the threat, adding to the fearsome image of the Islamist forces.[88]

Islamists are usually not theologians, but lay scholars of Islam interpreting the Quran literally. Whilst modernist Muslims interpret the Islamic faith in a modern context, embracing Western ideas such as democracy or the emancipation of women, Islamists call for the restoration of traditional Islamic ideas, regarding modernist Muslims as

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[84] Wakil, 2f.

[85] Heine, cit. the Farida of Osama Bin Laden, 125.

[86] Abu Mahaz quoting the quran in Bergen, 74.

[87] Wakil, 1.

[88] Nelan.

heretics. Thus the struggle of the Islamists is not solely directed against the Western society, but also against modernist Muslims. Because Islamists renounce the modernist idea that religion is purely personal, they strive for an islamisation of the whole world. The militant wing of the Islamists embraces the use of violence and terrorism as a legitimate means of political action. The majority of Muslims, though, is deemed to hold secular beliefs, meaning that they distinguish between politics and religion.[89]

Similar to Communism or Fascism, Islamism is yet another Twentieth-Century Radical Utopian scheme, aiming to convert Islam from a religion into an ideology. It is an Islamic-flavoured version of totalitarianism to control the state, run society, and remake the human being. Although it is supposed to be different from its Western predecessors, they share their ultimate purpose. Islamism is not a reaction against the modernisation of Muslim societies, but a product of it, addressing today's problems.[90]

Islamism demands man's complete adherence to the Quran and rejects as much as possible outside influence, with some exceptions, such as access to military and medical technology. It blames the present condition of the Muslim world to having strayed from the righteous path and the West's brutal and immoral behavior towards the Muslims. Greatness could only be achieved by returning to the righteous path again and annihilating the West.[91]

Iran's revolution leader Ayatollah Khomeini contributed much to demonising all non-adherents to Islamic fundamentalism. He declared that everyone who is not a fundamentalist was an enemy of Allah and preached hate of Americans and Jews. Even infidel Muslims had to be redeemed by coercion.

The characteristics of Islamism are: (1) A strong concern about social differences, between the rich and the poor world, as well as between the rich and the poor within the Muslim communities. (2) A concern for the loss of Islamic culture, which is swamped by Western clothes, values, social patterns, political structures, language and identity. (3) An inferiority complex towards the rich West. (4) Re-establishment of the political

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[89] Nelan; Burmeister, 2f.; Bijleveld, Willem A. in Multimedia Encyclopaedia.

[90] Daniel Pipes, 2.

[91] Daniel Pipes; Nelan.

system that once made the Islamic society world ruler in a few decades.[92] (5) The absence of political alternatives.[93]

Osama Bin Laden's call to expel all foreigners from Saudi Arabia, a popular Islamist demand, may indeed be put down to the Quran and Muslim tradition. The dying edict of the Prophet Muhammad had been "Let there be no two religions in Arabia".[94] The Prophet's immediate successor, Caliph Umar, issued a final and irreversible decree that Jews and Christians be evicted from the "holy land of Hijaz".[95] According to Osama Bin Laden, there is no need to "…differentiate between those dressed in military uniforms and civilians: they are all targets."[96]

Although Iran and Sudan, and to some extent Saudi Arabia, Pakistan and Libya have implemented Islamist politics, Islamists argue that modern societies, including Muslim ones, are in *Jahiliyyah*, the state of ignorance that existed in pre-Islamic Arabia before the perfect revelations of the Quran.[97]

The roots of Islamism may well lie in the social displacement and alienation of the modern Arab world. Rapid urbanisation, the destruction of traditional institutions, social mobility, the factual dysfunctionability and corruption of the state bred dismal conditions. Poverty and unemployment are endemic; there is no hope for a better future. The Arabs feel humiliated by colonialism and Israel's powerful presence in their midst and they are alienated from a remote and unresponsive political process. [98]

Furthermore, Islam has spread to less developed countries, which do not participate in the evolving global economy. Women, having a moderating influence and constituting half of the population, are relegated to second-class status. Islamism merges state and religion, preventing any attempt at reform by its unchangeable laws. Many governments officially distance themselves from the Islamists, but donate generously to them.[99]

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[92] There is no evidence that the Islam of the Golden Age was strict and conservative. Instead, there are strong indications that, amongst other reasons, a liberal understanding of Islam has paved the ground for the cultural, social and military achievements of those days.

[93] Kjeilen.

[94] Bergen, 80.

[95] Bergen, 100.

[96] Osama Bin Laden in Bergen, 103.

[97] Sayyid Qutb in Bergen, 51.

[98] Nelan; Burmeister, 4.

[99] Wakil, 4.

In contrast to Communists, Islamists do not see themselves as revolutionaries, who will create a new society. They want to bring back the old values of a mystified past. As traditional values often clash with their idea of old values, they seek to spread their ideas amongst the rural population. The Islamists' political program is mainly based on the Shari'a. It advocates an economic system similar to social democracy. The most specific Islamist view on economics is the refusal of interests on loans and deposits.

Democracy is regarded a blasphemy[100] and thus strongly opposed. All-embracing religion must stop the sovereignty of man in all its shape and forms, everything man has usurped somehow.[101] The representation of the people must be based on their "spiritual general will" instead of an accumulation of particular interests.[102] Freedom is to choose subordination to Allah.[103] Similar to Communism, dictatorship is tolerated in the transition period, although the ideal system is the *shura*, where leaders have to ask the society about their needs. Women merely have an obligation towards the family,[104] although some Islamic groups profess that they would liberate the women.

Some Islamists believe that the capitalist society will collapse on its own and fall into their hands sooner or later. The lack of legitimacy and the absence of political and social power bases in the secular state make the existing order irrelevant. Thus Islamism seeks to expedite the collapse of the secular state by eroding its power bases through demoralisation, sustained campaigns of terror and threatening the physical security of citizens.[105] In particularly landmarks of the free world are to be destroyed.[106]

Others believe that, since Islamist rebels have forced the USSR into its knees in the Afghan war, they could also conquer the USA.

Concerning Islamism's most popular representative, Osama Bin Laden, Bergen concludes from his silence on cultural issues like movies, drugs or homosexuality that he is primarily concerned with the United States' involvement in the Middle East, e.g. it's

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[100] The reign of man instead of the reign of Allah.

[101] Sayyid Qutb in Heine, 108.

[102] Heine, 104.

[103] Sayyid Qutb in Heine, 107.

[104] For the Taliban, confining the women to their homes was not taking away their rights but giving them their full rights under shari'a law, Bergen, 159.

[105] Burmeister, 7.

