

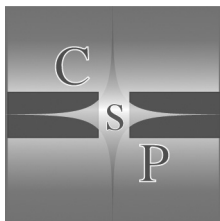
# Nation vs. People



Nation vs. People  
Bosnia is just a case

By

Dzemaal Sokolovic



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## ABOUT THE AUTHOR

**Dzemaal Sokolovic** – University of Bergen, Department of Comparative Politics, Norway.

Sokolovic is the founder and director of the Institute for Strengthening Democracy in Bosnia, Konjic, B&H.

Before the war in Bosnia, Sokolovic was professor at the University of Sarajevo, Department of Sociology. He was also the Reformist party candidate for Bosnia's Presidency. During the war, he left Sarajevo and Bosnia. From 1993-1994, he was teaching and researching at the University of Ljubljana, Slovenia, University of Heidelberg, Germany, and University of Graz, Austria. He is the author of several books and numerous articles published in French, German, English, Hungarian, Italian, Macedonian, Norwegian, and Bosnian (Croatian, Serbian). His latest books include: "Nacija protiv Naroda" (Nation vs. People), "Reconstructing Multi-ethnic Societies" (ed. with Florian Bieber), and "The Balkans: Searching for Solutions" (ed. with Stein Kuhnle).

Sokolovic is currently working on the project "Researching the Good in Bosnia and Prospects for Reconciliation", on the basis of which he has made a documentary: "And there was light..." He is also the main organiser of the International Seminar "Democracy and Human Rights in Multi-ethnic Societies", in Konjic, BiH.

For more information, visit [www.rokkan.uib.no/bihdemocracy/](http://www.rokkan.uib.no/bihdemocracy/).

# INTRODUCTION

## DIALECTICS OF DEMOCRACY OR ON THE DICTATORSHIP OF THE MAJORITY

In the last two centuries humankind has been dreaming two of the most beautiful dreams: one about *equality* among people, and the other about *justice*. To make them true, people undertook, in 1789 and 1917, two of the most considerable social overthrows in history. They were based on the concept that equality of all people, regardless of race, religious or ethnic adherence, should be the principle of a new, civil society, which was emerging to replace the stratum-divided *ancien régime*, and that social justice was the objective of a newer socialist society. No ideals can be resented. However, are their realisations true to the dreams? Has the so-called civil society actually established equality, and has the would-be socialist society brought people long-expected justice? Is it not indicative that both ideals emerged within Europe: the first one, the principle of equality, in the *Western* part of the old continent, and the other one, in the *Eastern* part? Has it, after all, been possible to establish equality without justice, or justice without equality? Is it possible to realise them at all, if we are aware of their notional indivisibility?

Or are equality and justice merely human dreams?

Yet, while dreaming, people are happy. From the second and newer dream, the dream of a just, socialist society, they have already awakened. It has been a sudden and fast awakening so that the disappointment in what had been waiting beyond their dreams was huge and shocking. It was such a big surprise that they did not know whether they were awake or were still having nightmares, and that they would, upon wakening, be happy again.

While people have been able to choose between the dreams of either “rotten capitalism” or the reality of “socialist justice”, they have nonetheless chosen dreams. Now, they choose between the reality of “capitalist welfare” and the reminiscences of “socialist totalitarianism”, as if people—as in Poland, Hungary, and then Bulgaria, Czech Republic, Slovenia, Croatia, even Romania—are

declaring themselves for memories similar to dreams that came before. People are either sleepy or their dreams are indeed more beautiful than the most beautiful reality. In competition with dreams, it is as if reality has no chance at all. If this is the case, then one should abandon seeking justice and human happiness in this reality. As such, the October Revolution was not only unsuccessful, but it was also a futile and unnecessary attempt. Nonetheless, if it was a dream, people will not renounce it easily.

From the older dream, which is far more sound because the dream is more beautiful—the illusion of living in a democratic, civil society; a society of freedom, brotherhood and equality of people—mankind has not yet awakened. Should humankind be awakened from this dream, this should be done slowly and gently. First, this should be done as such because people might give up on dreams as a result of great disappointment in reality. Second, due to grogginess, humankind may confuse dreams with reality, and strive to return to its dreams of equality by way of new revolutions. If we care about our dreams or our utopias, and if there is anything beautiful in them, then we should wake up in order to realise them. If dreams are more beautiful than reality, there is something even more beautiful than sleeping dreams—dreaming awake!

Perhaps the English, French or American Revolutions were not futile attempts, but were they successful? With the departure of *feudalism*, the disappearance of *legal* inequality of people, and the regime in which people could be neither free nor brothers, humankind was told that it would be free and live in brotherhood if it became a People (*demos*). However, instead of this, and instead of a *moral* community of people on *natural* grounds, thus also implying an *ethnic* basis, today mankind is divided into new, collective formations—Nations.

*Nouveau régime*, la République, which becomes more separated from the People, civil society and citizens the more it is simultaneously denoted as a democracy, engenders its antithesis—the Nation- State. It is as if Delacroix's *La Liberté conduit le Peuple* (Liberty leading People) is transformed into *State leading Nation* (*L'État conduit la nation*). Perhaps societies based on civil principles *inwardly* remain a People, but *outwardly* increasingly become a Nation. In relation to the external, the internal principles of such a society—freedom, brotherhood, and equality—convert into their own antithesis—slavery, xenophobia and (legal) inequality.

At the national-economic, national-political and custom borders of a national state, people cease being citizens and become Scythians. On one side of this boundary people can be free, on the other they can be slaves; on one side they are brothers, on the other, strangers. Within a nation-state, they are equal because their differences regarding the only relevant criterion—nationality—have been erased, whereas those out of the nation-state are without any rights, because they are different. Can civil society—this ideal of the bourgeois revolutions, and the dream

of European citizens—have its own state borders and end at the national boundaries while still remaining “civil”? Is the nation-state a framework harbouring and guaranteeing the civil character of its society, or is it what negates it? Are the principles of the Declaration of Rights of Man and Citizen universal, applicable to all people, and therefore valid universally, or do they belong solely to the French?

