

# Managing the Culture of Peace in a Historical Perspective

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Research and education project

## The aim of the research

The aim of the research is to rethink the narrative of the European social organization, from the point of view of reality and truth, by concentrating on the values and principles of European culture of peace, with the hope to find ways for a peaceful future.

European civilization has a double-faced cultural heritage which was thriving for power, was expansive and violent, but was also lawful and peaceful. The antagonism of these two opposing facets contributed to the complex nature of European social history. Supporters of a European and world unity were usually part of the tradition of a law abiding and peaceful federal state organization. They represented an opposition to authoritarian, absolutist and totalitarian tendencies of state organization in every period of European social history. While Europe was also characterized by the emergence of nation states pursuing policies of territorial conquests both on the continent and beyond, the struggle for federalism in Europe demanded a conscious fight for the improvement of the legal principles of the state organization and of international policy. The combat for a European unity and peace played an important role in a more general struggle toward a peaceful world unity. This long, conscious strive for harmony, peace and social improvement motivated humanist thinkers to develop and modernize their ideas on the principles of a lawful, constitutional federate state organization, in opposition to the unitary, authoritarian and centralizing tendencies of nation states. Thus developed gradually the values and principles of a democratic state organization representing the culture of peace in Europe.

The values and principles of European culture of peace can be found in projects on European and world organization, and in important legal documents on the rights of man and citizen. These important cultural heritage proves that the thinking on the creation of peace was present in all periods of European history. It contributed to the emergence of international law and human rights. Therefore the culture of peace represents such a European cultural heritage which needs to be protected and educated. It is necessary for personal self-determination, and for finding ways for the future, i.e. for protecting sustainable development.

The emergence of European peace culture has a long history composed of the following main periods:

1. The formation of the roots of European civilization: Greek political thinking, Aristotle, Plato; Roman law; the moral principles of Christianity.
2. The opposition of feudal territory incorporation policy and wars
3. The opposition of absolutism, colonialism, and the usage of might
4. Shaping and discussing “European (Western) modernity” and its values and principles, 18-19<sup>th</sup> century
5. Economic and commercial liberty versus state controlled economy and commerce
6. Opposition to ethnic and racial nationalism, chauvinism, racism and totalitarian tendencies of some European nation states
7. Renewing the principles of international organization after the Second World War
8. Shaping and discussing the values and principles of the European Union
9. Shaping and discussing the values and principles of new regionalism
10. Reform of the international organizations, and the UN

European culture of peace was protected in all of the above mentioned periods by famous political and legal thinkers. They framed important legal documents of liberty and rights opposing conflicts and wars, and proposed peaceful ways and principles for economic and political community-, state-, and international organization in political essays and projects. This European heritage of the culture of peace should be protected, managed, and improved by all future generations.

European peace culture developed in interrelation and mutuality with the other - American, South-American, African, Turkish, East-Asian, Indian or Russian - civilizations. What the Europeans did, and believed about social organization was criticized and rethought by the important representatives of peace of other civilizations. All these helped to improve European peace culture, and to develop common values and principles for peaceful world organization. This also belongs to the history of European culture of peace, and should be studied.

The research concentrates on European state- and international organization from a world view. It means that it searches also how did the famous representatives of peace of other civilizations (among them the Chinese, Japanese, Korean, Singaporean, Indian, Turkish) interpret the values and principles of “European modernity”. The aim is to rethink, and by rethinking to research, criticise, safeguard and protect the European- and the world peace heritage with the hope of finding ways for sustainable development.

The research and the education material is based on the analysis of important political essays, projects, and legal documents on state and international organization belonging to the European, and world heritage of peace, in a historical perspective.

The main chapters of the research

## 1. Antic and medieval roots of the European culture of peace

### ***1.1. Aristotle's Politics, and Plato's Republic on democracy and on its contradictions***

Aristotle's [Politics](#), and Plato's [Republic](#) represent the roots of European political thinking. They were studied and rethought by all generations with the aim to renew and develop democracy. Therefore European civilization is a new Platonic and new Aristotelian civilization.

The question raises whether European civilization could solve the dilemmas of democracy and liberty, and could renew democracy.

