The revolutions of 1989 revisited

Stefan Auer
14 June 2004

In order to live up to its promise to become a community of shared values, the European Union should pay more attention to the legacy of the 1989 revolutions in Central Europe. The experience of the peoples of Central Europe showed that radical political change can be achieved by peaceful means. Thus the "conservative" revolutions in Central Europe challenged the exclusive paradigm of revolutionary change derived from the French Revolution. In contrast to 1789, the events of 1989 demonstrated that new beginnings are possible without a radical break with the past.

The process of European integration brought about radical changes in contemporary Europe. The notion of national sovereignty changed dramatically as the existing boundaries of nation states began to lose importance. The system of governance within the member states had to accommodate the demands of “ever-closer” economic and political integration, and gave rise to a new type of polity at a European level. The enlargement of the European Union intensifies these processes and also marks the final end of the cold war divisions. This, in many ways, should complete the goals that the original project of European unification aimed for: to overcome the legacies of the Second World War.

Measured by these outcomes then, the changes brought about by the process of European integration have been truly revolutionary (and as in any good revolution worth its name, it is now hoped that the results will be enshrined in a new European Constitution). Yet it seems inappropriate to talk about a revolution in relation to the creation of the European Union. The new political entity may be both “unsettled and unsettling” [1] but it is not revolutionary, at least not when one considers the methods by which these far-reaching changes have been implemented: they were the result of negotiations, not of fights on the streets. They were introduced rather cautiously, step-by-step, by elites who were anxious not to upset the political stability by radically changing the existing political order.

This is reminiscent of another series of revolutions that do not fully qualify as revolutions: those of 1989 in Central Europe. This is one of the reasons why the European Union would do well to seek inspiration in the ideas and ideals, which guided people in the
former communist bloc in their struggle for liberty and the rule of law. Another reason is
more straightforward: the enlargement of the European Union can only succeed if it
builds, also, on the experiences of those nations who are to become its new members.

This paper seeks to argue that a number of key concepts that the dissident intellectuals
in Central and Eastern Europe developed in their fight against communism are still
relevant in contemporary Europe. The statement is so obvious that it should need no
further justification was it not for the fact that the heritage of 1989 has not (yet?) found
an adequate place within the broader European context. More often than not, the
legacies of 1989 are either ignored or misunderstood.

Strange Revolutions (Die Revolutionen, die keine sein wollten)

The revolutions of 1989 do not fit easily into any
preconceived notion of revolutionary change in Europe.
These were “self-limiting” revolutions in which there was
very little, or no violence; no radical break with the past;
and very little or no revenge towards those who were
responsible for the injustices of the old regime. In direct
opposition to the revolutionary regime change orchestrated
by the communists after the Second World War, the
revolutions of 1989 were marked by constraint, not
radicalism. They were, as Gale Stokes astutely observed,
“revolutionary in the negative sense that they interred any
realistic hope that the teleological experiment in the use of
human reason to transform society in its entirety might
succeed.” [2] In this way, they invalidated the revolutionary
tradition usually traced back to the French Revolution,
which was driven by the belief that radically new ideas
would give rise to radically improved societies.

Strange Revolutionaries (Die Revolutionäre, die keine sein wollten)

By any standards, the dissident intellectuals in Poland,
Czechoslovakia and Hungary, who were catapulted into the
position of leaders of these revolutions, were very unlikely
revolutionaries. The likes of Václav Havel in
Czechoslovakia, Adam Michnik in Poland and György Konrád in Hungary saw their struggle against the omnipotent communist state as an “anti-political” struggle for authenticity, not a fight for political power. In line with this, they were reluctant to ally themselves with clearly defined ideological positions. Instead they appealed to a set of basic human values, assuming that a regime built on hypocrisy, greed and conformism could be defeated by truthfulness and a sense of basic human decency (hence Havel’s notion of the “living in truth”).