Disappointed at what he himself had hoped for and dreamt of, in the Republic, G. de Maupassant sadly noted: “*Comme la République était belle sous l’Empire!*”

If we return to the newer dream, about justice and a just society, we will find the same disappointment among the dreamers and idealists of socialism. Disappointed at the reality of socialism, Miroslav Krleža, the great South Slavic writer, paraphrased Maupassant’s words by saying: “How beautiful socialism seemed under capitalism!”

Today, the Eastern part of Europe, collectively disappointed in its dreams about justice, has returned to reality, and again seems dissatisfied. Disappointed at the transition from socialism to capitalism, from necessity to freedom, and from totalitarianism to democracy, Eastern Europeans offer not words of enthusiasm, but seem only to paraphrase Maupassant and Krleža, by saying: “How beautiful capitalism was under socialism!”

There is a considerable difference between the former disappointment and that of the latter. Those disappointed in the *future* remain *without hope*, as did Maupassant and Krleža. Transition from totalitarianism to democracy, i.e. from “socialism” to “the civil world”, however, has been evolving as a transition from the future to the past. Therefore, disappointment at this new/old world is disappointment in the *past*. The latter, which one may find not only among the people in the East but in the West as well, is much more substantial.

To be disappointed at the *past* means to remain *without sense*. Those who were disappointed after having returned to the past have discovered that the beginning had had no sense either. It appears that they agree with Hegel and Fukuyama that there is no more future, and that history has reached its end; moreover, that it has been completely without sense. However, if history has an end, as some currently claim (1), then it would have been better if it had never began. The entire road is senseless if the end is the sense.

However, the disappointment in both justice and equality, and in socialism and the democracy of the civil world is simply a disappointment in their own illusions and preconceptions. Actually, this is a disappointment neither in dreams nor in their realisations. Had the reality of socialism, a just society, and the reality of bourgeois society—a society of equality, as bourgeois society has been supposed to be equal—really corresponded to those dreams and ideals, people would have been right in saying that dreams, ideals and hopes had no sense. But

dreams were not realised in either case. The disappointment thus refers to a pseudo-reality that has nothing in common either with equality or justice, or with socialism or bourgeois society. People have not awakened in democracy. Therefore, there is still time for the dreams and the ideals of a new, just society and a society of equality. And while there are dreams, including those about justice and equality, not everything is lost in terms of reality. Unlike Hegel and Fukuyama, we would rather say that we are far from the end of history. This is not the end, nor is this the beginning of the end, and neither is it the end of the beginning. Nor is this the beginning. The beginning of genuine human social history is still to come.

So, the point is that we want to demonstrate that the reality of civil society, and democracy as its political form, does not correspond to the ideals of this society either. Democracy has never yet occurred—in its ideal, conceptual form. Nor has socialism. What happened to the idea of social justice was a violation of this idea. For this reason, the overthrow of what had developed in its place was the best that could happen to the idea of justice.

But, what about the idea of equality: that is, civil society and democracy? Will it also have to experience an overthrow in order to have any chance at all? Or, has the overthrow already occurred?

Before expressing a theoretical doubt about current democracy and the civil character of society, and before finding out whether democracy makes any sense, let us remind ourselves of two important facts. These will help us realise that the sense lies in the beginning of history, not in its ending, and that the beginnings took place countless times in the past. And that every time, there was sense to begin it. If we discover that the past does not deserve only our disappointment, then it makes sense to hope for the future. The aim of man's historical path is the path itself.

The first fact concerns the states that are paradigms of modern democracies and the civil character of their societies, i.e. the sovereignty of their People (*demos*) or citizens respectively. Britain, France and the U.S.A. have accepted equality of people as a principle on which the civil character of their societies is based. The *fact* is, however, that Britain and France were two great and established *empires* throughout 18th and 19th centuries, while at the same time constituting their *civil* character and setting up the people's sovereignty within their state borders. Not without irony can we wonder what happened to the equality, freedom and brotherhood of the people in their colonies. At that time, the United States, while instituting equality in a bloody manner among the people divided by slavery on the basis of their skin colour, also had committed one of the most horrific genocides in history—against the only autochthonous population in the country, who also had a different skin colour. While “ethnically cleansing” and putting American Indians onto “reservations”, the citizens of the country waged a

mutual war in order to equalise civilly those who were not only deprived simply because of the colour of their skin, but were also forced into social conditions that Europe had abolished many centuries before. This was a civil war for the establishment of equality among the citizens of a country in which the People had declared their sovereignty, i.e. democracy and the civil character of society, well in advance of many European countries. The U.S.A. was not only an ethnic, cultural, racial or religious conglomerate, but an *historical* conglomerate as well. It was on this soil of tectonically disturbed history that new epochs began, while those previous epochs had not yet concluded.

In this way, may one say that France, Britain and the U.S.A. really set up civil societies and democracies? Or, is it a matter of fact that the sovereignty of an intrinsically and a notionally new entity is not a People but a Nation?

The second fact concerns those European states that disappeared from the political map of Europe in this century, the societies of which were ethnically, religiously, and even racially composite. In this period, European political history included the process of dissolution of such states as Turkey, Austria-Hungary, the USSR, Czechoslovakia, Yugoslavia, and Bosnia and Herzegovina. (Switzerland and Belgium are not the only ones waiting in line.) The survival of these states could not only have proven the likelihood of equality as a political principle, but also confirmed Europe's readiness to develop politically based on this principle. If European political culture declared itself pro-democratic (i.e. with the sovereignty of the people—*demos*—as its objective), and in favour of the civil character of society, and so for *equality* among people, then why did the states, which should have confirmed such a declaration, have to disintegrate? Is it not Europe itself, with its paradigmatic representatives, that holds in its political culture something that makes it *virtually* totalitarian (fascist), something that periodically takes a discernible totalitarian (fascist) shape, at the point where the mere causes of its appearance are not clearly evident? What was the role of France and Great Britain, the paradigmatic European democracies, in the repression of multi-ethnicism and multi-confessionalism of these states? Is the dissolution of many culturally and ethnically composite states connected to the dissolution of the cultural and ethnic composition of France and Great Britain and, if so, what is that connection? Furthermore, does this have any reference to what is currently taking place in Bosnia-Herzegovina? (2)

Both of these intrinsic, compromising political facts inevitably raise the question of the character of contemporary democracy. In both cases the principle of equality among people, on which democracy is based, requires redefinition.