### ***1.2. Differentiation between religious and secular community, state and international organization***

The division of state and religion made the way possible toward religious freedom, and free political thinking. In this Saint Augustine's [The City of God](#) played an important role.

### ***1.3. Dante and the universal monarchy***

Dante: [Monarchia](#), 1306

Dante defended the reign of a single monarch ruling over a universal empire. He believed that peace was only achievable when a single monarch replaced divisive and squabbling princes and kings.

### ***1.4. Confederal and federal-type, defensive cooperation among feudal rulers against the Ottoman Empire aiming to establish peace in Europe***

The first federal-type defence project aiming to achieve the cooperation among feudal rulers in the framework of a European council against the Ottoman Empire was proposed by George Podiebrad, the King of Bohemia in his “Tractatus pacis toti christianitati fiendae” 1462-64.<sup>1</sup>

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<sup>1</sup> G. Podiebrad: Tractatus pacis christianitati fiendae. In: The Universal Peace Organization of King George of Bohemia. A Fifteenth Century Plan For World Peace, 1462-1464. Publishing House of the Czechoslovak Academy of Sciences, Prague, 1964. 71-82.

## 2. The opposition of the territorial incorporation policy, expansion, and wars in the early-modern Europe

Erasmus

The revolt of Erasmus against the wars of European rulers and princes.

His [The Complain of Peace](#) , written in 1521, represents the beginning of the rejection of wars as a political means. He permitted war only in the case of defence against the Ottomans. So, the culture of peace in Europe started with him.

Grotius

Hugo Grotius continued the work of Erasmus, and summarised the ideas of his age on war and peace in his [The Rights of War and Peace](#), 1625. He did not prohibited war, but legally limited the usage of war as a means of solving problems. Therefore his work is very discussed. The question raises whether was he irresponsible?

## 3. The opposition of absolutism, colonialism, and the usage of might

### ***3.1. Famous projects on European unity and on universal peace, 16-18<sup>th</sup> century***

European states could not establish peace. The more Europe disintegrated into a collection of monarchical nation states and national empires as a result of a feudal rivalry, territorial conquests, the emergence of colonization, inside and outside the continent. But the culture of peace continued to be protected by famous peace projects written for example by Crucé, Penn and Saint-Pierre. They enlarged the peace culture with important ideas on community organization.

Crucé

Crucé in his [Le Nouveau Cynée](#) 1623, proposed the freedom of trade, religious toleration, and an international court at Venice. He was for the establishment of a pax universalis through a general peace agreement: a world union of economic, political and commercial cooperation.

Penn

Penn, in his political essay entitled [An essay towards the present and future peace of Europe by the establishment of an European Dyet, Parliament, or Estates](#) (1693), proposed to create constitutional states (law states), to establish a European council, parliament and court of justice, to create the law of European federation; to secure the equality of the participating states by the voting system (one vote to each states). He rejected territorial conquest as unlawful, and proposed disarmament.

Saint-Pierre

Saint-Pierre in his [Project de paix perpetuelle](#) suggested to convoke the European constitutional convention in The Hague, and to establish the European constitutional federation. He also outlined the main principles of a European constitution: European Council of sovereign states based on the principle of subsidiarity and division of powers; status quo; free trade based on the international law of trade; economic union; prohibition of war for the member states; and international arbitration.

Sully

All three were in discussion with the controversial ideas of the Grand Project of Sully (published in his [Memoires](#)) on the reconstruction of the territorial and power structure of Europe under French hegemony, but based on new ideas, like religious and national toleration, balance of power policy, rejection of the status quo, establishment of a new system of states based on cultural nationality.

All three contributed to the development of the principles of the international law, and of European peace culture.

### ***3.2. The principles of federalism***

Althusius

Althusius elaborated the model of a peaceful world-federation.

In his [Politica](#), 1614, proposed the principles of federalism and framed the model of a peaceful world-federation. It was based on personalism, and a peaceful community association policy of the persons according to their real needs and interests regarding livelihood and security: persons associate, and create larger and larger communities from below (local community, province, state, federation of states), based on legal agreements.

### ***3.3. The principles of a civil government***

Locke

Locke formulated the idea of [religious toleration](#).