These ideas may have been noble, but to many western observers they seemed antiquated and unsuitable as a basis for a coherent and clearly formulated political program. In line with this, dissident intellectuals and their ideas were not at the centre of scholarly attention before and (not even) after the collapse of communism. As Winfried Thaa observed,

> Wahrheit und Lüge, Authentizität und soziale Schizophrenie wurden seit Beginn der 70er Jahre zwar zu zentralen Begriffen der Dissidenz im sowjetischen Herrschaftsbereich, spielten in der westlichen Kommunismusforschung jedoch so gut wie keine Rolle. [3]

The disregard of western scholars towards intellectual developments amongst dissident intellectuals in Central and Eastern Europe was even easier to justify after the collapse of communism. There was not much to study, so the argument went, given the fact that the 1989 revolutions in Central and Eastern Europe did not bring about any new ideas. Jürgen Habermas, for example, identified as early as in 1990 “a peculiar characteristic of this revolution, namely its total lack of ideas that are either
innovative or oriented towards the future.” [4] Against this background, the most plausible explanation for the revolutions of 1989, was to see them as “catching up revolutions”, revolutions which simply allowed the societies behind the former iron curtain to catch up with the rest of Europe in its never-ending march towards modernity.

1989 and Theories of Modernization

This interpretation had the great advantage of assimilating the experience of 1989 into the existing narratives of European history based on theories of modernization. Although most observers rejected Fukuyama’s claim about the end of history as far too simplistic, they were less disinclined to see 1989 as the culmination of those historic processes that were triggered originally in 1789. While the French Revolution marks the birth of modernity, 1989 brings Europe to maturity. In this account, the path of European civilisation towards ever-greater progress was merely interrupted by the tragic accidents of Nazism and communism. Typical is the assessment by Francois Furet, who believed that the revolutions of 1989 imbued the famous principles of 1789 with a certain freshness and with renewed universality. As we begin to close the long and tragic digression that was the Communist illusion, we find ourselves more than ever confronted by the great dilemmas of democracy as they appeared at the end of the 18th century, expressed by ideas and by the course of the French Revolution. [5]

Furet’s view is not without justification and it resonates with the views of some of the actors of the revolutions in 1989. György Konrád, for example, noted that their timing
was “an edifying coincidence, one might say: an homage, at a remove of two hundred years, to the revolution that first proclaimed the civil rights of the individual.” [6] In fact, the most popular slogan of these revolutions, “the return to Europe”, could be seen as the invocation of those principles that are usually associated with the heritage of the French Revolution: the ideals of freedom, equality and solidarity. [7]

The Poverty of the Theories of Modernization

Yet, the reliance on the theories of modernization and the French Revolution as the exclusive paradigm of radical political change obscures some unique features of the revolutions of 1989. These theories focus on abstract historic forces and are hence ill equipped to deal with the impact of those imponderable factors that make societal change such a fascinating (and unpredictable) subject of inquiry: the role of personalities and their ideas; the role of cultural and political identities and the like. More generally, the theories of modernization have little to add to our understanding of possibilities to challenge repressive political structures from within. It is telling that while most of those observers who were indebted to the modernization theories failed to predict the collapse of communism, in hindsight the theory gives the most plausible explanation for the reasons of the “inevitability” of this collapse. [8]

Moreover, 1989 invalidated (or at least thoroughly discredited) one of the defining principles of 1789; the principle extolled by revolutionary leaders and thinkers from Robespierre through Lenin to Zizek, that a radical societal change is only possible as a result of a violent struggle. [9] The reluctant “revolutionaries” in Central Europe refused to accept that revolutionary violence
should be used (and justified) as a liberating force. In this way, the 1989 revolutions in Central Europe mark the end of that revolutionary tradition, which saw as its defining paradigm the 1789 revolution in France. [10]

1989 as Conservative Revolutions?