[106] Khalid Duran, Islamismus, lecture of Nov 7, 2001 at the University of St. Gallen.

continued military presence in Saudi Arabia, it's support for Israel or the regimes of Egypt and Saudi Arabia and it's continued campaign against Iraq. Bergen strongly refuses the idea that the 9/11 attacks were the result of a socio-economic conflict between the First and the Third World.[107] As Islamism is widespread and has many faces, this view is probably too reductionist, overlooking the similarities between anti-globalisation campaigns, Third-World activists and Islamism.

Islamism is attractive for several reasons: It is a political doctrine emerging naturally from the cultural fabric of Muslim countries, posing a simple solution to all of society's problems and it seems to promise a brighter future than the pan-Arab nationalism and socialism of the recent past.[108]

There are indications that Islamism is steadily gaining momentum.

C.4.5   *Why totalitarian systems don't work*

When the USSR collapsed, it became obvious that Communism had failed. What we can learn from the Russian revolution and the real existing socialism of the recent past is an abundance of historical truths, which in some part have been known for a very long time. As much as Polybios was wrong about the cycle of constitutions, the Marxists were wrong with their version of compulsory historical cycles. There is in fact no reliable theory of historical cycles. Private property was deemed a result of a misguided social development. But history has proven that it represents a deeply rooted historical concept which is hard to negate. Historical development may not only be seen in the light of materialism, but is the result of materialist and idealist influences. Communism was the outflow of the idea that mankind can control every aspect of life. This has been proven wrong. There is no doubt that, though, communistic systems may well work on a voluntary basis, in a delimited area within an existing state, as the Kibbuzim and some of the American experiments have shown. However, if Communist ideas are applied to a state, they will enter into a irreconcilable conflict with human rights.

Fascism, based in many ways on similar assumptions as Communism, doesn't go as far where property is concerned. Its major shortcomings are, though, that it is based on the lowest of all human feelings, namely hate, greed and ethnic superiority. They provide no

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[107] Bergen, 227.

[108] Bergen, 235.

basis for a durable political solution. Once the object of hate is destroyed, the ideology falls apart.

One might debate whether Islamism is a ideology of its own or just a different flavour of Fascism. While it shares many ideas with Fascism, it is not based on ethnic, but religious superiority. The greatest danger of Islamism lies in its acceptance and encouragement of the concept of the ends justifying the means and the idea of an offensive "holy war", justifying any kind of extreme act.[109] Whether Islamism is the greatest threat to Western civilisation, as is sometimes alleged, is yet to be established. Its large potential following and its destructional potential should not be underestimated, though.

C.5   Democratic political systems

C.5.1.1 Constitutional Monarchy

Although the King or Queen is formally head of a constitutional monarchy, it has no legislative or executive powers. On the other hand, the public enjoys indirect or direct involvement in political decision-making via votes and elections. The government is organised along the lines of presidential or Swiss-style democracy. There is usually a high degree of stability[110].

C.5.1.2 Oligo-democracy

In a oligo-democracy, there is an indirect involvement of a limited group in political decision-making via elections. A qualified franchise limits the electorate (e.g. landowners only, whites only, limited to a certain tribe, a certain political party etc.). An elected president from within this group and elected representatives from within this group will take care of every-day political decision-making. After expiry of the term, new elections are held. If the people are unhappy with the candidate's work, he might not be elected again, depending on the level of intimidation. This form of government is usually coupled with a strong presidency, bearing a strong resemblance to monarchy and/or dictatorship. Although characterized by fairly quick decision-making, cheap infrastructure and a lack of public interest in politics, there are no safety-catches against premature or wrong decisions and a strong inclination to paramount corruption. Usually, poor obeyance of civil rights and a lack of political stability or satisfaction go hand in

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[109] Burmeister, 8f.

[110] See http://www.sispain.org/english/politics/form/

hand with this kind of government. There is no control against irregularities. This form of government was formerly found in Third World countries, while nowadays there is hardly any country that openly restricts its franchise to a certain group of people, although they often factually do it.

C.5.1.3 Republic / Presidential Democracy

In a presidential democracy, there is only indirect involvement in political decision-making via elections. An elected president and elected representatives will take care of every-day political decision-making. After expiry of the term, new elections are held. If the people are unhappy with a representative's work, they may elect another to take his place. This form of government is sometimes coupled with a strong presidency. It is characterized by fairly quick decision-making, a cheap infrastructure and very little public interest in politics required. Some safety catches against premature decisions may be implemented. Usually, there is a fair obeyance of civil rights and acceptable political stability and satisfaction. There is poor representation of minor political groups, a latent vulnerability to power-seizing and little participation of the individual in every-day political decision-making required. The system allows some control against irregularities, but it provides no transparency of political transactions. Usually, there is a high degree of stability.

C.5.1.4 Westminster-type Democracy

A particular type of the model explained in C.5.1.3, usually with a two-party system, where the winner of an election forms a government and the opposition has to do its utmost to attack the policy of the ruling party, wherever it finds something wrong.

C.5.1.5 Direct (Swiss-style) democracy

In a direct democracy, the public is directly involved in day-to-day political decision-making via votes and elections. All important matters are taken to the ballot. A president is not required. The highest office is usually held by an executive board (federal council). Parliamentarians are under permanent supervision of the public. Their decisions can easily be reversed or counteracted with initiatives or referendi. Slow, sometimes difficult political decision-making. There is usually little chance for new ideas to pass through all instances at first attempt. The system offers comprehensive control against irregularities and full transparency of all political transactions. Minorities are well represented, they may even have an influence exceeding their absolute numbers.

Several safety-catches against premature decision-making are provided. The system is fairly safe against power-seizure and provides a high degree of identification of the individual with the political system, thus leading to a high degree of stability.

D   Distribution of power: Union, Federation, centralised state

D.1   Union, Federation and centralised state

D.1.1   *Union*

Usually several sovereign states form a union, such as the European Union. The states retain their national sovereignty and only transfer certain rights to the union. The union is not by default an entity recognised by international public law, but can achieve such a status if it is able to act on behalf of its member states.

D.1.2   *Federation*

A federation is hardly imaginable in a non-democratic system. It structures the state in small, self-governing entities. Beginning on municipality level, the total of municipalities form a district, the total of districts a canton (US: State) and the total of cantons (states) the federal state. Each entity has its own administration and is to a large degree independent in its decision-making. Laws are laid down on a municipal, cantonal or federal level. For instance, in Switzerland, criminal and civil law are laid down on a federal level, some by-laws, in particular the taxation, on a cantonal or municipal level, whereby the cantons are only allowed to legislate where the federation has not already done so and the municipalities where the canton and the federation have not legislated.

A federation leads to slow decision-making, a leaner and more efficient administration and a high degree of public contentment. It allows for different population groups to live in harmony despite their enormous ethnic, political or social differences.