In the first instance, the equality of people within a state was strengthened by a complete rejection of outsiders, or those who were "different". In addition, this was done, not infrequently, by erasing the internal (including ethnic) differences.

(3) Was the principle of equality met by the fact that everyone became the “same”—French, Britons, Americans or Swedes, or was this premise flawed?

In the second instance, that of multi-ethnic states, the main argument used to explain and justify their breakdown was the ethnic diversity and inequality of their citizens. Did these states break down because their citizens were really in an unequal position, due to their ethnicity or some other distinctiveness, or because only these states recognised ethnic distinctiveness and did not, as did previous state regimes, construct as repressive a system of cultural homogenisation? (4) Was it not their breakdown that endangered the principle of equality and confirmed that equality was not at all necessary, but that it was the “sameness”, i.e. the abolition of diversity?

The most frequent argument used by those advocating nation-states, i.e. those who are concerned with “equality” of people, and who are the critics of multi-ethnic societies, is that such states (Austria-Hungary is the favourite paradigm) were actually prisons for their peoples. The critics of multi-ethnicism usually do not say that mono-ethnic states are single-bedded jails or prison cells. They apparently consider the state of impersonal (national) identity as the supreme political solution and the highest realisation of the principle of equality. Most probably, they will find consistent expressions for the new, emerging forms of political linkages on multi-ethnic grounds. It remains to be seen whether the European Union will be proclaimed as a concentration camp for the peoples of Europe, and the U.S.A. be ridiculed and caricatured as an ethnic, racial, religious and cultural zoo.

The Habsburg Monarchy was a prison: a prison of people, of its own citizens. But is there any state that is more or less not so, with regard to its people? Critics of multi-ethnic states apparently do not see that the problem does not lie in choosing between mono- and poly-ethnicism, just as the solution does not consist of national homogenisation. The problem lies in the *state*. States have been neither prisons nor concentration camps, nor zoos of *peoples*, but have been both prisons and concentration camps and zoos of *people*; above all, *citizens*. However, they can be such even if they are nationally homogeneous. Therefore, the problem of Europe is neither the poly-ethnic nor the mono-ethnic state. The problem is the state, the *nation-state* even more so, and it remains to be seen whether the solution lies in the *people* and its sovereignty.

Although Europe has been obsessed by the idea of the sovereignty of people (5) for four centuries, and has been striving to establish democracy on the ruins of the *ancien régime* for two centuries, in the last hundred years it experienced its own aberration of democracy through two of the most horrific totalitarian regimes in the form of *national* socialism and in what was known as *Bolshevik* Communism. Indicatively, both were founded on the power of the *majority*, the basic principle of democratic order. The European political culture, practice and

theory can hardly get rid of the problem if one says that this is a *Mittel-European* or East-European phenomenon. Anything happening anywhere on this planet is either a consequence of or the cause of something occurring in another part of the world. Thus, whatever occurs in Europe is a *European* matter, and not an Eastern, Central, or solely Balkan or Iberian concern. Hitler and Stalin, as well as the emperor Napoleon and Queen Victoria, were *European* political phenomena. As we are currently approaching the third, perhaps even more appalling, phase of totalitarianism, we have to pose the question of whether the European declaration for democracy and the principles of civil society are hypocritical, or if, even more egregious, totalitarianism is a latent but inevitable and logical consequence immanent to the very conceit of democracy. Are not fascism (the Reichstag brought Hitler to power!) and Bolshevism (dictatorship of the majority!) merely the ultimate necessary outcomes of democracy?

If one adds to this that the reasons for doubt and for such a question do not arise only from political experience but are of theoretical nature, then Europe indeed faces a serious dilemma. Is the idea of people (*demos*) and their sovereignty—democracy and civil society, including equality of people and thereby peoples (*ethnos*) as well—not only a dream from which there needs to be an awakening, but a misconception that should be done away with as well? If the European political scene—both society and state, obsessed by and proclaiming democracy and civil society more than others—experienced the most totalitarian dictatorship and holocaust of an entire people simply because their ears coalesced with their faces a bit more than the others (this was the Nazi criterion for identifying Jews), or they were killed in the streets simply because they were circumcised (as in the case of Muslim Bosniaks), how is it possible that Europe maintains democratic and civil attributes?

Are the *ideas* of democracy and civil society merely one more of the enlightenment misconceptions, that should be approached, as Adorno and Horkheimer did regarding enlightenment, *dialectically*? Or, if this is regarded entirely substantially, is it not the time to approach the *homo sapiens* himself in the same way?

Europeans have been enthusiastic about democracy and committed to its enduring establishment. By adopting democracy, Europeans have taken over from the Greeks something they themselves did not highly value. This can be explained only by the fact that Europeans had been disappointed by the many centuries of monarchy and absolutism. Nonetheless, it is not reason enough to forget that both Plato and Aristotle (6), after having been disappointed at their many years' experience of democratic set-ups, considered democracy only as the best among bad state arrangements.

Moreover, our civilisation not only least imitates a 2,500-year-old political arrangement, which failed to satisfy its contemporaries, but it also imitates it in an

unpersuasive, almost vulgar manner. Obsessed by the idea of equality of people, the advocates of the people's sovereignty here imply the participation of all people in ruling the state without any restriction other than age. The imitation is a substitute even at this level. The *first* dilemma arising from the ambiguity of democracy is whether or not all people should take part in power?