Paradoxically then, one of the most interesting innovations of the revolutions of 1989 was the fact that they did not bring about a set of daringly new ideas, which could be used as a blueprint for a new society. If anything, they were backward looking, and in that sense, even conservative. This, however, pace Zizek (and any number of contemporary political theorists who bemoan the decline of revolutionary spirit), is the key to understanding the success of these revolutions. Historically speaking the failure of the revolutions would not have been unusual - it is their success that is remarkable and calls for explanation. [11] It was precisely because these revolutions were unoriginal and backward-looking that they were also largely successful. [12]

Ironically, the term that would possibly better describe the events of 1989 is revolution in its original meaning as a return to an earlier state of affairs. This is the kind of revolutionary change defended by the critics of the French Revolution, such as Edmund Burke. Burke’s famous rebuttal of the ideologically inspired violent excesses of the French Revolution strongly resonates with the key insights of dissident intellectuals in Central Europe: the concept of a “self-limiting revolution”, the idea of a “return to normality” and the ideals of an ethical civil society and “anti-politics”.

1789 als abschreckendes Beispiel?
Ever since Burke’s publication of the Reflections on the Revolution in France, [13] the proponents of such revolutionary changes that aimed at delivering (instantly) both liberty and equality had to deal with one of the fundamental dilemmas of liberal democracy: the fact that democracy can destroy liberty. Thinkers as different as Alexis de Tocqueville, John Stuart Mill, Lord Acton, Hannah Arendt, and more recently Fareed Zakaria, [14] from their different vantage points, warned against the danger of substituting the rule of mob for the rule of law: this was the problem of “the tyranny of the majority”.

This lesson was well understood by the dissident leaders in Central Europe. Consider Michnik’s comments about the virtues of democracy:

Democracy is not identical with freedom. Democracy is freedom written into the rule of law. Freedom in itself, without the limits imposed on it by law and tradition, is a road to anarchy and chaos - where the right of the strongest rules. [15]

This is not to say that the postcommunist nations of Central Europe can rest assured in the viability of their newly established liberal democracies, but measured against the historic precedents, the revolutions of 1989 were remarkably successful in laying the grounds for liberty under law. This result was not accidental, as it corresponded with the conscious efforts of crucial actors to implement revolutionary changes virtually without a revolution. In this sense, it is appropriate to call 1989 events in Central Europe “anti-revolutionary revolutions”, [16] “the revolutions under the rule of law”, [17] or - to restate my provocative argument - conservative revolutions in the Burkean sense.
1688 and 1776 not 1789

In fact, even Burke himself can be seen as a defender of the ideals of liberty (if not equality), and a certain kind of revolutionary change, which he saw best embodied in the Glorious Revolution in Britain of 1688 (though he did not call it thus). As the full title of Burke’s seminal work indicates, there was another dimension to his critic of the French Revolution often neglected in the discussions about modern revolutions, which was his concern with the protection of the legacies of revolution in Britain. [18] Hence, Burke’s key insights can also help in understanding the unique nature of 1989 by providing alternative points of reference, such as the Glorious Revolution of 1688 and the American Revolution of 1776. As Krishan Kumar noted with reference to both the aims and the methods of all these revolutions, there are some revealing similarities between 1989, 1776 and 1688: “If the 1989 revolutions were about democracy, constitutions, citizenship, the rule of law, the protection of individual rights, and the creation of a pluralist civil society, it is hardly possible to think of more suitable parallels than the English and American revolutions.” [19]

For example, Tocqueville’s somewhat idealized representation of the American Revolution of 1776, as the kind of revolution which “contracted no alliance with the turbulent passions of anarchy, but its course was marked, on the contrary, by a love of order and law” [20] could be applied to 1989. In 1776, as in 1989, the “revolutionary” leaders were aware of the dangers of a radical break with the past, and hence opted for a “self-limiting revolution” in which the spirit of innovation was tempered by the concern with political stability. In line with this, Michnik argued, “Solidarity has never had a vision of an ideal society. It wants to live and let live. Its ideals are closer to the
American Revolution than to the French.” [21] Similarly, Burke’s account of the revolution of 1688 that focuses on the attempt to preserve “antient indisputable laws and liberties”, [22] can be related to the notion of a “return to normality” in the countries of Central Europe. When Czechs, Poles, Slovaks and Hungarians shed their oppressive regimes, they believed (rightly or wrongly) that they were simply reclaiming their ancient liberties.