D.1.3   *Centralised state*

A central government regards the state as an indivisible entity. There might be some degree of structuring into districts or provinces, yet they have no sovereignty whatsoever. An advantage is that decisions can be taken quick and easily. Regional differences can be levelled out or at least covered up. Inefficiencies in the administration, poor allocation of public funds and a complete lack of identification with the central government lead to a large degree of public discontent.

D.2   Dividing the territory along ethnic and geographical criteria

Where there are strong ethnic antipathies, it can be advantageous to divide the territory along ethnic lines. This allows ethnies with a strong feeling of belonging to remain together, under a government they can identify with. In Switzerland this was done when the Canton of Jura was created, when a group of French-speaking Bernese decided to secede from the Canton of Berne. The division along geographical criteria may be advantageous when there are strong geographical barriers present, such as rivers or mountains dividing an area.

D.3   Power sharing between federation and provinces/cantons

The cantons or provinces are basically self-governing entities. They may legislate, where the federation has not already done so or where the federation has only given the outlines. The political representation in the federation is usually mirrored in the smaller entities; there are similar councils and executive boards. In Switzerland, the cantons can tip federal elections as in certain cases not only the majority of the votes but also an acceptance of the majority of the cantons is required for a bill to pass.

D.4   Direct Democracy as a role model?

D.4.1   *Evolution of direct democracy*

The Athenian democracy in the 5th Century BC was a predecessor of direct democracy, although it was based on a qualified vote, excluding women and slaves from the vote. Certain features of direct democracy were also present in the Roman Republic from about 449 to 44 BC. Basis-democratic procedures evolved in Switzerland at the end of the 13th Century and were honed during the following centuries until the predecessor of the present constitution was adopted in 1847. The constitutional amendment initiative was introduced in 1891. Since then, more than 240 initiatives have been put to the vote[111].

D.4.2   *Advantages of direct democracy*

- It provides a tool to call a referendum either to initiate or to block legislation

- It re-invigourates democracy and enlivens the political debate. It counters cynicism and apathy.

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[111] Wikipedia, direct democracy

- It raises issues the elite wants to suppress.

- It restores authority to "we the people". It makes the people responsible for policy, not the Parties. It means government is people-driven, not elite-driven.

- It removes power from the hands of elite and affirms that power lies with the people.

- It allows the politicians to represent the will of the electorate, not the will of the Party.

- It is a curb on the imbalanced use of power. It makes the politicians responsible to the people, not to the political system, big business, pressure groups and power groups. It returns them to their proper role as servants of the people.

- It generates community involvement.

- It provides a way to repeal bad legislation and makes for better legislation.

- Politicians are forced to act on public demands.

- It contributes to a sense of national ethos.

- It restores representative parliamentary government, where the members represent the policies of the people.

- It restores accountability to the politicians[112].

D.4.3   Can direct democracy be exported?

In many discussions I was told that direct democracy was restricted to Switzerland and could not be exported. Direct democracy was too expensive and thus it was better to restrict democratic involvement to one election every four years. Yet, we have sufficient examples that presidential democracies are less satisfactory than direct democracies. The parliament, well knowing that for the next four years nobody is going to interfere, gets lazy, does underhand deals and in no way behaves like a body accountable to the public. In a direct democracy, every poll is a measurement of the popularity of the representatives. If they come up with too many unpopular bills, they might as well resign from their post. Direct democracy may not be cheap, but in the long run it saves more money than what it costs. It could serve as a role model for other countries. The following discussion shall serve to understand the challenges.

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[112] McConnachie

D.4.4 *Criticism of direct democracy*

Many authors have been criticising direct democratic structures and its slow adaptation to new challenges. Most critics mainly complain about too much democracy on federal level. Yet their criticism seems to be dominated by their personal evaluation of the "wrong" or "right" of leading public referendi.[113]

A remarkable difference to representative democracy is the fact, that in Switzerland, the voter can express his opinion at the polls independent of the official opinion of his favoured party. This has been obvious in many referendi where the official recommendations of the leading parties have been disregarded by the electorate. The EEC regards Switzerland as a model for a future Europe.[114]

Although it is difficult to qualify constitutional rules as "good" or "bad", they are rated according to whether they lead to better decisions.

On the other hand, the focus should remain on their establishment. People will only accept a rule, if it was created along the lines of a just procedure.

The basic acceptance of a democratic system is not only based on the principle of "one man one vote", but also on democratic procedures. Not any democratically taken decision is legitimate, e.g. even if the restrictions of the rights of German Jews in 1936 had been based on a referendum, they would have remained illegal[115]. Complaints about the immovability of the direct democratic system are presently mainly heard from conservative parties. The direct democratic system seems at present to work out in favour of leftist parties; this was not always so and might well turn around sometimes[116].

- Direct democracy may not be rated according to the result of certain referendi but according to the total of decisions taken.

- In the Swiss system, the status quo is slightly preferred over changes.

- The Swiss system may not be compared to an ideal democratic system, but to existing democratic states.

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[113] Kirchgässner/Feld/Savioz, 3-5

[114] Kirchgässner/Feld/Savioz, 5-6

[115] Kirchgässner/Feld/Savioz, 8-9

[116] Kirchgässner/Feld/Savioz, 15

D.4.4.1 Slowness

The regular process of legislation in Switzerland is said to be slow. This is true for the regular process, in particular if a public referendum is held. Yet Art. 165 nBV allows for immediate legislation in urgent cases, for the duration of a year. Furthermore, this is anticipated by the right of popular initiative which allows Switzerland to react fairly quick to new challenges. The permanent threat of a referendum results in a much broader based legislation. New laws are worded such that all political exponents could basically agree to them[117].

D.4.4.2 Excessive influence of minorities

Critics of the Swiss system maintain that minorities can exercise much more influence than what their size would normally allow, by threat of holding a referendum. The often cited historical examples of influencing a major vote are inconclusive, though, as the minorities in case were only voicing the feelings of a substantial part of the Swiss population. The right of being heard preceding major legislation according to Art. 147 nBV is open to any minority group, be it from the right or left, cantons and parties. It is used very often and had the desirable effect, that very few non-compulsory referendi have been taken. It has led to the term of "democracy of negotiation", though. Furthermore, despite numerous allegations, there is no empirical evidence that referendi can be bought by spending large sums for advertising[118].

Longchamp (1991) comes to the conclusion, that ballots cannot be bought in Switzerland, but wealthy interest group have better means to voice their opinions than those without means[119]. Empirical studies clearly show that wealthy interest groups hardly ever succeed in proposing legislation. There is some not very conclusive evidence, though, that they might in certain cases have a better chance to oppose proposed legislation.

