

## **Publications**

### **Democracy at High Sea**

**by Peter Wagner**

In the summer of 2002, Central Europe, normally known for its moderate climate, experienced extraordinary amounts of rainfall. As a consequence, the waters of several of the long rivers traversing the region — the Danube, the Elbe — did not stay in their beds but broke dams and overflowed large territories, including towns and villages, whose inhabitants had to flee. Rescue and emergency relief actions started immediately, and in many cases dams could be repaired, or even raised before the waters could overflow, and people could return quickly to their homes and workplaces. In Germany, the then head of government, Gerhard Schröder, was seen as having a good sense of the emergency. He went to observe the relief operations, spoke to citizens facing losses due to the floods, promised relief and compensation, and was overall credited for strong and successful crisis management. Observers widely agree that his reaction to the calamity was one of two decisive reasons for the unexpected confirmation of his government alliance of Social Democratic Party and Green Party in the federal elections later the same year — the other being his firm and explicit statement that a government under his leadership would not commit German troops to the US-Iraq war that was then on the horizon.

In the summer of 2005, the southern coast of the United States, in particular the states of Louisiana and Texas, was exposed, not unusually, to a series of hurricanes bringing both storm and heavy rainfall. Unlike on many earlier occasions, this combination of natural phenomena wreaked lasting damage on major settlements, most strikingly the city of New Orleans, where ruptured levees brought widespread flooding to the below-sea-level territory, much of which had to be abandoned by its inhabitants. The general dangers of hurricanes were widely known, the direction and intensity of the particular hurricane that caused the most damage — Katrina — were predicted, and the scenario of the flooding of New Orleans had been raised and discussed years before its occurrence. Despite these facts, the city, region, and nation were caught unprepared, rescue and relief operations appeared uncoordinated and far from skillful, and the federal government did not demonstrate any sense of its own implication in, and responsibility for, the organization of relief measures. Although 2005 was not an election year in the U.S. and President George W. Bush did not have to bear any direct consequences, his approval ratings plummeted during the disaster period. During the same period, discontent with the Iraq war was also gradually rising, signaled not least by the media's increasing attention to protest activities.

### **The State of Emergency: A Post-Schmittian Perspective**

A rather particular comparative angle on the U.S. and Europe opens up with these observations on two moments at which nature — apparently — intruded upon politics. And this comparison can reveal important insights about the state of the political on both sides of the northern Atlantic. First, it invites us to recall Carl Schmitt's dictum that "sovereign is the one who controls the state of emergency" and to read it in a new light. Schmitt was thinking of political strife that opposes friends and foes in the struggle over domination in the polity. And his followers in the current U.S. administration are only too eager to define ever new foes in the struggle against which they can assert their own hegemony. Neither Schmitt

nor his current, often unconscious, disciples contemplated seriously the possibility that the enemy could be of a very different kind than an opponent striving for hegemony but nevertheless provide the occasion at which political ability needs to be demonstrated.

We need not engage here in the debate about the naturalness of “nature” today or, more specifically, address the question whether these natural catastrophes were not prepared by prior human transformations of nature. We can take for granted that human intervention is at least a partial cause for the storms and the floods. The important point is that threats to the common good can arise from very different sources. The political opponent in a democracy, even though probably always eager to seize any moment of weakness of those who are governing, is not necessarily the primary source of danger to the polity. For present purposes, “nature” shall here precisely stand for any serious impact on the polity that does not arise from the activity of the “enemy” — internal or external — to those in power. This description certainly includes floods and earthquakes, but possibly also shifts in economic conditions, changing value orientations among citizens, new technologies, war among other polities, etc.

From the times of ancient Greek democracy, those who hold office — those who steer the ship of the state, as a once-common political metaphor used to say — have been expected to engage in action to protect the life in common against dangers, regardless of where these dangers stem from. The fourteenth-century representations of “good government” and “bad government” that are on display in the town hall of Siena — the first one showing a flourishing countryside, the second one widespread misery — give testimony to this time-honored way of thinking about politics. Well understood, the state of emergency is then first of all this: an imminent danger that requires political action, either as action by the holders of office themselves or as action by the mobilization of the community for protection. In democracies, the criteria for the mastery of an emergency are twofold: the effective overcoming of the danger, and a way of doing so that reflects the values and interests of the electorate.

Thus, Schmitt was right in thinking that a political class demonstrates its abilities in moments of emergency. Politically speaking, the state of emergency is government at high sea. He was wrong, though, when he maintained that any emergency is related to an enemy that is to be fought and annihilated. It is more fruitful to stay with the more general notion of imminent danger and then distinguish between kinds of danger and kinds of action. We shall first turn to the latter and then to the former.