He elaborated also the principles of a [civil government](#) (a constitutional representative monarchy): the monarch is subordinated to the law established by the parliament and the senate. The state is the free association of the citizens with the aim to safeguard the life, liberty and propriety of the citizens. For this the citizens establish a civil government with legislative, executive and federative power, and represent their interests through elected representatives.

Civil constitutional states should create federal republics as the framework of inter-state cooperation.

#### 4. Shaping and discussing “European (Western) modernity” and its values and principles, 18-19<sup>th</sup> century

##### ***4.1. Development of the principles of federalism in opposition to anti-federalism***

[The Federalist Papers](#) summarized the knowledge about state- and international organization from the Greek politicians till the victorious days of the American fight for independence. It contains those political essays which were written by Hamilton, Madison and Jay to discuss the principles of the future American constitution.

##### ***[The American Constitution, 1787:](#)***

surpassing feudalism based on privileges from birth; self-determination, popular sovereignty, democracy, representative parliamentary system, division of powers, federalism, two chamber parliament representing the interests of persons as citizens of their own communities, and as citizens of the federation, division and transfer of competences to the federal institutions, subsidiarity, checks and balances,

and the acceptance of slavery and racism.

[Declaration of the Rights of Man and Citizen, 1789:](#) self-determination; popular sovereignty, equality of the rights of persons, human rights, the sovereign is the nation, unitary one national state,

and no federalism, no diversity management, no ideas on democracy among states

On the basis of the new values and principles of a modern European civil state (self-determination, popular sovereignty, parliamentary representation, right to vote, pluralism, right to property, legal defence, right to speaking and thinking freely, or taxation) the management of the principle unity in diversity, and the democracy among states was not solved.

##### ***4.2. Interpretation of the new values and principles of European modernity and the dilemma of peaceful cooperation among sovereign civil states***

The dilemma of sovereignty versus autonomy

Kant

Kant in his political project on [Perpetual peace](#) , 1795 outlined the framework of a world union of peace. His project was based on the following principles: indivisibility of sovereignty, legal harmonization among sovereign republican states, international law, human rights, union of peace.

In Kant's view a modern international policy has to be based on international law, and legal harmonization of the values and principles of sovereign republican

states directed by the most modern and democratic ones as developers. He imagined a world republic of similar sovereign republican states based on a law of nations and legal harmonization which we might call a *pacific federation* (*foedus pacificum*). It would differ from a *peace treaty* (*pactum pacis*).

#### Tocqueville

Tocqueville in his political essay entitled [Democracy in America](#), 1835, 1840 emphasised the following federalist principles: sovereignty is divisible, autonomy, subsidiarity, multilevelism, transfer of competences, personalism, human rights.

In opposition to Kant, Tocqueville – interpreting the American constitution in his political essay *Democracy in America* - made the emphasis on the *division of sovereignty* of states and *multilevelism* as the means of peaceful cooperation among civil states. He believed that only the division of sovereignty – more precisely the voluntarily fusion of states into one in specific areas of common interest – and a multilevel governance was able to establish peace among states.

His most important idea which challenged European federalists was the following:

“Another form of society is afterwards discovered in which several states are fused into one with regard to certain common interests, although they remain distinct, or only confederate, with regard to all other concerns. In this case the central power acts directly upon the governed, whom it rules and judges in the same manner as a national government, but in a more limited circle. Evidently this is no longer a federal government, but an incomplete national government, which is neither exactly national nor exactly federal; but the new word which ought to express this novel thing does not yet exist.”<sup>2</sup>

#### Proudhon

Proudhon in his writings [On federalism](#) and [Mutuellisme et fédéralisme](#) emphasised the following federalist principles: personalism, free association policy from below, transfer of competences by safeguarding autonomy, subsidiarity, and multilevelism.

Proudhon’s personalist federalism was based on the recognition of society as a *multi-layered* entity. At the bottom it was based on the individual and was built up from bottom up via families, groups, economic units and local communities, and extended even beyond the state into an all-embracing transnational federation. Human beings were complete persons in the sense that their liberty and autonomy were achieved through their responsible interaction with the other humans.