For the Greeks, the *demos* was a precisely and notionally framed entity. Not all were a part of the *demos*. In determining the rule of the *polis*, not only were the slaves excluded, but women and foreigners were barred as well. In short, democracy was not the matter of all. Of course, after Solon's reforms, with which democracy had been launched, the *demos* did not consist of the citizens of Athens—the residents within its walls, exclusively—but of all inhabitants of Attica, free landowners, and thus villagers too. Divided into *demes*, after which they were named *demots*, they became the citizens of Athens overnight, and often became members of the Council of 400, thereby ruling matters of the *polis* even more directly. It is difficult to say whether Solon's democracy had any difficulties in the relationship between the citizens, i.e. the genuine residents of the city of Athens, and the other residents of Attica, i.e. the remaining citizens of Athens, but it is apparent that this sort of difference among citizens clearly reminds us of the dilemma that often appears in modern democracies.

As for *slaves*, contemporary conceit of people holds no difficulty in their definition, either for ethical reasons, or for economic purpose. Today, unlike ancient times, slavery would be both immoral and illegal. On the other hand, labour productivity today is so high, owing to the methods of labour, that there is no need for a complete elimination of any citizen from political life so that he can produce for those who run political affairs.

As usual, things concerning the status of *women* are much more complex. Women have not been "speaking tools" even within households choirs, but they have, just like men, been taking part in many activities. However, they were barred from the matters of the *polis*. Being excluded from the *demos*, and hence from the rule over the *polis*, women devoted themselves to all other works and found acknowledgement in those. As nothing is without reason, there must be a reason why women were interdicted from running the matters of the *polis*. In everything else they were members of the community, as were men. Were women subordinated to men just for not taking part in power? Or were they perhaps protected, owing to the different position towards the other citizens of Athens, members of the *demos*? The fact that women were excluded from power in the Athenian democracy, taking part neither in the making of laws nor in their implementation or sanction, by no means meant that women were not political beings. Women were not members of the *demos*, or actors in democracy, but they appertained to the *polis*. Men did rule, whereas women were ruled, but it did not

mean that one could rule without them or that women did not recognise the power in which they did not take part.

However, even after the positive contemporary experience with women's inclusion in political life, a vague question as to whether all should be included in power remains. Power, perhaps, should not be given to those incapable, and perhaps not to the best of society; withheld from the former so as not to spoil it, and the latter to prevent them from being spoiled by it. It is in the interest of power itself, i.e. of the political community, that all do not participate in power. Despite their being in an unequal position, women were not outside the *polis* as a *moral* community. In the foundation of every political community there must be a moral community as well. For Montesquieu, the women of Athens had been the basis of Athenian families as well as morality (7). If the Athenian legislature, on which the power of the *demos* rested, had been based on morality, then one cannot say that Athenian democracy could have existed without women. Women did not rule because power was in the hands of those making and implementing laws. However laws, hence the rule of law and its implementation, depend on the morality of the ruling people. Immoral people are not able to make good laws, just as the best laws in their hands become immoral. Greeks were, mainly speaking, moral people. Moreover, their morality largely depended on women, specifically their mothers. Women did not rule, but were the foundation of the family, hence the foundation for producing Greeks, and their morality. If Greek power was moral, then this means that it was due to the Greek women. Whether it was quite necessary to exclude women from power in order to achieve the *polis*' moral grounds, remains to be seen. Perhaps, broadly speaking, the precondition of a *law-based (or legal)* community is the *moral* base separated from the *power*. However, as for the present-day role of women in political life, it should be said that even if there would not be any ethical reasons, as in the instance of slaves, the reasons for women to be included in power are entirely rational. Woman, as mother, is the base of the family and the moral production of people, but there are technical assumptions for her political engagement as well. It might be, after all, that men in power need, if not the presence of a mother and her moral advice, then at least a governess and her interdictions and guidelines.

*Foreigners* were strictly prohibited to interfere in the matters of the *polis* and could not participate in the rule of the state before being adopted. This question is one of the more important as there were far more foreigners in old Athens, compared to contemporary political societies—by a ratio of one foreigner to every two members of the *demos*. One can imagine with anxiety what the attitude towards refugees would be in present-day Europe if their number would increase to the same relative proportion as that in ancient Athens. Even the Swedes are today angry about those 60.000 *les miserables* from Bosnia and Herzegovina.

Living in the *polis*, and having the benefit of its advantages, was not the same as ruling it. Democracy had its boundaries, which were stricter than the *polis* boundaries. While those who were not residents of Athens could become its citizens with Solon's reforms, being a resident of the city of Athens did not necessarily imply being a citizen. Being a citizen (*demot*), i.e. a member of the people (*demos*), is not the same as being *zoon politikon*. All humans are political animals. Woman is human. Therefore, being *zoon politikon* did not mean being a member of the *demos*, i.e. to rule the *polis*. The Athenian *polis* was open to outsiders, but the *demos* was closed. A political animal was also the resident of the *polis* who was ruled, while a citizen, and so a member of the *demos*, was the one who solely ruled the city. The *demos* was, therefore, something denoted previously by boundaries, just as walls fenced the *polis*. The *demos* (people) was not an entity into which one could simply enter and whose membership could be achieved through a single criterion—such as birth, or through maturity. It appears that even in democracy, where the power belongs to a broad circle of people, caution had to be taken with regard to whom power was/is to be given.