Accepting this view of 1989 could lead to a re-evaluation of historic precedents of a revolutionary change that Hannah Arendt called for many years ago. She bemoaned the fact that intellectuals in the West were so infatuated by the legacy of the French Revolution that they were inclined to see all other events, including the American Revolution, through the prism of 1789:

The sad truth of the matter is that the French Revolution, which ended in disaster, has made world history, while the American Revolution, so triumphantly successful, has remained an event of little more than local importance. [23]

The American Revolution, according to Arendt, was more successful than its French counterpart in opening up new opportunities for citizens to become actively involved in politics as equals under the rule of law. By focusing on political liberty rather than the issues of social equality, the American Revolution created space for authentic political engagement. As Winfried Thaa forcefully demonstrated, the revolutions of 1989 can be seen as late vindications of Arendt’s attempt to challenge the dominant concept of revolution in Europe with a “Revolutionsbegriff, der nicht die Umwälzung der Gesellschaftsordnung, sondern, orientiert an der amerikanischen Revolution, die
Neugründung des politischen Raumes in den Mittelpunkt rückt.” [24] At any rate, both revolutions, the one in 1776 as well as the one in 1989, can be described as self-limiting revolutions.

Self-limiting Revolutions

The idea of a self-limiting revolution emerged partly as a pragmatic response to a new geopolitical situation in Central and Eastern Europe. After a series of unsuccessful revolts against the Soviet style authoritarian communist regimes (in 1953 in Germany, 1956 in Hungary and Poland, and 1968 in Czechoslovakia), it became clear that no significant changes of the political system within the countries of Central Europe were possible as long as the Soviet Union was determined to maintain its control over its satellite states. Yet, the actions of the reluctant revolutionaries in Central Europe were guided not only by these pragmatic considerations. Equally, or even more important, was their conviction that they had to exercise constraint in their own political struggle in order to prevent “the very negative experiences of all unlimited social revolutions of the Jacobin-Bolshevik type.” [25] They were also convinced that the “post-totalitarian” communist regimes could have been challenged from within by peaceful means, if only enough people were determined to defy it. This was the reasoning behind Havel’s seminal essay “The Power of the Powerless”, in which he rejected the use of violence inspired by dogmatic ideologies:

“dissidents” tend to be skeptical about political thought based on the faith that profound social changes can only be achieved by bringing about (regardless of the method) changes in the system or in the government, and the belief that such changes - because they are considered “fundamental” - justify
the sacrifice of “less fundamental” things, in other words human lives. Respect for a theoretical concept here outweighs respect for human life. Yet this is precisely what threatens to enslave humanity all over again. [26]

Michnik was even more direct in rejecting the ideal of revolutionary violence associated with the French Revolution: “to believe in overthrowing the dictatorship of the party by revolution is both unrealistic and dangerous,” he argued, because “those who use force to storm present-day Bastilles are likely to build bigger and worse Bastilles.” [27]

Consequently, the opposition leaders were willing to constrain themselves in their exercise of power even after the actual collapse of communism. They made considerable efforts to maintain “the fiction of legal continuity with a past without legality.” [28] As Arato noted, this is one of the remarkable legacies of 1989. “It is the great contribution of the Central and East European struggle for legality in the midst of radical transformation that, even without inherited republican institutions, the new can be built without total rupture with the past.” [29] The anti-communist revolutionaries were prepared to make deals with their former communist foes, because they feared that the alternative would have brought about a descent to chaos and anarchy. These actors “were trying at all times to promote a revolution without a revolution.” [30] Not only dissident intellectuals, but also the masses on the street did not desire a complete revolution in the traditional sense, but simply a “return to normality.” [31]