In his federalist system the *autonomy* principle played a conflict-solving role. It

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<sup>2</sup> Alexis de Tocqueville (1990): *Democracy in America*. The Henry Reeve text as revisited by Francis Bowen, now further corrected and edited with introduction, editorial notes, and bibliographies by Phillips Bradley. vol. 1. Vintage Books Edition, A Division of Random House INC., New York, 158-159.

attributed the competences among the different parts of the federation, and between the federal government and the member states by safeguarding all kind of autonomous rights.

#### Eötvös

Eötvös in his *The Dominant Ideas of the Nineteenth Century and Their Impact on the State*<sup>3</sup> realized that the management of diversity was not solved by the Declaration of the rights of man and citizen. Therefore - based on the ideas of Tocqueville and Proudhon - he elaborated the idea of a personalist federal state, and the principles of the nationality (minority) law.

Eötvös imagined a state, able to solve the linguistic and cultural claims of persons by a well managed local autonomy system on the level of the villages and provinces diminishing by this way the role of state intervention in this field. In his view *managing diversity* demanded the involvement of the principle of subsidiarity and multilevelism in state- and international organization. He contributed to the development of subsidiarity, multilevel governance, and human rights.

#### Bentham

Bentham, in his [Principles of International Law](#), (Essay IV), proposed A Plan for an Universal or Perpetual Peace.

He rejected wars because a war regarding its causes and consequences, cannot be the means to solve problems. The real way should be the international law. He emphasised also that classical territorial colonialism is not the interest of the British people. Commercial and economic cooperation has to serve the livelihood of all people.

#### Thoreau

Henry David Thoreau, in his political essay entitled [Civil Disobedience](#), 1849, realised and expressed the basic contradictions of a democratic system (which was originally a Greek idea). He raised the question how is it possible to oppose a democratic system which is based on the acceptance of the majority decision in the case of unjust laws. If the oppositional minority also should be subordinated to unjust law than the improvement of democracy is impossible.

He emphasised the importance of being able to “saying no”, i.e. civil disobedience, in the case of wrong things accepted by the majority. Improvement only by this way – by civil disobedience - is possible. In his view social peace and prosperity depends on the persons and their culture of peace.

Mahatma Gandhi highly appreciated his ideas on civil disobedience.

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<sup>3</sup> Eötvös József (1996): *The Dominant Ideas of the Nineteenth Century and Their Impact on the State*. Social Science Monographs, Boulder, CO., Atlantic Research and Publications, Highland Lakes, NJ., Distributed by Columbia University Press, New York; Eötvös József (1871): *Über die Gleichberechtigung der Nationalitäten in Oesterreich*. Pest

## 5. Economic and commercial liberty versus state controlled economy and commerce

Regarding peaceful cooperation between persons and countries two important questions were raised in a historical perspective:

Which one, economic and commercial liberty or a state controlled capitalist economy and commerce, could serve peaceful cooperation among people?

Whether the liberal public credit and state debt system or a limited and state controlled one could safeguard livelihood and peace in a long run?

### ***5.1. Adam Smith versus List (liberal economic theory versus the national system of political economy)***

Adam Smith

Adam Smith, free market economist, the founder of modern liberal economic theory.

In his [Wealth of Nations](#), in 1776, Smith argued that the key to national wealth and power was economic growth. His liberal trade theory was based on the idea of universal benefits of specialization, on comparative costs, and comparative advantages. It is based also on the belief that international trade is mutually beneficial, and an “invisible hand” will shape the world economy following the interests and needs of people if there is freedom of commerce, of enterprise and of movement of goods, persons, and capital.

Friedrich List

The Central European thinker, List opposed Smith liberal economic theory and emphasised the importance of state regulation.

He believed that states have to find the way to defend themselves against the “colonial imperialist-type modernization” pursued by liberal free market economist politicians.

List realised that Adam Smith used the idea of perpetual peace when he proposed his liberal free market economic theory. But he ignored the real working of political economy. List believed that this can be only a future plan when all states will achieve the same level of development. In the 19<sup>th</sup> century the free market economists have to be balanced by the supporters of modernised national economies. He actually searched the ways of a fair trade and a fair political economy. In opposition to Smith he developed the national system of political economy in his work entitled [The National System of Political Economy](#).

In Europe Great Britain established the virtues of liberalism, and Germany legitimized the doctrine of economic nationalism as a guide to trade policy and economic development.