### **Preparedness for Political Emergency: The Tradition of Public Service**

When action is demanded, two questions can be posed about those of whom it is demanded: are they able to act, and are they willing to act? In 2002 the summer floods of Central Europe had been preceded by similar phenomena in northern and central Italy in the spring. Heavy rainfall, combined with rapidly melting snow in the Alps, had led to severe river flooding across the northern half of the Italian peninsula. Relief action was slow and rather chaotic. When large parts of Germany were flooded the following summer, one of the national newspapers in Italy could not help but comment: “Finalmente uno stato che sta in piedi” — finally one witnesses a state that remains on its feet in the face of such challenge. The newspaper made, we can assume, a comparative observation on the capacity of states to

engage in rapid technical-administrative action in the face of unpredicted occurrences that, even though they fall outside of normal state activities, require immediate action by a collective actor.

Continental Europe has a state tradition — in which Italy only partly shares — of preparedness for such occurrences. The key example is certainly the French combination of centralized institutions for technical training and research in numerous fields of expertise with a commitment to “public service,” that is, the idea that certain activities are best handled by the state as the collective actor *sui generis*, because their pursuit by groups or individuals may be interest-biased or plainly inadequate in the face of the tasks to be accomplished. Even though the terms of self-understanding and institutional arrangements vary, similar practices can be found in many continental European countries. In the U.S., in contrast, this is clearly much less the case. Regardless of the current government, we may ask whether “the state” in the U.S. — in a comprehensive sense, including cities, states, and the federation — had developed the ability to act in the face of catastrophes of the kind recently witnessed.

### **Withdrawal From Public Service: The Idea of Private Coordination**

“State capacity,” though, is notoriously difficult to measure, and the obvious objection to the preceding interpretation is that the Katrina failure had little to do with lacking ability but much with lacking willingness. This leads us back to the current U.S. administration and its likely racist bias (as discussed by Manfred Henningsen, pp. 7–9), but not only. For the past quarter of a century, government action has been exposed to relentless scrutiny all across liberal-capitalist democracies. Rather than openly posing the question of which kind of action is most suitable for which kind of problem, the dominant debate has long assumed that private action coordinated by markets only is the one best way, whereas every other kind of action bears the onus of the argument that it indeed can usefully accomplish its objectives. A good state, thus, is the one that, regardless of its ability, is not willing to intervene, not even with a view to coordinating the actions of others.

The damage that the diffusion of this idea has inflicted is by now considerable, even in continental Europe. Arguably, however, the situation in Europe remains different from the one in the U.S., and this difference invites more comparison between the U.S. and Europe, for which again one should keep historical trajectories in mind. In the U.S., with its history of state-building from below, the priority of individual and group action over public action, at least at higher levels of administration, could possibly be considered as something like a self-evident truth. In pre-democratic Europe, in contrast, individual and group action had long been framed within larger arenas of coordination, from medieval cities to absolutist states, and spaces of liberty grew only gradually within those frames. When the idea of self-regulation and market coordination arose in the late eighteenth century — tellingly contemporaneous to the founding of the United States — and became popular during the first half of the nineteenth century, it was not self-evident at all but posed a challenge to existing forms of coordination, from guilds and corporations to state bureaucracies, and also to the novel idea of coordination framed by collective self-determination, or democracy.

The subsequent period from the heyday of *laissez-faire* thinking in the middle of the nineteenth century to its profound crisis in the 1930s can, with Karl Polanyi, be described as “the rise and fall of market

society.” From our angle, though, it is more fruitful to see this period as an extended debate about, and experimentation with, forms of coordination with regard to the tasks every society has to fulfill. From railways and electric utilities, to schools and universities, to healthcare and pensions, regimes of coordination were introduced in Europe that vary with the nature of the tasks and also across countries, but in all cases this coordination involved the idea of some public need for good fulfillment of the tasks and some autonomy of the agencies that were to fulfill them.

From the 1970s onward, virtually all of these arrangements have been exposed to new scrutiny, and in many cases they have been altered in the meantime, sometimes radically. And, indeed, there is no reason why the extended debate and experimentation should not continue, not least in the light of changing circumstances such as new technology, higher levels of private wealth, and demographic change. These arrangements will not continue to evolve, though, if the a priori assumption is taken to be the superiority of market coordination over “public service,” as much of the academic and public-intellectual view maintains, even in Europe.

### **The Emerging Defeat of the New Model in Europe**

What is striking after a quarter of a century of such debate is that the willingness of the state to intervene and coordinate has overall not subsided in Europe. Two main reasons seem to explain this persistence of state willingness. By now, first, it is difficult not to have experienced malfunctioning and failure of the newly designed modes of coordination. Good analyses are still scarce, but the sense that organizations and institutions work less well, and fail more often, than they used to is widespread. In the area of plain market competition, the objective of quickly reaping profits appears to expand at the expense of the orientation toward lasting relations with customers. In the area of such services as railways, telephones, and air traffic, in which former public service companies have been privatized and exposed to stronger competition, performance may have increased, but reliability of services has declined. In the face of decreasing certainty over the quality of goods and services, or even over obtaining them in the right form at the right moment, customers and clients feel the need to become more assertive, since the stability of rules in a public framework is missing. Increasing rudeness — signs warning of client “rage” have become common in the U.K. — is a visible negative consequence of the perceived need for private action to achieve one’s objectives. Experiences of this kind, which I suggest are widely diffused, profoundly challenge the idea of the general superiority of private coordination. Criticism of the latter claim is gradually mounting. All that seems to be missing at this point is a comprehensive interpretative frame for formulating an alternative, a task that is made difficult by the fact that task-adequate modes of coordination will always be more complex than the delusive simplicity of the idea of self-regulation.