Return to “Normality”
The notions of a return to “normality,” or of a return to Europe may have been very ambiguous, [32] but they found resonance with a vast majority of the people. Many Poles, Czechs, Slovaks and Hungarians simply desired to restore a sense of normality after the “foolish experiment” of communism. The fact that this “normality” was equated with securing life-styles that were thought characteristic of the well-established democracies in the West, and was hence significantly removed from any present or past experiences of the peoples in Central Europe, did not prevent them from seeing their return to “normality” as natural. It was their return to a past that (may have) never existed. As the Polish sociologist Jerzy Jedlicki wryly remarked, Poland has always been returning to Europe, although it has actually never been there. [33] Yet, it is precisely thanks to this perception, that it was possible for the Poles, Czechs, Slovaks and Hungarians to see their fight for liberty as being in line with the best aspects of their own national traditions. [34] To put it into Burke’s terminology, the nations of Central Europe simply reclaimed their own ancient liberties. In this way, the notion of a return to normality linked the project of postcommunist transition, which was oriented towards a liberal-democratic future, with the pre-communist past.

However, not only the pre-communist past served as a point of reference for the evaluation of liberal values. The new leaders also sought to rally people in support of liberal values by recalling their failed revolts against communism. This return to the best aspects of dissident past(s) was obviously in conflict with the second aspect of conservative revolutions, the effort to maintain the fiction of legal continuity with the illegal and illegitimate communist regime. Clearly, these were contradictory impulses: one could not “preserve” pasts, which were so radically different and even mutually exclusive. Yet, it was done even
when it led to grotesque occurrences. It suffices to recall that Václav Havel, who as a leader of Charter 77 was thoroughly despised by the communists, was voted into the presidency of Czechoslovakia in December 1989 by the communist (!) national assembly.

In fact, there is a further irony that makes the 1989 revolutions conservative in Burke’s sense. Even though the 1989 revolutions shared a number of goals with 1789, which Burke opposed in his own times, many of the radical ideas from more than 200 hundred years ago seem less radical today. For example, Burke opposed democratic ideals and the modern concept of citizenship, because he believed that these enlightened concepts were too radical, and dangerous for liberty, but it is perfectly plausible to imagine that he would not be so opposed to them today. Two hundred years after the French Revolution the ideals of the French revolutionaries themselves became a part of a “European,” or Western tradition, [35] and most people today would not think of democracy and liberty as inherently incompatible.

Anti-Politics and Civil Society

Due to the enduring recent popularity of the concept of civil society, which transcends ideological boundaries, it may be easily forgotten that the concept was originally based on a rather conservative ideal - the conviction that free societies rely on private virtues. Good character and virtue, according to Burke, cannot be developed as a result of an abstract ideal of humanity. They can only be fostered within a relatively small community of citizens here and now; within the “little platoons,” in which everyone knows their place (moving in expanding concentric circles from your family to your neighbourhood, from your neighbourhood to your city, from your city to your nation
and the wider world). One does not become virtuous simply by understanding and accepting the wisdom of Rousseau’s “General Will,” or the Kantian “categorical imperative”; one becomes virtuous by practising virtue. Similarly, for Hannah Arendt, there is no much use in invoking the noble principles of liberty, unless the kind of political space is (re-)created in society, in which authentic actions of independent citizens can take place.

Once again, this kind of reasoning resonates with the convictions of dissident intellectuals (e.g. Havel, Michnik, Konrád), who strongly believed that only through changing the “hearts and minds” of individual members of society could communism be defeated, and later the process of postcommunist transition succeed. This is why Havel stressed that one must turn away from “abstract political visions of the future and toward concrete human beings and ways of defending them effectively in the here and now.” [36] Hence, any genuine political engagement had to be a result of taking concrete responsibility. This was the ideal of an ethical civil society.