It is doubtful, whether the influence of minorities could be successfully reduced by doing away with the non-compulsory referendum. There is strong evidence, that well organised minorities would gain influence at the expense of minorities which are

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[117] Kirchgässner/Feld/Savioz, 20-24

[118] Kirchgässner/Feld/Savioz, 26/27

[119] Kirchgässner/Feld/Savioz, 27

difficult to organise, like consumers. Minority groups have in the past succeeded on several occasions in defending their interests in parliamentary democracies[120].

Certain evidence even points to a lesser influence of minorities in a direct democracy than in parliamentary system, as it is much harder to convince the electorate than canvassing a couple of hundred parliamentarians[121].

D.4.4.3 Further arguments against direct democracy

A frequently heard argument is that direct democracy is incompatible to international public law. Theoretically, legislation contrary to international public law could be passed by popular vote. Yet on second sight, this is not necessarily so: International contract contrary to national law could be cancelled and a (in Switzerland not existing) constitutional court could declare such legislation as invalid.

Another argument is that the sheer size of a country makes it unsuitable for direct democracy. It may be true that Switzerland with its 7 m. inhabitants is a example of a small democratic country, yet California with its 32.3 m. inhabitants and a surface greater than the FRG makes it obvious that direct democracy may work very well in large communities[122].

The last argument would be that democracy requires a particular culture which is not easily achieved elsewhere. This view, though, mixes up cause and effect. The Swiss culture was not the basis of direct democracy, but rather the result of continuous interaction between democracy and its results. (Kirchgässner/Feld/Savioz, 34).

Some authors claim that direct democracy does not allow pure political beliefs, as individual representatives sometimes have to compromise their own values and those of the electorate in day-to-day decision making.

Direct democracy is said to work only on a small system. Although this might be partially true, federalisation allows the creation of sufficiently small units to make direct democracy work.

Manipulation by timing and framing. If voters are to decide on an issue in a referendum, a day (or other period of time) must be set for the vote and the question must be framed,

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[120] Kirchgässner/Feld/Savioz, 30

[121] Kirchgässner/Feld/Savioz, 31

[122] Kirchgässner/Feld/Savioz, 33

but since the date on which the question is set and different formulations of the same question evoke different responses, whoever sets the date of the vote and frames the question has the possibility of influencing the result of the vote.[123]

D.5   Can democracy work in the Third World?

D.5.1   *The effects of poverty*

As we have seen previously, democracy is closely linked to a certain degree of self-responsibility of the citizen. This means, that he must be in a stable environment, have some degree of interest in the political field and - to bring it down to the core - have his own situation sufficiently under control that he can afford to occupy his mind with the situation of society as a whole instead of his own struggle for survival. In many Third-World communities the latter is simply not applicable.

Many Third-World countries are preoccupied with explosive population growth, with resources like space, food, firewood and water becoming scarcer by the day and an economy whose growth eternally lags behind the population growth rate.

The majority of these countries are primarily occupied with their own survival, they have precious little time and interest to spare for society and if they do, only because their expectations have been roused sky-high by unrealistic promises. I don't know whether this is true, but the following tale serves as a very good example: The inhabitants of a remote township, who couldn't care less about politics, were baited by the promise that everyone would get a cheque book like the ones the white bwanas have, so they can write out cheques at leisure. Little acquainted with modern life, as country people are, they believed the story. But their expectations will never be met. They will be utterly disappointed when one day, they learn about the real virtues of democracy, which sound so much more like hard work and toil instead of easy-earned money. The disappointment, the lack of quick, visible and feelable changes will make them riot and ask for what they are bound to believe is rightfully theirs. A second example: During the loosening up of the political situation in South Africa, the PWV area township residents, many of them, particularly youths out of work, had sky-high hopes of an improvement of the situation. But what is an improvement to an impoverished township youth, who left school with the sincere knowledge that there is neither a job nor a bursary for

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[123] Wikipedia, direct democracy

university waiting for him, who has seen his parents suffer from the socio-economic situation for as long as he remembers? Would it be creating a job for him and his fellows? Would it be putting him in a responsible political position? Would he be able at all to accept an improvement if it came his way or is he already too involved in the township gang warfares, only to be satisfied by a bloody campaign against another group? Chances are, that the latter one is closest to the truth. Poverty breeds the demand for quick, visible and feelable solutions. This is by no ways constrained to Africa. No wonder that Fascist mass-murderers like Hitler or Milosevic managed to be elected democratically - their people were impoverished and demanded quick and visible solutions. This they provided: Undemocratically, at the expense of future generations and dividing ethnic groups forever. The internal conflicts such as the poverty, lack of self-conscience etc were externalised, projected onto a clearly visible ethnic group which was then prosecuted. This is nothing else than a modern version of the biblical scapegoat. The current events in South Africa bear witness of a similar process, in a vice-versa situation of the two major ethnic groups. Unfortunately, it is impossible for democracy to grow on the basis of such underlying conflicts. Before a democratic system can prosper, these conflicts have to be located, addressed, exposed and sorted out. If major underlying conflicts remain, together with a acceptance of solutions by force, a democratic system would only mean a facade for rule by decree, favouritism, ethnic prosecutions and atrocities.

D.5.2   *Fascist tendencies*

The world is looking in horror at the newly surfaced Fascist tendencies in former east Germany. But in order to understand democracy, one must examine this topic a bit closer. Is Fascism constrained to chanting white youths, carrying swastika banners and beating up members of other races? Not at all! Fascism can be found in every country of the world. Fascist behavioural patterns are not constrained to the extreme political right, but as often found in the political left. A Fascist believes that he has the recipe for the happiness of all people. With this belief he already excludes any further democratic processes, as votes become pointless. He takes out the right to make decisions for other people who he deems not fit to make decisions concerning their own life. The well-being of the society is being put ahead of the well-being of the individual. Society is regarded as an entity, rather than single individuals. Therefore, individuals who don't fit these criteria are alienated or removed. Another criteria for a Fascist is the "survival of the