The second dilemma arising from the democratic order is even more controversial. The outer boundaries of the *demos*, clearly separating those who belonged to it from those who were outside, were supplemented with inner boundaries. Not all had the same rights. At the very beginning of democracy's development, the question was raised that both Plato and Aristotle would later pose as a dilemma: may all make decisions regarding all matters? Who may make decisions and on which matters has remained a perpetual source of misunderstandings and disputes. Thus, the founder of Athenian democracy, the reformer Solon, instituted a four-tiered property designated class system within the Athenian *demos*. By giving political rights to all citizens, Solon instituted equality, a basic principle of democracy. Yet he made the democratic constitution timocratic by designating some rights dependent on the citizens' revenue. Thus, the *people* became sovereign, not as a collective but as an assembly of classes as well as individual citizens who comprised it, depending on their property situation. At the very beginning, by simultaneously equalising citizens and differentiating between them, Solon expressed a controversial notion of equality, unlike the subsequent notion, i.e. modern imitators who, since 1789, have been considered equality verbatim.

In fact, only things that are different can be equated. People need equality because they are different. The equalisation of people is nothing other than their being reduced to a common denominator, in this instance property, after which it is possible to see how different they are. The sense of equality, the process of acknowledging the differences as objective, is to preserve the differences. Hence, democracy is by no means a principal arrangement of mediocrity. Democracy does not exclude the *élite* nor is it excluded by the *élite*. Democracy is *élite*ism (8).

The question is merely on the basis of which criterion people are equalised in order to approach the elite: force, property, or virtues?

In Solon's time, albeit without the contemporary controversial experiences with democracy, his ideas already had opponents. Teognid from Megara maintains that virtue, hence the ability and right to rule the *polis*, is an aristocratic feature and cannot accept that this right arises from fortune: "Fortune, Kirmo, is given by God even to the worst scoundrels, but virtue belongs only to a small number of people." (9)

The dispute regarding political equality, persisting into the present, is supplemented with the disagreement about property equality, about which Aristotle, as an intercessor of common property, argued many years later with Plato. It appears that these two issues are mutually connected, for the vagueness about property equality is still not solved, particularly today when it turns out that the reverse process of transformation of common property into private property does not solve the problem either. In all appearances, a political equality of people, reduced to an equal right to a vote, on which purported civil society insists, and equality of ownership, to which the idea of justice in professed socialist societies has been reduced, are only two forms of vulgarisation of the same idea. Alternately, perhaps, both the question of political and legal equality and the question of property equality have been established incorrectly.

It is not entirely certain that equality means equal rights. Nor does it mean an equality in those *rights*. Law in its most substantial sense is based on *justice*. This means that equality in rights cannot be regarded separately from equality in *obligations*. Conversely, if equality consisted only of rights, without implying obligations, it would be the basis of the largest injustice among people (10). This is, for instance, what happened precisely where there was insistence on equal ownership.

Neither does the solution lie in making people equal in their obligations, simply because people's *abilities* differ. Should one set before people the same obligations, this would be only at the level of those least capable, even below the level of the average. Thus, all those more capable would remain unchallenged, and their abilities would remain unconfirmed. Hence, equality in obligations is pointless, as is equality based on rights. Since people do not have the same abilities, they cannot count on the same rights. Otherwise, equality would be contrary to justice. Therefore, equality respects differences in abilities, but also assumes a difference in rights. However, the difference is proportional to the obligations, which is to say abilities.

Does this mean that people will be unequal before the law or that different laws will be applied to them? People will only be equal before the law if different laws apply to them depending on their different obligations and abilities. For instance, the law defining the right and obligation to do a military service or to

take part in a war, in other words a law deciding on the lives and deaths of citizens, can be applied to all citizens only insofar as the right and the obligation concern both men and women equally. Alternately, the law on abortion, i.e. the law concerning the question of life and death, can be in men's charge only to the extent to which their obligations regarding abortion are. Men's right to make an ultimate decision about abortion could only be attained if they were able to become pregnant. The utter right to make a decision about abortion must belong to women, and even then exclusively on an individual basis. The right of the state or the church to decide about life is nothing other than repression over life.

Of course, the problem of democracy lies neither with women nor with men, or in their equality or distinctiveness. The question of equality is much more substantial and concerns many other capabilities, as well as the obligations and rights of citizens. *Equality* is, accordingly, a *legal* equalisation of people on the basis of their *obligations*, as determined by their *abilities*. Only equality that does not erase the differences among people stands a chance of being a *just equality*.

Although being of aristocratic origin, Solon made the peasants of Attica legally and politically equal to the residents of the city of Athens, but it did not mean that he could thereby equate them in the sphere of their obligations. The members of the *demoi* had different abilities. Solon himself was apparently aware of this when he made them differently obliged, politically, by dividing the *demoi* into four property classes. The equality of Athenian citizens was demonstrated by the fact that the political right of everyone depended on the same kind of obligation (ability). All citizens did not thereby attain the same rights, such as being elected to the Council of 400, but nor did they have the same obligations. All citizens of Athens did not make decisions on all matters. Yet Athenian democracy was based on equality—all citizens had not only a right, but also an obligation to take part in the matters of the *polis*. Those who did not use this right, because they did not perform their duties were called *idiots*.

Solon, however, did not establish a genuine equality of people. He did make their rights equally dependent on duties, but on duties that were not ability-based, but *property-* or *fortune-*based. Hence, the criterion of ability was wealth. Since wealth, ownership, property and so forth do not depend entirely on abilities, and the converse is even less frequently the case, they are not the measure of human ability; especially not of the ability to govern the *polis*, community, the state, or the city. This is what makes Solon's democracy questionable. The city, and even the state, emerged thanks to the people who were able to grasp what was *general*. Cities emerged thanks to the people who discovered the square, the street, the waterworks etc., i.e. the material base of a community, or that which is general. Cities may also create citizens, on the condition that the number of those arriving is not large, but cities can only be created by citizens. If the number of those

coming into the cities is too large, the cities cannot help them to become citizens. The only thing that the peasants are able to make is a village. Even from a city!