In its initial form, the concept of civil society was not meant to be revolutionary; civil society was not seen as directed against the state, but was supposed to complement it. That was the vision inherited “from Locke, the Scottish Enlightenment, Burke, Hegel, and de Tocqueville.” [37] As one of the leading Hungarian intellectuals, G. M. Tamás, explained, the dissidents in Central Europe appropriated this concept creatively for their own purposes and turned it against the oppressive communist state. This antagonism between state and society is reminiscent more of Paine than Burke, and it is not surprising, hence, that the Central European concept of civil society had strong appeal to the left-wing intellectuals in the West. [38] It was Paine who asserted in
Common Sense that “society is in every state a blessing, but government, even in its best state, is but a necessary evil.” [39]

The dissident’s suspicion of the communist state and its official ideology, Marxism, found its expression in the idea of anti-politics. Anti-politics was directed not only against the state, but any institutionalised politics, and was hostile not only towards Marxism, but any (dogmatic) political ideology in general. However, it would be a crude misunderstanding to see the ideal of anti-politics as apolitical. On the contrary, by liberating individuals from the constraints of institutional politics and the schematic thinking imposed by abstract ideological frameworks, individuals were empowered to endow their actions with authentic meaning: in this sense personal became political. The ideal of anti-politics urged people to act “as if” they were free [40], and to assume responsibility that comes with freedom. Hence, anti-politics was not a politics without principles, rather simply a “politics without cliché.” [41]

Europe as a Community of Values

In fact, if anything, the dissident intellectuals in Central Europe were less reluctant to take principled positions in their political struggles than their counterparts in the West. This is reflected in the ongoing debates about the aims of European integration and the means of achieving these aims. While the debates in the West seem to have focused on the technical aspects of integration, the Central European intellectuals have time and again stressed that Europe has to be seen as a community of shared values, and should be hence defined by a certain set of principles. [42] As Bronislaw Geremek recently argued,
If the European Union is to overcome national parochialism and embrace a shared and binding purpose, it must abandon the rhetoric of accountants and speak in a language that comprehends what is good and bad, beautiful and ugly, right and wrong. [43]

Increasingly, this problem is acknowledged even in the West. Larry Siedentop, for example, bemoans “the absence of a searching debate about European integration - a debate which would bring to the surface underlying assumptions about human well-being - [which] is itself symptomatic of a crisis in European beliefs.” [44] Against this background, the experiences of the dissident intellectuals in Central Europe in their struggle against oppressive regime can be instructive in reminding Europe about its purpose. [45] Today the question about the final purpose of European integration regains on importance in relation to the debates about the European constitution. Will the enlarged Europe accommodate the heritage of 1989?

The signs so far are not very promising. The experiences of the postcommunist nations of Central Europe do not feature prominently in the discussions about the emerging European identity. Habermas’ recent attempt at European identity building relies on anti-Americanism, secularism, the ideal of a welfare state, and the fight of the peoples of Europe for peace, but, if anything, is directed against the dissident intellectuals in Central Europe. [46] While Habermas deals with a number of historic developments of the twentieth century Europe, including “die Erfahrungen der totalitären Regime des zwanzigsten Jahrhunderts”, he does not mention once the fight against communism, or what I call here the heritage of 1989. [47] He focuses
instead on the anti-war demonstrations in February 2003, which took place simultaneously in “London and Rome, Madrid and Barcelona, Berlin and Paris”. The co-ordinated action of the demonstrators marked, according to Habermas, the long-awaited emergence of a European public sphere.