Whether List or Smith was right remained a challenge to answer. Non-European politicians who aimed to modernize their countries, among them, for example, Fukuzawa Yukichi, Kang Yu-wei, Sun Yat-sen, Deng Xiao-ping, or Lee Kuan Yew, also had to face to answer this question.

## ***5.2. Hamilton versus Jefferson: A discussion on state debt between industrialists and agrarians***

### Hamilton's economic views

Hamilton formulated his political economic principles on the basis of the British political economic principles with the aim to defend freedom and liberty in the US. He could formulate a protective economic system against the English colonization, and this made from the United States of America a world power.

Hamilton is regarded as the representative of economic nationalism, a so called mercantilist. As economic nationalist he opposed the liberal trade theory: emphasised the costs of trade to particular groups and states, and favored economic protectionism and state control over international trade. List was under his influence.

Hamilton modernized the 18<sup>th</sup> century mercantilist thesis and developed a dynamic theory of economic development based on the superiority of manufacturing over agriculture. He set forth what we today would call an “import-substitution” strategy of economic development.

Hamilton's conception of economic development influenced agricultural or underdeveloped nations facing to modernization world-wide. All these countries made the emphasis on protectionism, industrialization, and state intervention.

### Hamilton's aristocratic capitalism and the creation of state debt

Hamilton preferred aristocracy (an aristocratic rule), and was against democracy. He opposed agrarian democracy and was for aristocratic capitalism. His Report on Public Credit<sup>4</sup> is an example how he imagined the establishment of an aristocratic capitalism based on the acceptance of public credit and state debt. He accepted also speculation. His ideas on state debt were very discussed by the agrarians.

For example, James Jackson (Georgia) attacked and rejected the plan of Hamilton on state debt and speculation. He emphasised that such an economic system would result in permanent troubles, crises, and in a speculative state- and world economy braking with the reality and real needs of the people. Such a

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<sup>4</sup> Alexander Hamilton: Report on Public Credit. Treasury Department, Jan. 9, 1790. In: Georges Rogers Taylor (ed.) (1950): *Hamilton and the National Debt*. D. C. Heath and Company, Boston

world economy will serve the interests of speculators, and harpies.<sup>5</sup>

Jefferson

[Jefferson](#) also opposed Hamilton's concept on public credit and state debt.

He believed that one generation had no right to incur debts for another.

“The conclusion then, is, that neither the representatives of a nation, nor the whole nation itself assembled, can validly engage debts beyond what they may pay in their own time, that is to say, within thirty-four years of the date of the engagement.”<sup>6</sup> In his view public debt leads to misery and decay.

Jefferson emphasised the advantages of an agricultural economy over a commercial one. Commercial economy, based on liberal public credit and state debt, would result in a troubled state- and world economy, and devastating crises.

In his view only agricultural democracy could be a realist idea, while commercial democracy is a false one. He favoured the agricultural society composed of farms.

Hamilton could gain. The growth of the USA from a small agrarian federal republic on the periphery of European civilization to a world power is the result of the realisation of Hamilton's economic vision. Or the opposite is true: Hamilton laid the foundation for the calamity.

## 6. Federalists in opposition to ethnic and racial nationalism, chauvinism, racism and totalitarian tendencies of some European nation state, 20<sup>th</sup> century

The values and principles of European culture of peace ended in an impasse between the two world wars and during the two world wars. The new ways out of the dead lock of the European peace culture were showed by the members of the Pan-European Movement and the European federalists of the Resistance Movement.

The Paneuropean Movement (Vienna), led by the count Richard Coudenhove-Kalergi, represented constitutional federalism in Europe in opposition to authoritarian nation states and Stalinism. Paneuropean constitutional federalists opposed the emergence of totalitarian states in Europe by strengthening the *world federalist model*, mentioned above, and based on the *personal principle*, the *autonomy (subsidiarity) principle* and *multilevelism*. Coudenhove-Kalergi's idea

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<sup>5</sup> The Debate in the United States House of Representatives, January 28, 1790. In: Georges Rogers Taylor (ed.) (1950): *Hamilton and the National Debt*. D. C. Heath and Company, Boston, 20-21.