fittest", also referred to as social Darwinism. He believes, that the strongest ones should lead the flock. This is - surprisingly - also found in Socialist states, only with the difference, that the group of the "fittest" is minimised to the political leadership, while the flock is "equalised" in order not to endanger them. It turns out to be quite interesting to compare political leaders with these criteria. Aren't there many formal or informal political leaders in your closest vicinity who also take out the right to decide what your needs and demands are? Aren't there many cases of intimidation, which is nothing else than denying somebody his being an individual person and making him part of a group against his will? History shows that the former East Block had very strong Fascist tendencies, right up to the end. But more frightening is, that some freedom or citizens' right movements show the same tendencies and can thus certainly lead an effective struggle, but fail when their aim is reached and democracy is about to be set up. Of course, no army has democratic principles. An army has to act quickly. They cannot take a vote between the soldiers whether to attack or not or whether to defend themselves or not. But wherever an army has taken over government, it has taken to Fascist methods. A freedom movement bears many similarities to an army. Even when politically organised, it usually resembles the structure of an army very closely. Decisions are usually taken top-down, already by the fact that conventions cannot be held. In the event of legalisation, these movements are usually not able to get new, democratic structures and very often establish highly Fascist tendencies, which also lead to internal problems like a permanent clash between the basis and the executive. Frequently, decisions have to be revised several times: The basis learns from a decision taken, is not in agreement, takes it up with its leaders, who realise they are losing support and revise it. Now another portion of the basis might be unhappy. It will go to and fro until it is accepted by all people concerned or interest in the matter starts to falter. In a democratic society, the decision would have been taken by the basis. The executives are basically only public servants, as they have to support - no matter how they personally feel about it - the official decision. The decision taken by the general assembly or the assembly of delegates is final and cannot be revised.

D.5.3   *The effects of bloodshed*

Bloodshed, if it is not a holocaust, is usually the result of tit-for-tat revenge and counter-revenge. One atrocity is avenged by another. The blood toll mounts, the conflicts escalate and the chances of reconciliation get further and further away. And so does

democracy. It is difficult for a person to accept being ruled by somebody who has been actively or passively involved in the killing of a member of one's own ethnic group, tribe or family. In such a situation, it is quite obvious that living in a common political system is not desirable anymore. An example for this is former Yugoslavia, where any chance of reconciliation has been wiped out by the atrocities committed by all sides. One very unlikely, but possible solution is to declare, already at the outbreak of a conflict, a cease-fire and trying to sort things out by negotiations. But due to the lack of a democratic structure behind the negotiators, these results might not have grassroots support from within the movement and therefore simply be disregarded. Negotiations can only then be successful, if the decisions taken are the result of a unhampered public vote from within the supporters of the group. Another solution is, what Jomo Kenyatta practised successfully in Kenya after independence: "Forgive and forget". This solution needs a very strong will power of all people concerned. It can work, but what remains unclear is if the differences will break out again once the integration figure dies (once again I refer to former Yugoslavia and the death of Marshall Tito). A very realistic solution is a high degree of federation - without being racialist at all -. along ethnic lines, which lets every conflict party exist on their own without having to interact too much with the one another. They basically exist as independent states within the federation whereas the federation only handles the supranational affairs. An example - although without much hope of being a durable solution - is the former Soviet Union.

D.5.4 *Divisions along religious lines*

Another major problem hampering the establishment of a democratic structure is a division along religious lines. In the past decades, the conflicts have primarily been along the Islamic chia/Sunna, Muslim/Christian and Orthodox/Catholic or Protestant/Catholic lines. Whilst the Orthodox/Catholic conflict is only known in Eastern Europe, Schiite religious fanatics are threatening Sunnites and Christians in the Middle East and North Africa, but are also spreading rapidly into the territory of the former Soviet Union. Quite often, religious reasons are pretences for solid financial reasons or the struggle to stay in power. When the Muslim Saddam Hussein declared his holy war against Iran or Kuwait, it was certainly not for religious reasons, but only to increase his power basis. When orthodox Serbs invaded Bosnia, it was rather to expand their territory than an aversion against the Islam. But the conflicts in Algeria and Egypt, or the terrible attack on World Trade Center on September 11, 2001, are of a different

nature. The Islamic fundamentalists find plenty of support from within the impoverished people, buying it against a promise of housing and food. As said earlier: Poverty makes quick and visible solutions more attractive than the slow, drawn-out and tedious process of Democracy. Escape into a religious dreamland is one of these "quick and visible" solutions. The promise of eternal life is quite appealing to people living in hopeless misery. They are quite ready to endure a little bit more hardship against a promise of an eternal life after death. The rest is as already described previously: The conflicts are externalised - in this case the reason for all evil is the existence of non-believers. An "us and them" mentality is created, whereas the doings of one's own group are generally right and everyone else generally an enemy. As religious groups are generally very intolerant regarding other religious groups, there is no solution whatsoever to it. Acts of terrorism go hand in hand with subversion. There will be no peace until the strongest religious group seizes power and declare their own religion as compulsory. The situation is aggravated by the fact, that the state-of-God usually is oblivious of all economic facts of life and gets heavily dependant on their sponsor. The economy falters and the impoverished masses are cheated once again from the expected fruits of their revolution. Although fundamentalist religious beliefs are absolutely legitimate and must be tolerated, accepted and respected in a democratic state, religion should be completely excluded from politics. This ensures religious freedom for members of all religions, regardless whether they are minor or major groups.

D.5.5   *No chance for Democracy in the Third World?*

Very many political exponents from Third-World countries stress that Democracy is the wrong means to improve the economic situation of the Third World and "shake off the remnants of colonialism". The "one-party-state" is in many places regarded as the African answer to Democracy. This is certainly not right. The - indeed possible - fast decision-making of many a "one-party-state" has often led to premature decisions which were bitterly regretted afterwards. The lack of political opposition usually led to a complete absence of public control on the government, which caused corruption and bribery on a large scale. The lack of just and equal representation caused ethnic differences to break open and clash bloodily. Tax funds were misused or squandered for unnecessary military equipment, while the people were starving. Industrialisation was forced when subsistence economy was needed. The prosecution of certain portions of the population (e.g. Indians) - apart from the atrocities which were indescribable - led to

enormous gaps in the supply of basic necessities. None of this could have happened in a proper Democratic system. Only Democracy could slow down the too-hasty decision making of the powerful ones. And only Democracy could give the individual a tool to shape his own destiny, to identify with the state he lives in and to control the powerful ones. And only a proper democracy will ensure the political stability needed in order to attract foreign investment, tourists and know-how. Even in the Third World, Democracy has its rightful place. After all, is not India, despite its frequent scandals, the world's largest Democracy? Isn't Botswana a living example of Democracy in Africa? It can be done, but it needs some planning. Internal conflicts must be sorted out. Minority rights must be secured (this is not just a formula of preserving white power in South Africa. I wonder how the Masai in Kenya like being ruled by the Kikuyu majority). Religious conflicts must be avoided at any price. The problems caused by excessive birth rates must be recognized and addressed. Exaggerated hopes must be corrected, but reasonable and feasible objectives must be set. The people need to be trained and mentally prepared to take responsibility of their own lives. Another problem is the relative ease with which votes can be bought from an impoverished population. This is quite openly done in South America and South East Asia, where people are paid to vote for a certain candidate. A further danger is coercion to vote for a certain candidate - a means frequently found in Africa. "Vote for me or lose your life". This can easily be avoided by setting up election procedures that ensure complete secrecy of the vote (see chapter "Elections"). Townships must be checked for coercive measures against their inhabitants. The buying of votes should be stamped out.