The second reason for state persistence in Europe resides in the fact that political classes have started to notice insufficient electoral support for a withdrawal of the state. The French referendum on the EU constitution of May 2005 and the German federal elections of September 2005 demonstrated this most recently. In the latter case, the adoption of a neoliberal economic program appears to have been the main reason for the surprisingly small success of the opposition’s campaign against the incumbent government. In the former case, the concern over Europe’s social commitment led to a rejection of the

draft constitution in an otherwise rather Europhile society. The tight connection that many voters made between the constitution and the welfare state was misplaced, and the outcome of the referendum was rather deplorable in this author's view. Nevertheless, the referendum demonstrated rather clearly the rejection of what was seen as the risk of a declining public commitment to social concerns.

### **Alternative Political Philosophies**

The images from New Orleans and Houston that one could see in the late summer of 2005 speak rather directly to these issues. From a European point of view, but probably not only from such one, the images show how people in need react to a situation of emergency in the absence of an institutionalized public commitment to support them. We all have seen pictures of people running away from floods in South Asia, but we tend to assume — rightly or wrongly — both that these people are poor, and can only run, and that their state is without the necessary technical and material resources to predict danger and provide quick and efficient help. Seeing U.S. highways jammed with thousands of cars directed away from the danger, in contrast, we presume that many fleeing passengers are not entirely deprived of means and that, more important, their state has, in principle, all the means at its disposal to provide support. It just lacks willingness and on-the-spot efficiency.

In both cases, South Asia and the U.S., we see a situation in which there is (almost) no public action, only a multiplicity of private reactions. (It is another important question, which cannot be discussed here, why “we” — Europeans and North Americans — react to the images of South Asia with feeling the need for charity, whereas the images of the U.S. appear to concern us directly.) In this way, these images become a spectacular representation of practical political philosophy and, maybe, even telling for the condition of our time. In terms of political philosophy, they demonstrate what happens when the relation between individual autonomy and collective self-determination becomes highly imbalanced: a state of emergency leads immediately to disastrous consequences, because there is no collective body that can respond to it and define it as a collective matter, as political. In terms of the condition of our time, the images show that no accumulation of private wealth can provide a general remedy to the absence of public action: the cars with which people try to flee from the flood demonstrate a certain level of private well-being, but they are themselves a partial cause of the catastrophe, by participating in the climate change induced by industrial civilization, and rather than being a means for rescue they turn into an obstacle.

### **Rescue From Which Danger?**

Thus, we suggest that the currently still dominant political philosophy fails in the moment of emergency. It tends to drown quickly at high sea. The final question that needs to be asked, though, is the one about the nature of political emergencies in our time, and about who defines them. Or in other words, the question is: what is the danger from which rescue is needed?

The U.S. has a certain tradition of defining political challenges in military terms, even when such challenges are not wars. The opposition to a highly collectivist model of political organization and its institutional center, the Soviet Union, was called the cold war, even though actual military confrontation remained fortunately rare, at least in the so-called First and Second Worlds. And even the one major

attempt in U.S. history at reducing social inequality, during the 1960s, was called a war — the War on Poverty. The current “war on terrorism” is only the most recent example for such choice of terminology, which indicates two features of the U.S. polity. First, and in line with the observations on the weakness of the public service idea (combined with features of the U.S. political system and public sphere, not discussed here), it suggests that public action in the U.S. can more easily be thought of as a campaign, as a high concentration of means over a limited period, than as the sustained action of a permanent agency of public administration. Second, it suggests a substantive preference for military action, compared to public action, in other realms, such as the economic, social, or cultural ones.

In this light, one may want to continue the comparison between the democracies of the U.S. and Europe in terms of variable substantive orientations of the polities, as indicated not only by the behavior of the political elites, including holders of top offices, but also by the interaction between those actors and the electorate and citizenry — despite whatever legitimate doubts one may have about opinion polls and even interpretations of electoral outcomes. Short of any richer analysis, for which both space and time lack here, two indicative observations have to suffice. In 2002 an incumbent government alliance in Germany won an election against all odds because it declared itself opposed to war. In the U.S., a president was reelected despite a dismal domestic policy performance because he could declare himself a successful commander in chief. In turn, continental European political campaigns prove to be unsuccessful when any label of withdrawal from public commitment to social solidarity can be attached to them. In the U.S., social concerns have long ceased to be an issue with which federal election campaigns are led. These polities reveal significant differences not only in terms of their behavior at high sea; they also show different views about where the waves come from.

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