The preamble to the draft treaty establishing a Constitution for Europe is even more ahistorical. [48] It is devoid of any specific references to historic experiences that shaped modern Europe, such as the First and the Second World War. Not surprisingly, the preamble does not refer to the revolution of 1989. This is, arguably, another missed opportunity considering that the success of the current European project cannot be understood without reference to the defeat of two major twentieth century totalitarian challenges to liberal democracy: Nazism and communism. As it is, the current draft of the preamble is a rather uninspiring technocratic document, and could hardly satisfy those Central European intellectuals, who are looking for “a spiritual or moral or emotional dimension” [49] of European integration.

The European Union, if it is to become more that just a sum of its parts, a community of peoples and citizens rather than just an alliance of nation states, needs to build on ideas and ideals, which inspired the dissident intellectuals in their fight against communism. The disputes about the institutional set-up of the new (enlarged) Europe Union should not distract our attention from fundamental questions about the purpose of the process of integration. Following Geremek’s advice, we need to ask: “Why do we [the Europeans] want to live together?” What is the purpose of the European integration? [50] The argument of this paper is that in addressing these questions, we should consider the lessons
learned by the peoples in Central Europe and their fight for freedom, which many of them saw as a fight for Europe.

Footnotes


7. Europe was for most people in Central Europe primarily a political concept synonymous with the West; that is with the traditions of liberal democracy. Already in November 1956, for example, when there was a popular uprising
against the communist rule in Hungary, the director of the Hungarian News agency called for help against the Soviet invasion with the following words: "We are going to die for Hungary and for Europe" (my italics). Milan Kundera, "The Tragedy of Central Europe," New York Review of Books (1984): 33.


12. His is not to say that other aspects were not important. The international environment, for example, "has been exceptionally favorable to the democratic transition in Central Europe." Jacques Rupnik, "The Postcommunist Divide," Journal of Democracy 10: 1 (1999): 62.


17. This label is possibly best applicable to the Hungarian case as demonstrated in László Sólyom and Georg Brunner, Constitutional Judiciary in a New Democracy: The Hungarian Constitutional Court (Ann Arbor, Mich.:
18. Reflections on the revolution in France, and on the proceedings in certain societies in London relative to that event in a letter intended to have been sent to a gentleman in Paris. As J. C. D. Clark argued, Burke "did not defend an old world against a new world; he defended his modern world (Whig, commercial, rational, patrician, Anglican) against assault by atavistic moral, intellectual and political vices". Burke and Clark, Reflections, 89.


22. Burke and Clark, Reflections 181.


24. Thaa, Die Wiedergeburt des Politischen, 142.

26. Incidentally, it is worth noting that Havel allowed for the possibility that violence may be justifiable "as a necessary evil in extreme situations, when direct violence can only be met by violence and where remaining passive would in effect mean supporting violence: let us recall, for example, that the blindness of European pacifism was one of the factors that prepared the ground for the Second World War". Václav Havel, "The Power of the Powerless," in The Power of the Powerless: Citizens against the State in Central-Eastern, ed. John Keane (Armonk, N.Y.: M.E. Sharpe, 1985), 71. In line with this, Havel was able to endorse, if not without qualification, the US led invasion of Iraq.


28. Arato, Civil Society, xiv. This approach found its legal expression in one of the key decisions of the newly established Hungarian constitutional court ("On Retroactive Criminal Legislation," 5 March 1992). It was justified thus: "The change of system has been carried out on the basis of legality. .... The old law retains its validity. With respect to its validity, there is no distinction between "pre-Constitution" and "post-Constitution" law. The legitimacy of the different (political) systems during the past half century is irrelevant from this perspective; that is from the viewpoint of the constitutionality of laws, it does
not comprise a meaningful category." Sólyom and Brunner, Constitutional Judiciary in a New Democracy, 220


30. Ibid., 15.

31. Tadeusz Mazowiecki was hence able to proclaim in August 1989: "One has return to Poland the mechanisms of normal political life. The transition is difficult, but it does not have to cause shaking. On the contrary, it will be a path to normalcy". Tadeusz Mazoviecki, "A Solidarity Government Takes Power," in From Stalinism to Pluralism: A Documentary History of Eastern Europe since 1945, ed. Gale Stokes (Oxford: Oxford University Press, 1996), 229.