E The Swiss Model

E.1 Direct Democracy in Switzerland

E.1.1 *The cradle of democracy*

Switzerland is a small, mountainous country in the heart of Europe. There are no mineral resources whatsoever and the population is highly heterogeneous, not only divided into four different languages, but also into Catholic and Protestant faith. As most of the country is inaccessible mountains, the population is living in very densely populated cities and villages. Despite these odds, Switzerland enjoys one of the world's most stable governments. In the following chapter I will try to explain why.

Switzerland came into existence - so the legend says - by "solemn oath" of the representatives of Uri, Schwyz and Unterwalden[124] in 1291 at Rütli. Certain is that they achieved an autonomous status within the German Empire. This is documented by the "Bundesbrief", a document containing the major objectives of this union. The forms of governments varied from canton to canton and were, although basis-democratic, still quite conflict-prone. It was rather the reconciliation after the French occupation in 1802 and the foundation of the federal state in 1848 that laid the basis for today's political equilibrium. The constitution of 1848 has only been once, in 1874, subject to major change, but amendments are being done consequently. The first Federal Council consisted only of liberals (free democrats), the other parties were only to join later.

E.1.2   *The principles of Amicable Agreement*

Since 1848, Switzerland has hardly ever experienced any serious political upheaval. This is due to Switzerland's unique system of Amicable Agreement[125], which is found from elite to grassroots level. A competitive pattern of conflict management, based on the majority principle and a non-competitive "cartelized" pluralist pattern, based on Amicable Agreement leads to a mix of conflict management by interaction of bureaucratic arbitration and democratic control. The principle of Amicable Agreement is strengthened by the fact that most important groups are represented in the government. An overarching co-operation at the elite level prevents disintegrative tendencies in the system.

Amicable Agreement does not mean the loss of political convictions or eternally giving in to the other party. It is in fact hardly visible in Swiss politics. No one would even consider thinking of Amicable Agreement when listening to a clash between two political parties. The political discussions are hard and uncompromising and with no word a party mentions the fact that they will hardly ever be in the position to govern unopposed. Yet, an Amicable Agreement comes into place when a distribution of seats is argued or the political powers reshuffled. It makes sure that the winner does not take it all, leaves some to the losing party, obeys the unspoken laws of political equilibrium. The term "Amicable Agreement" is often misused and misunderstood. It is not some kind of magic formula, which makes political enemies work together. It is not even a

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[124] Also called the three forest communities

[125] This chapter is based on Gabriel, How Switzerland is governed and Steiner.

clearly defined procedure or state of mind. The Amicable Agreement is rather a way of coexistence in a highly federated coalition system. It makes it possible for the coalition partners to continually enjoy membership in the government and prevents political parties seizing power and start a one-party rule. It makes it possible for small groups to be heard when they could be done away with ease. And it is one of the major bases for the spirit of democracy. Not all Swiss political parties subscribe to Amicable Agreement. Some, most extremely right- or left-wing parties renounce the principles of Amicable Agreement. Amicable Agreement does not exist in writing and was - at best - not more than an influence when the Swiss constitution was written in 1848. But without Amicable Agreement, no coalition can last. The Belgian example, for instance, with its frequent crises shows clearly that a highly federated country or a country with a great potential for federation cannot survive in the long run without some higher or lesser degree of Amicable Agreement. For the political participant, Amicable Agreement implies the following personal consequences:

-   I accept the existence of my political enemy

-   I allow him to have a place and say in the running of the country, even if his present disposition would allow me to disregard him.

-   I do not attempt to domineer my political enemies

-   I do not attempt to blackmail my political enemies

-   I speak to my political enemies and try to understand their position.

-   I do not threaten talks with ultimatums, violence, legal or political actions

-   I do not propose or initiate destructive actions.

-   I accept that we all work towards the benefit of our country.

-   I put political stability above political gain.

Amicable Agreement does not mean living in peace with political enemies or becoming a sell-out, but treating political enemies with chivalry.

E.1.3   *Human rights*

Today's generally valid human rights are based on the French Human Rights Declaration of 1789. They were adapted in 1948 by the UNO and in 1950 by the Council of Europe. These documents contain the basic freedoms and rights of mankind. Switzerland has never formally subscribed to them (particularly as it did not grant women the right to

vote in municipal and cantonal affairs in the Canton of Appenzell until recently), yet its record in regard of human rights is exceptional.

E.1.4   *The spirit of democracy*

Swiss-style democracy leads to a particularly tolerant and peaceful outlook. Respect for the political opponent is borne out of the fact that he has the same rights to defend his ideas, no matter how strange they are, as everyone else. I once spoke to a very learned and well known South African scientist about the Swiss Socialist Party, which he described as "obscene" and "unnecessary". Strange enough, despite being in the same political camp as he is, I have never heard a similar remark in my entire political career in Switzerland. Although we might have political enemies, we bear respect for each others position. As very undemocratic we regard - hence - the conveying of political messages without reference to its origin. This tolerance is partially due to the fact that spare time activities such as sport, hobbies etc. are often shared with people of a different political conviction. It can happen that every member of a family votes for a different party.

Such a spirit of democracy needs to be established, cultivated and trained. One of the reasons why Switzerland was really shaken by the (very few) right wing attacks recently is, that they were definitely disturbing the spirit of tolerance and peace. There is simply no place in a Swiss-style democracy for private armies and violent power struggle.

To comply with the spirit of democracy means to be politically tolerant, to allow different political opinions even within one's own close environment and to respect and accept, not fight them.

E.1.5   *Executive boards instead of presidents*

Most large companies are led by an executive board rather than a founder-owner figure. This is not surprising. Mostly, the boards consists of different personalities and different professional backgrounds. In some countries, there are usually a few labourers on the board, too. The synergy developed by those different people, each one a star in his own domain, leads to less mistakes in decision-making, less friction between the different departments and more job satisfaction within the company. Autocratic companies have usually battled for survival after the death of the founder-owner, and were either converted or have disappeared silently. No wonder that in the political area, the microcosm of a large company can be applied similarly. Most successful countries have

had a long history of power sharing, executive boards rather than autocratic rulers and a large degree of political satisfaction of the public. Swiss-style democracy is particularly consequent in applying the corporate model to politics. Almost every political level in Switzerland is governed by boards and councils rather than presidents and decision-making is by principle always bottom-up and not top-down. Jürg Gabriel writes in his book "How Switzerland is governed": "The basic political attitude is conservative rather than venturesome, let alone revolutionary. Switzerland has never lacked eminent statesmen, yet her history is that of people rather than of its leaders. Any individual who tries to fly too high soon feels the curb. The idea that even democracy requires an elite, a ruling class, is not widely held. The result is a certain bias to mediocrity, at time a pettiness which, however, becomes a national virtue in money matters in the form of economy. The Swiss have more sense of order, even in public life, and they have less feeling for abstract ideas, fine phrases and outward show."