Unlike the village, the city is a form of what is general; something communal arising from the person and his or her individualism. Wealth and private property play a decisive role in the development of man's individualism, i.e. his capability of leading a social life, although only within alienation (11). *Land* is just an original, primordial form of private property. For this reason, land can be regarded as the basis of the political community, and its *distribution* as the foundation of equality or inequality among citizens. It was necessary to find in the ruins of the ancient consanguinity order a new basis for the harmony of the new community on the ruins of the old, blood-related order. This basis was the land, and the *demos* was just a consequence of a certain form of land distribution and governance. Therefore, the political community has in itself something of a geometric regularity and order. If this order is unstable—primarily the order of land distribution—the community cannot exist.

In all appearances, Solon's reforms had, in addition to political, social, and moral reasoning, a strategic purpose. By transforming minute landowners into politically equal Athenians, and landless people, even slaves, into landowners (for only a landowner could participate in the state and the army), he made them military conscripts, thus strengthening the military efficiency of Athens. However, once equated with the former aristocratic citizenry of Athens, the *demes*—people from the villages, with one-time Athenian aristocratic citizenry, could neither become genuine residents of the city nor renounce such a privilege. Democracy, this “word of abuse”, meant a “rule by country cousins” (12). They could never accept the city as their own habitat, but nonetheless became dependent on it. This inability to sincerely love something that is substantially alien, in that the generosity of which made him even more dependent, but the nobleness of which made him feel even more common, often transformed the city upstart, the member of the *demos*, the *demot*, into someone who hated the city. The great opponent to democracy, Teognid, said: “No city, Kirno, has been destroyed by noblemen so far, but by low people when seized by the rage of wantonness...” (13). His words seem still valid today: the destruction of the cities in Bosnia and Herzegovina began with democracy.

“The *polis* was a boundary. The word itself derives from a root meaning ‘wall’” (14). The walls of the city, between those who had built them in order to fence themselves in and those who did not belong to the city, began their erosion with, and at times precisely corresponding to, democracy. It appears that in its classical period, democracy demolished what was the civil society. No matter how unusual this may sound to someone, for it encroaches on his/her preconceptions and prejudices about both notions (democracy and civil society), modern democracy—understood even more vulgarly than Solon's, without any confines,

and founded on the incomprehensible (misunderstood) principle of equality—contributed neither to the development of the city nor its civil society. On the contrary.

Is it clear at all what democracy and civil society are to those who have been dreaming of them for two centuries, when even the founders themselves could not agree about who could be allowed to enter the city and who could be given power by inclusion into the *demos*? What is the *polis*, the city and/or the state, and what is the *demos*, or the people, after all? Is the people (*demos*) and its rule—*democracy*—perilous for the city and civil society? Or, is the *demos* a chance for urbanisation of entire society, including the village, and transforming it into a society of citizens? Is this just a dream, admittedly an older and sounder one?

Ought all walls be destroyed and all boundaries erased among people? Or, should what some have acquired through their abilities be protected from those threatening it?

Protagoras, unlike the critics of democracy, thought that everyone was able to exercise political skills, because the virtues of “justice and shame”, which lie at the basis of political ability, are features of all people (15). In contrast, Plato maintained that political virtue also requires wisdom as the only way to properly address general matters. He believed that common people whose opinion was founded solely on experience were not able to support justice and that which is good (16).

Lastly, the third dilemma regarding democracy derives from a basic principle—majority decision-making. Its ambiguity and controversy come from the two previous principles. If all take part in the rule and if all decide all matters, can the majority be considered qualified? The principle of majority, however, brings about an even more serious dilemma. If the majority, based upon whichever criterion, is not qualified, will democracy not become a dictatorship of the majority over the qualified minority? If the concept of the dictatorship of one man, or of a few, over the majority is so appalling, then the dictatorship of a majority over a minority must be even more appalling.

This dilemma of democracy is even more topical and acute today than it was in the classical period. Current societies are heterogeneous not only on a socio-proprietary basis, but also on an ethnic, religious and racial basis. Can the principle of majority be an ultimate political solution in ethnically, religiously or racially mixed societies? Will this principle not be the source of the dictatorship of some over the others? The Greeks devised the idea of democracy that also includes the principle of majority. But the Greeks did not then form the state on an ethnic level, and could not envision this problem. Current societies and states—among which virtually none are ethnically, religiously or racially “pure”—have to resolve the problem in another way. Alternately, it is possible to learn from those

who have had the analogous problem even at an historically lower level than the Greeks, and have successfully solved it without the principle of majority. The Iroquois, for instance, made their decisions about certain matters at the level of their six-tribes' confederation and via consensus. (17) In so doing, the domination of the majority over any tribe was excluded. The consensus is the only political solution excluding the domination of the general over the particular. It hampers the perversion of democracy into dictatorship. Apparently, the Greeks had no need for a consensus. Modern democracies obviously consider it as insufficiently rational and ineffective. Thus, they filled this century with wars among states, with the breakdown of old ones and the emergence of new ones, as well as with genocide against ethnic identities erasing the identities of others through their homogenisation into national identities. Had the people been ready to accept this principle, there would have been no need to disintegrate any of the poly-ethnic political creations in Europe. If Europe and the world will not build this into their own democratic systems, they will have to face an unenviable dilemma: the disintegration of almost all of the 200 existing states, or the erasure of most of the 8,000 currently existing ethnic groups' identities and, instead, setting up nationally homogenous identities corresponding to the 200 nation-states. None of these options will come to pass without pain or blood. The consensus appears as an obstacle to efficiency, and also to the dictatorship of majority. Quakers also practice consensus, but not by making decisions via the majority. I myself wrote about consensus as a superior democratic political solution when living in a totalitarian socialist regime (18). Yet, the merit for its recurrence belongs to Arend Lijphart (19).