38. David Ost, for example, in his influential study of Solidarity insists on labelling this movement as a leftist group, or, taking into consideration its peculiar relationship towards ideology, "a postmodern left". David Ost, Solidarity and the Politics of Anti-Politics (Philadelphia: Temple University Press, 1990), 16.


43. Bronislaw Geremek, "The Two Communities of Europe," Reflection Group: The Spiritual and Cultural Dimension of Europe (Project Syndicate/Institute for Human Sciences): September (2003). For a similar argument that is critical of the technocratic nature of the European Union consider Havel's comments on the Treaty of Maastricht. While Havel showed himself impressed by the ingenious institutional arrangements created by the treaty, he felt that something important was missing:

"I felt I was looking into the inner working of an absolutely perfect and immensely ingenious modern machine. To study such a machine must be a great joy to an admirer of technical inventions, but for me, whose interest in the world is not satisfied by admiration for well-oiled machines, something was seriously missing, something that could be called, in a rather simplified way, a spiritual or moral or emotional dimension. The treaty addressed my reason, but not my heart." Václav Havel, "European Parliament, March 3, 1994," in Toward a Civil Society: Selected Speeches and Writings (Prague: Lidove noviny, 1995), 296.


45. This was, if only occasionally, recognized by a handful of Western intellectuals even before the collapse of communism in 1989. An interesting example from the summer of 1979 is the manifesto of a number of French intellectuals who spoke out in support of Central and East
European dissidents and saw their struggle, as a struggle for Europe. "Sur la trentaine de pays démocratiques, douze appartiennent ou appartiendront à la Communauté européenne. L'Europe des libertés est comme un îlot menacé par la montée planétaire du totalitarisme, des fascismes et des fanatismes religieux: sa défense et son union sont essentielles à une stratégie mondiale des droits de l'homme. [...] Quel que soit l'intérêt de la Communauté européenne et de son élargissement souhaitable au sud, il faut rappeler qu'elle est une partie de l'Europe, non l'Europe elle-même. Prague occupée, martyrisée, est aussi européenne que Paris, et Berlin l'est autant que Londres. Tant que le silence et la répression pèseront sur ces capitales européennes, l'"Europe serainachevée, malheureuse, comme coupée d'elle-même.' le Comité des intellectuels pour l'Europe des libertés (CIEL), "'Un Manifeste De Ciel,' "Pour L'europe Des Libertés Et Son Union"," Le Monde, 1 June 1979.

46. The article, co-signed by Jacques Derrida, was written partly in response to the letter in support of the American intervention in Iraq, initiated at the beginning of 2003 by the Spanish government and signed, amongst others, by the then president of the Czech Republic, Václav Havel. Jürgen Habermas and Jacques Derrida, "Nach dem Krieg: Die Wiedergeburt Europas," Frankfurter Allgemeine Zeitung, May 31 2003, 33. For more about Central European dissident intellectuals and their support of the American position see also Adam Michnik, "We, the Traitors," World Press Review, June 2003.

47. As Jan Ross astutely observed, "der Europäismus à la Habermas tritt eigentümlich defensiv, um nicht zu sagen rückwärtsgewandt auf, als Hüter der Errungenschaften von

48. The European Convention, Draft Treaty Establishing a Constitution for Europe (Luxembourg: Office for Official Publications of the European Communities, 2003), 5. The point about the lack of any specific historic references in the preamble was made, for example, by Armin von Bogdandy, "European and National Identity: Identity Formation through Constitutionalism?" (paper presented at the Debating the Democratic Legitimacy of the European Union, Mannheim Centre for European Social Research, 27 November 2003).