E.1.6 *Switzerland's liberal roots*

Switzerland's political system is to a strong degree moulded according to the ideas of liberalism[126]. The ideas of liberalism are rooted in the ancient Greece, when, for the first time in the history of mankind, the human being was recognised as an individual with rights and responsibilities. The idea that an individual should have political rights was only accepted from the age of Renaissance onwards. Liberalism derived as a form of opposition to the rulers - aristocracy and church. It is not just by chance, that it oriented itself mostly towards business and trade - they were the up and coming powers in the Europe of 1848. Already the British philosopher John Locke (1632-1704) demanded towards the end of the 17th Century, that the state secures property and freedom of labour for everyone. Whenever liberalism is quoted, the theories of Adam Smith are mentioned. His book, "The wealth of nations", published in 1776, explained for the first time the mechanism of free markets. Liberalism was thus founded on the principles of tolerance and freedom of the individual. It did not take long that these principles were challenged by the theories of Marx, who - after seeing the horrors of early industrialism - renounced the idea of economic freedom.

Today's liberalism has adapted many of Marx' ideas, if only to a much lesser degree. It recognises the need for state intervention in certain areas - social welfare, excesses of

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[126] Based on FDP der Schweiz, Liberales Manifest.

entrepreneurship, agriculture etc. - but still pursues its idea of a non-divisible unity of dignity and freedom of mankind. The strong emphasis on economic freedom is by now even recognised by the former East Block countries. Liberals stand for reducing the state's activities to a necessary level and reduce state interference in the individual's life to a minimum. State ownership of key industries etc. cannot be accepted. A liberal state stands for maintaining, not reducing the individual's freedom. Subsidies and payments to poorer communities must have a character of assisting self-help. Federalism is an important factor in liberal thinking, as it allows the state's monopoly of power to be divided and minority groups to be heard. The welfare of the minorities is thus an important indicator of the freedom enjoyed in the liberal state. Today, liberalism is still of importance in Switzerland, yet it is not the only political principle applied anymore. Socialist measures have become of equal importance as liberalism. Nevertheless, liberalism is still a driving force behind the Swiss state. Today's liberalism has come a long way and is presently particularly involved in determining it's Swiss liberalism has six basic values: Respecting the dignity of man, maintaining personal freedom, responsibility towards the present and future environment, social and cultural variety, an active and live democracy and an ecological and social free-market economy. Personal freedom is everyone's right to organise his life the way he wants to, accept responsibilities, take initiative and accept risks. Freedom means always also the freedom of others. This requires consideration for the dignity and freedom of present and future others. One's own freedom must not endanger the existence of mankind on earth. Freedom must be accessible for everyone. New freedoms must be developed, unnecessary restrictions dropped. Freedom can only persist, where human behaviour leaves no permanent damage to the environment. The term "environment" includes fellow men and creatures and natural environment from a global view. Growth has to take place in harmony with the environment. Every human being must - within his own limits - accept ecological and social responsibilities. The community must protect nature as well as ethnic and cultural variety and promote environment-friendly and social developments.

A variety in society and culture creates a community of freedom. The variety thrives on different groups and individuals having different ideas, ideals and objectives. Variety is instrumental in creating a creative disorder. Of course, this houses the danger of differences and unequal division of power. A getting-to-know-each-other of the different

groups and acceptance of their cultural identities will help overcome this. A free-market economy is based on the idea of freedom. The high quality of life in Switzerland is highly attributed to its free-market economy. Markets distribute goods much more efficient than government administrations. Prices enable an efficient allocation of scarce commodities. The free market economy strives for an environmental and lasting development, avoiding ecological and social inadequacies. This shall primarily be done through free enterprise. Competition and private ownership are - embedded in ethical principles and a legal framework - indisputable. Society demands adaptation and fitting in of the individual. His freedom is thus limited. Tolerance defuses possible conflicts and creates thus more individual freedom. Tolerance means accepting others as well as learning from them, listening to them, questioning habits and accepting new ideas. It is often the minorities who react to new problems and induce reforms. It is thus important to take them seriously. Democracy is not only a form of decision-making, it is also a process of learning. Conflicts between individual freedom and collective needs will always arise. But a dialogue is only possible if political action is guided by ethical principles and social responsibility. This means that individuals subordinate themselves voluntarily to the welfare of society as a whole. Although political decisions do often create winners and losers, debates have to be kept fair. Those who are affected by political decisions and minorities have to be considered. Majority decisions have to be accepted. Liberal politics cares for the inheritance of the past and the rights of the future generations. It recognises aid to the needy as a responsibility in the interest of society. Help means assisting self-help. This avoids the vicious circle of ever increasing dependence to the state. Moderation and careful planning shall limit the feasible in state, economy, science and society. Limitless exploitation and excessive use of natural resources destroy the very principles of freedom. Integral thinking is - more than ever - necessary. Integral problems can only be solved with a view to the whole. Black-and-white politics and simple populist solutions to complex political problems are not acceptable. Critical inquiries into problems are as important as brave actions.

Basic liberal values are:

- Respecting the dignity of man

- Maintaining personal freedom

- Responsibility towards the present and future environment

- Social and cultural variety

- Keeping democracy active and alive

- Ecological and social free-market economy

Basic liberal principles:

- Tolerance; willingness to learn from and speak to each other

- Public spirit and fairness

- Recognising our own limits and care for fellow men and environment

- Integral thinking

It speaks for itself that the mentioned values and principles have played an instrumental part in forming the Swiss democratic system and can basically be attributed to every part of the Swiss political system and - with some changes - to all major Swiss political parties, even those who do not want to connect themselves with liberalism at all.

E.2   The Swiss Federation

E.2.1   *Federation*

The federal state is arranged, in descending order, in federation, canton/state, district and municipality.

The Swiss federation is based on the grossly independent administration and government of federation, cantons and municipality. Article 1 of the constitution says: "The Swiss people and the cantons (all of them are mentioned by name) form the Swiss federation". The cantons have to be consulted in federal decision-making, so for instance by requiring a majority of cantons[127] to agree in federal votes. Federalism requires horizontal and vertical co-operation - co-operation between federation and cantons, cantons and municipalities as well as cantons amongst themselves and municipalities amongst themselves.