If there is such a dispute on democracy in political thought, it is no wonder that in political history there have been political orders in which a few have ruled the majority, at times for the wellbeing of all, and orders in which the majority has ruled, to its own detriment. Political history, in fact, is a history of mutual replacement and overthrows of these two types of order. It is as if the people have not been able, for three millennia, to come to the idea of their synthesis and that that might be the solution. In the last two centuries, Europe itself has experienced three entirely different socio-economical and political orders. Neither the feudal-aristocratic, nor the bourgeois-oligarchic, nor the socialist system turned out to be sufficiently successful, each failing in its own way and for its own reasons. Would man's social and political life be advanced by the combination of these systems?

This world has reminisced on the scales both before and after the fall of socialism. Now when there is no "socialism", the pan of the scale on which it was seems to have risen up to the sky empty, and the second one, full of the "new order", seems to have bumped on the ground. One should not infer from this, like Icarus, that it is good to be neither too high in the sky nor too low. It is more important to grasp that one should not take out too much from one side of the

scales, just as one should not put too much into the other, even if it is named “democracy”.

Our world is not our own pan on the scales; our world is our scales. We will even remain without equality if we transform all of humankind into one people, and fill only one pan with democracy. This world needs balance and harmony, and they do not exist without the intrinsic contrariness (Heraclitus). Perhaps democracy has no alternative, but it is hard to imagine it without people with aristocratic features. Every order needs virtues.

It might be that the problem or the solution lies neither in any political order, nor in democracy, but in man and his nature (20). It is his vanity that does not allow him to concede it, and he seeks the causes of his failures in outer reasons. Before we begin the discussion about any social or political form or creation, we should indeed ask ourselves what man (humanity) really is and whether he, as he is, should be given power or not.

For the time being, then, let the walls of our cities remain closed to some, and the boundaries conspicuously marked. Let the gates remain in place too. This is, after all, what gates are used for—opening and closing. This is what gives particular importance to the gatekeepers.

There are many cities and countries that have been ruined because they have been closed too tightly due to *xenophobia*. It is not a matter of mere curiosity whether societies can be ruined by *xenophilia*. There is a country that is decaying, perhaps because it was too open to foreigners: Bosnia and Herzegovina is being destroyed by foreigners whom it accepted and did not know when to close the doors. Neither citizens nor people can emerge overnight. If there were a single instance of this, it would be reason enough to reconsider what democracy is.

## NOTES

1) Francis Fukuyama, in his famous article on “the end of history”, forebodes the senselessness of the end of history. “The End of History”, *The National Interest*, Summer 1989.

2) Perhaps the only man of principle in recent European international politics, the Dutch Minister of Foreign Affairs Hans van den Broek, claimed: “After Bosnia, do not mention principles to me any more!”

3) “By contrast to Prussia and Austria, France developed a linguistic standard of her own and was able to force its acceptance throughout her territory: not only in Celtic Brittany, in the Languedoc and in Provence, but even in the Germanic dialect areas of the North, in Alsace and in Lorraine. France and Sweden probably come closest to the ideal type of the ‘endoglossic’ homogeneous nation-state, but with one marked difference: in Sweden this great feat of unification was achieved through the integration of the Church, and consequently the schools for mass education, within the apparatus of the state; in France it was brought about essentially through the military and the secular administrative agencies, with only incidental help from the Roman Catholic Church.” Stein Rokkan, “Dimensions of State Formation and Nation Building...”, in Charles Tilly, ed., *The Formation of National States in Western Europe*, Princeton University Press, 1975, p. 583.

4) Although it was a religious state, the Ottoman Empire was for a long time, before the process of its transformation into a nation-state began, not only tolerant towards the non-Islamic religions, but was even building Christian places of worship. All important sacral sites—the monasteries in Serbia—remained intact throughout the 500 years of Turkish rule. See Noel Malcolm, *Bosnia—a Short History*, Macmillan, London 1994, p. 49.

5) It can hardly be said for the idea of modern European democracy that it owes its theoretical and practical roots to the ancient Greeks. In all appearances it arose as a compromise in the irreconcilable struggle between the two absolutistic ideas of the State: the secular and the divine. Thus, the idea of the state as a product of people’s will was reached by the Jesuits Molina, Bellarmin, Suarez, Mariana and Vasquez on the one hand, and by the Calvinist J. Althusius on the other. Dr Rudolf Eisler, *Sociologija*, St. Kugli, Zagreb 1919, pp. 19-20.

6) Aristotle, *Politika*, 1289b 5. Here, Aristotle argues with Plato.

7) Monteskje, *O duhu zakona*, Filip Visnjic, Beograd 1989, p. 119.

8) “The constraints associated with the old aristocratic order are now conceived as self-imposed. Democratic man is part of a political elite because of his political status, and despite persisting social and economic inequalities, he is capable of instantiating the personal qualities associated with the aristocracy and essential to communal order—bravery, excellence, reverence, justice, capacity to contribute to the community.” John Dunn, ed., *Democracy*, Oxford University Press, Oxford 1992, p. 21. See more about this in Peter Bachrach, *The Theory of Democratic Elitism*, Little, Brown and Company, Boston 1967.

9) Dr Milos N. Djuric, *Istorija helenske etike*, Zavod za izdavanje udzbenika, Beograd 1961, p. 72.

10) Montesquieu (Monteskje) has also felt the difficulties about the conceit of equality: "In a republican order all people are equal; they are equal also in an absolute order: in the first one because they are everything, in the second because they are nothing." (p. 87) "The tenet of democracy perverts not only when the spirit of equality disappears but when the spirit of extreme equality obtains as well..." Ibidem, p. 127.

11) One may resent Karl Marx unjustifiably for his nihilist attitude toward private property. He is indeed the critique and the intercessor of its abolition, but no one uttered such positive praises of its historical role than he did.

12) J. L. Myres, "Cleisthenes in Herodotus", in "Melanges Glotz", Paris 1932, quoted according John Dunn, ibidem, p. 8.

13) Milos N. Djuric, *Ibidem*, p. 72.

14) John Dann, *Ibidem*, p. 18.

15) Milos N. Djuric, *Ibidem*, p. 204.

16) John Dunn, *Ibidem*, p. 30.