<sup>6</sup> Saul K. Padover (ed) (1946): *Thomas Jefferson on Democracy*. Penguin Books, Inc., New York, 71-73.

on “*the Revolution of Brotherhood*” is a good example.<sup>7</sup>

Richard Coudenhove-Kalergi<sup>8</sup>

Richard Coudenhove-Kalergi in his political essay *Europe must unite* ([Richard Coudenhove-Kalergi: Europe Must Unite](#)) was for a constitutional federation under a federal government (two chamber parliament and federal government, i.e. a Swiss-type European United States). He favored a parliamentary European federation as part of the world federation. He emphasised the necessity of the implementation of the principles of the Declaration of the rights of man and citizen, 1789 in civil state organization. Regarding human rights his ideal was the creation of a common moral codex of humankind composed of free persons who are able to reject authoritarian and totalitarian type states.

Ortega y Gasset

Ortega y Gasset in his political essay entitled [The Revolt of the Masses](#), 1930, emphasised that people rejected the principles of European civil state and of federalism, as contradictory principles causing troubles and wars in the period of territorial expansion and colonization of the European national empires. But they could not propose anything new to replace them in a peaceful and democratic direction. They protected Fascism and national socialism (ethnic and racist nationalism) which resulted in an impasse of social organization, and blocked humanist thinking. The result was destruction and wars.

Ortega y Gasset raised the question to answer: why do people protect nationalism and its aggressive ethnic and racial form, instead of searching the ways of peaceful federalism in the age of popular sovereignty, self-determination and international organization.

Salvador de Madariaga

Madariaga in his political essay entitled *Anarchy or Hierarchy*<sup>9</sup> proposed the model of a unanimous organic democracy in the framework of a peaceful economic world federation

He favoured personalism instead of nation states. Persons associate in states composed of two parts: the functional economic state and the moral political one. The functional economic state should be based on the freedom of private initiative, and the moral political state on liberal and democratic principles, but the state should limit and control liberty and inequality. Persons should serve the functional state, but the state should serve the moral and protect persons.

As a means against world economic crises and wars Madariaga proposed to divide economy and policy inside the state, and establish an economic world

<sup>7</sup> Richard Coudenhove-Kalergi (1937): *Totaler state – totaler Mensch*. Paneuropa Verlag, Wien, 182-183.

<sup>8</sup> [Richard Coudenhove-Kalergi](#) ; [Richard Coudenhove-Kalergi: Paneuropa](#)

<sup>9</sup> Salvador de Madariaga, (1937): *Anarchy or Hierarchy*. George Allen and Unwin Ltd, London

federation through economic functional integration. The League of Nations should deal with disarmament.

The economic council of the economic state has to be independent of the politics of the state. Its function should be to give information about the national and world economy and finances, and to harmonize and unite the persons, the state, and the world economy (world federalist economic model). The state can not use the means of centralization during economic crises.

The political state can not be centralized, and should serve the persons from below (security, education, information).

#### Mitrany

Mitrany's ideal was a working peace system. He believed that it should be based on the functional cooperation among sovereign civil states.

#### The Resistance Movement

During the Second World War, the Resistance Movement was for federalism in Europe and in the world. The new ways for the future were proposed by Spinelli in the [Ventotene Manifesto](#), 1941.

#### Altiero Spinelli

Altiero Spinelli, one of the most important leaders of the international Resistance Movement, was for a European Federation continuing the principles of the American constitution, 1787. He regarded the *Federalist papers*, the American constitution, and Tocqueville's ideas on American democracy as examples for a European social organization after the Second World War.

He founded the *European Federalist Movement* that adopted the *Ventotene Manifesto* as its political program. The Manifesto emphasised that the main division was between the supporters of the national sovereignty and the supporters of the creation of a solid international state. The latter used national power for achieving international unity. Spinelli's Constitutional Federalist strategy had a strong institutional component and focused on the immediate establishment of federal political institutions, above all a supranational government directly responsible to the European citizens instead of national governments.