Federal law overrides cantonal law, but the cantons may legislate where the federation has not legislated.[128] The federation guarantees the cantons their territory and it guarantees the cantonal structure as laid down in the constitution as such.[129] It

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[127] The so-called „Ständemehr"

[128] Art. 3 nBV

[129] Art. 53 nBV

guarantees further their constitutions - under the condition, that they don't violate the federal constitution.[130] The federation can come to the aid of cantons, if necessary.[131] Such "federal interventions" were necessary during the unrest in the Ticino in 1870, the general strike in Zurich 1918 and the riots in Geneva in 1932.

The cantons exercise all control that is not expressively delegated to the federation. This "enumeration clause" is typical for federal structures. Typical cases of federal law are international treaties, while schooling is handled on a cantonal level. Many laws are laid down by the federation, while the cantons have the duty to execute them, like social security (AHV), criminal law etc. In these cases, the federation supervises and can impose punitive measures (federal execution) against cantons who do not comply. This can mean that federal offices impose what the canton omitted to do, subsidies are held back or - in an extreme case - military power is employed. So far, none of this has ever been necessary.

The federation enjoys exclusive rights, "monopolies". They include: customs and excise, post and telecommunications, federal railways (SBB), the monopoly to issue money, the production of liquor and explosives.

E.2.2   *Cantons*

The cantons take part in the decision-making in matters of partial- or total revision of the federal constitution. They are consulted in matters of non-constitutional urgent federal decrees. In federal votes, every full canton casts a vote, every half canton half a vote. If a majority of cantons voted against a federal bill, it cannot be passed, even if the majority of votes was in favour.[132] In the Example below, a total of 814'000 votes was cast. A majority of 504'000 voters was in favour, against 310'000 nay. 14 cantons voted against, 9 cantons in favour of the bill. The bill failed.

	UR	SZ	OW NW	LU	ZH	GL	ZG	BE	FR	SO	BS BL	SH	AI AR	SG	GR	AG	TG	TI	VD	VS	NE	GE	JU	
Yes	7	4	3	31	107	9	7	83	20	12	30	4	3	53	19	17	18	9	12	7	8	30	11	504
No	8	6	4	32	53	11	11	31	17	13	14	5	6	27	7	3	4	11	13	9	11	2	12	310
	N	N	N	N	Y	N	N	Y	Y	N	Y	N	N	Y	Y	Y	Y	N	N	N	N	Y	N	

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[130] Art. 51 Abs. 2 nBV

[131] Art. 52 Abs. 2 nBV

[132] Art. 142 Abs. 2 nBV

Switzerland consists of 23 full cantons. Five cantons can summon a joint meeting of the national council and the council of states. One canton can submit proposals for the revision of the federal constitution or the revision or creation of federal laws (Initiative of cantons). Eight cantons can demand a referendum on a federal law or a federal resolution. Every full canton has the right to two councillors of state (every half canton one councillor of state) and to determine the electoral modus for this election. The cantons have their own constitutions, their own legal system and cantonal laws, and their own financial- and police sovereignty. Every canton has a - usually proportionally - elected parliament and the institute of cantonal initiatives and referendi. The cantonal executive is elected directly by the people, according to the majority system. The cantons have their own courts and their own administrations. The cantons build roads, run or establish hospitals and schools and do many more infrastructural tasks on their own. Some cantons had until recently very old basis-democratic systems, like the "Landsgemeinde", a meeting of the electorate in a public place in order to vote and elect by handraising.

E.2.3 *Districts*

Most cantons are divided in districts. These are intermediate levels of administration and jurisdiction, that have mostly no other rights of their own. It is at the discretion of the canton how much independence is granted to a district.

E.2.4 *Municipalities*

Switzerland is divided in 2896 political municipalities[133]. Their population and size may vary considerably. A municipality is a public body under the supervision of the canton and up to a certain degree autonomous. Their political and legal structure is laid down in a communal constitution. Their corporative tasks are compulsory: Administration, administering assets, taxes, finance and police, civil defence and schools. The socio-political tasks are voluntary: Establishment and maintenance of infrastructure: Gas-, electricity- and water supply, public transport, culture and health. Smaller municipalities do their decision-making in communal meetings, whereas every resident who has the right to vote can attend and cast his vote by raising his arm. Bigger municipalities have an elected parliament, which does the day-to-day decision-making.

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[133] As per 2001, see also Art. 50 nBV.

Citizens municipalities usually administer their assets and issue communal citizenship. School- and social welfare municipalities are not necessarily identical to the political municipalities, subdividing them for administrational purposes.

Large cities may be subdivided into sections, which have no political sovereignty and are formed merely for administrational purposes.

E.2.5 *Majority- and proportional elections*

While majority elections are mainly personality elections, proportional elections are typically party elections whereas a party gains a certain percentage of the seats in parliament. Majority elections are used for the federal Council of States, the cantonal executive or the members of the district courts. Proportional elections are held for the National Council or the Cantonal Council, whereas the blank lines of a list count as party votes as much as the candidates elected. In proportional elections, candidates can be cumulated (e.g. appearing twice on a list) or split (e.g. electing a candidate from another list). Compound lists allow the pooling of excess mandates[134].

F   Conclusion

Despite the shortcomings of democracy, other forms of government offer little perspective for the people and are prone to nepotism and abuse. Democracy seems to offer the only alternative and its inefficiency is not altogether negative, as it prevents premature decisions.

Democracy requires a certain minimum of public order, though. In countries with excessive population growth, public participation of the population in politics cannot be expected. The people are too much occupied with survival. Their leaders are well aware of the situation and try to perpetuate it in order to stay in power.

Presidential democracies are often found in large countries, but they offer only limited political participation and have a tendency to develop undemocratic patterns.

Contrary to public belief, direct democracy according to the Swiss model may well represent a role model which could be implemented abroad. There is no absolute requirement of small structures; it is only a matter of breaking down the regions into sufficiently small units and creating a federation of self-governing entities. Direct

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[134] Wagner, 143.

democracy offers more political participation, more civil rights, more political involvement than any other known system. It may require a certain level of literacy and some infrastructure such as independent TV stations, yet this is in many countries already present. The costs are higher than in a representative democracy, but as the system provides more satisfaction, they might as well prove to be a good investment and with the rise of internet technology and e-voting, they might be much less than a decade ago.

Direct democracy might not only be restricted to first-world countries. Third-world countries would do well to evaluate direct democracy, as this might be the only way out of misery and dependence. It is, though, bound to fail if it does not go hand-in-hand with effective family-planning measures.