17) Lewis Morgan, *Ancient Society*, The Belknap Press of Harvard University Press, 1965.

18) Dzermal Sokolovic, *Konsensus*, "Opredjeljenja", br. 9, Sarajevo 1979.

19) Arend Lijphart, *Democracies*, Yale University Press, New Haven and London, 1984.

20) *Ibidem*

# PART I

## MAN AND SOCIAL GROUPING

# CHAPTER ONE

## MAN

### (BETWEEN INDIVIDUALISM AND TOTALITARIANISM)

*“It is not the liquid that is rotten but the vessel.”*

Epicure

The quality and durability of any building depends on the material from which it has been built. A social formation, whichever one may be at issue, including democracy, depends on its components—people. Thus, it is logical for both sociology and political science to have a certain science of man as its basis. Anthropology is not just a starting point, but a science at a higher level of generality, having both the former and the latter derive from it. The difficulty of both sociology and political science, however, lies in the fact that both derive from a science that can be said to know the least about its own subject (1). Only when we face political or social problems and try to resolve them do we realise the extent to which sociology and political science are insufficient: in which case, we usually find that the cause lies in ourselves. Yet we know so little about that which is inherent in ourselves.

What can man do if his social and political problems demand anthropological solutions? Before we try to define what ethnicity and nation are—currently the two most frequently mentioned social phenomena—let us consider the assumption of the answer: we are convinced that the key to the secret-named society or social group is man himself.

#### **1. Human nature**

When Svetlana Alekuevna, Stalin’s daughter, returned disappointed to Moscow after many years spent in the United States—Moscow being a place from where, long before, she had also left disappointed—she stated to journalists: “What rules this world is neither governments, nor systems, nor political parties, but human

nature.” One should believe someone who had experienced not only the Soviet and the American ways of life, but also the closeness of the father whose nature had been determining a whole political and social system for a long time, and therefore the fates of millions of people. It is as if Aleluevna’s disappointment in both systems, which were so distinctive, proves that both actually have something substantial in common. The fact that one of them broke down in the interim does not mean that the previous hypothesis is incorrect. On the contrary, it is not at all illogical to conclude that the same fate also awaits the second system. After all, it is the case for all the systems that have existed in history so far.

### **A creative or a destructive being**

If this is so, and if the Kwakiutl syndrome (2) is not only characteristic of the Kwakiutl Indians but of people in general, then we have to ask who actually is man? Before we remind ourselves that man is a creative being, something on which every known definition of man insists thus far, we must not forget that man is also destructive and demolishes things. Is there any sense in trying to prove that we are creators by pointing to Beethoven’s Ninth Symphony or to the Great Wall of China when, of all the ancient world’s wonders, man had made only one (the Great Pyramid of Giza) that has remained, for the mere fact that this one is so monumental that he has not been able to destroy it? So far, man has destroyed many more of his creations than remain. So how can we be sure that creativity and not the reverse, destructiveness, is our essence?

The wisest among us try in vain to convince the rest of us that we appertain to *homo sapiens*, that man is *zoon politikon*, that he is *res cogitans*, a “tool-making animal”, when experience shows quite the opposite. Is Atlantis just a metaphor for what is a substantial part of our nature: that man is going to destroy his own world and vanish altogether with it? Therefore, perhaps man is not a creative being. The one who destroys what has been created and who often even dares to take his own life, which is also typical only of man, does not deserve to bear such an attribute. If man is a suicidal being, how can we be sure that this is not so at the level of the group or even the species?

As we move further, the problem becomes even more profound. It is typical of man not only to burn Rome, and destroy Moscow and Alexandria’s library, or to shell Sarajevo—which he has just left—but also to ruin nature and life itself. Thus, we have to ask him: is he really the climax of evolution or a mistake of nature? Has this been done by sick people, by virtue of genetic mistakes of nature, or by a normal human, such as man?

## Consciousness and sexuality

If one judges from the latest instance, the destruction of Sarajevo, the idea of this destruction was nevertheless conceived in the minds of normal people. Does this mean that man as such, and not his pathological specimen, is responsible for destroying what nature and he himself have created?

Of course, Descartes's, Franklin's or Marx's *homo sapiens* distinguish themselves from even the most intelligent animals precisely through *consciousness*. Although man's ideas and plans stand behind every creative act, as well as every destructive act, man is nevertheless proud of this attribute. Man does not consider it as only a distinction in comparison with other beings, but also as essential in social stratification. Knowledge is becoming the source of social power and a criterion of social status.

Man, however, differentiates from other animals at the level of mere instinct. *Sexuality* is also something by which man distinguishes himself and which, in the case of man, has long ago lost the mere natural function of the species' continuation. As human intelligence does not only play its role in the struggle for human survival, neither is sexuality confined to the function of continuing the species. Hence the question arises: what is the purpose of sexuality? It is certainly not exclusively the reproduction of life, nor is the reproduction of life its own purpose anymore. By becoming a means of some purposes outside itself, sexuality, i.e. the process of life creation, ceases to be the substance of sociability. Such an instinctive relationship, even when it is dignified and elevated to a higher level by love, ceases to be a social relationship at the moment it becomes determined by external, alien purposes, thus losing its essence. People enter this relationship, pushed by their desire or by love, and lose their identity and the character of actors. What is it that transforms the human sexual act, i.e. the human way of life reproduction, and even mere love, into an asocial relationship in which one does not affirm but negates himself/herself? A relationship in which one enjoys to dominate or be subordinated, a relationship in which one destroys life instead of creating it, and even (what a culmination of monstrosities) reproduces life in order to humiliate it? If, thus, there is no sociability even in the reproduction of life, does sociability have a chance at all?

In all appearances, what rules human behaviour, including social behaviour, are human *ideas* and *instincts*. On that assumption, how can we know anything essential about the social behaviour of man and his sociability, or about any of his social or political arrangements, if the human brain and sexuality are our greatest mysteries?