## 7. Renewing the principles of international organization

### Wilson and the principles of international peace

[President Wilson's Fourteen Points](#) on the new principles of international law: open covenants of peace; absolute freedom of navigation upon the sea ; the removal, so far as possible, of all economic barriers and the establishment of an equality of trade conditions among all the nations consenting to the peace; adequate guarantees given and taken that national armaments will be reduced to the lowest point consistent with domestic safety; a free, open-minded, and

absolutely impartial adjustment of all colonial claims; self-determination of the nations; a general association of nations must be formed under specific covenants for the purpose of affording mutual guarantees of political independence and territorial integrity to great and small states alike.

#### The League of Nations

The first important result of democratic international legal thinking was the establishment of the [League of Nations](#) in 1918, and the drafting of the *Covenant of the League of Nations*. The vision of a world federation was expanded with new democratic international organizational principles: popular sovereignty, self-determination, *international organization* and *international law*. However, the development of the democratic international legal thinking was paralysed by the strengthening of colonial imperialism, of European-universalism, and racism.

After the Second World War the idea of a peaceful world federation revived. The League of Nations was dissolved and the United Nations Organization was established with the aim of saving future generations from war, to reaffirm faith in fundamental human rights and to promote social progress. To this end it aimed to practice tolerance and living together in peace with one another as good neighbours, to unite to maintain international peace and security and to promote the economic and social advancement of all peoples.<sup>10</sup>

#### The United Nations Organization

The principles of renewed international law were declared in the [The Charter of the UN, 1945](#), and the principles of human rights in the *Universal Declaration of Human Rights*, in 1948. The most important achievement of the new international organization was the rejection of imperialism and colonialism, exploitation, slavery, and racism. UN played an important role in decolonization.

In 1963 the General Assembly of the United Nations unanimously adopted the *Declaration on the Elimination of All Forms of Racial Discrimination*.<sup>11</sup>

[The Universal Declaration of Human Rights](#), 1948 declared the equal and inalienable human rights of all members of the human family as the foundation of freedom, justice and peace in the world. Disregard and contempt for human rights resulted in barbarous acts. The Declaration rejected slavery, racism, and nationalism:

Article 1. "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood".

Article 2. "Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or

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<sup>10</sup> Ian Brownlie (ed) (1995): *Basic Documents in International Law*. Clarendon Press, Oxford, 2.

<sup>11</sup> Ian Brownlie (ed) (1995): *Basic Documents in International Law*, 310-327.

social origin, property, birth or other status.

Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty”

Article 3. “Everyone has the right to life, liberty and security of person”.

Article 4. “No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms”<sup>12</sup>

Article 15. “Everyone has the right to a nationality.

No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality”<sup>13</sup>

The Declaration acknowledged the right of freedom of thought, conscience and religion, the right to freedom of opinion and expression, and the right of peaceful assembly and association. It recognized property rights.

The Universal Declaration accepted the family as the basic unit of society:

Article 16.3 “The family is the natural and fundamental group unit of society and is entitled to protection by society and the State”.<sup>14</sup>

The Universal Declaration of Human Rights aimed to become a common universal standard for all people in the world. It specified the rights of the individuals with the aim to protect diversity.

## 8. Shaping and discussing the values and principles of the European Union as a new regional union

Social organization based on international law and human rights as a global political process following the vision of world federation started with the establishment of the UNO, and the Universal Declaration of Human Rights. The rejection of colonization, slavery, racism and nationalism by the new international organization and law represented the beginning of a new period in the construction of Europe in the framework of the UN.

The basic model of a new federalism in Europe were elaborated by Schuman, Monnet and Spinelli.

Schuman

[The Schuman Declaration](#), 1950 represented the principles of a new Europe.

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<sup>12</sup> Ian Brownlie (ed) (1995): *Basic Documents in International Law*, 19.

<sup>13</sup> *Ibid.*, 21.

<sup>14</sup> *Ibid.*, 21.

The European Steel and Coal Community was a legal precedent for supranationalism in Europe.

Jean Monnet

Jean Monnet was for federal-functionalism. The so called Monnet-method was based on the following principles: division and transfer of functional competences from the state level to the above state level, and the organisation of supranational institutions for them. The states remain sovereign (autonomous) in all other spheres.

Spinelli

Spinelli elaborated the values and principles of the federal and intergovernmental union of states based on subsidiarity and multilevelism ([Draft Treaty establishing the European Union, 1984 \(Spinelli Draft\)](#)).

The values and principles of the European Union are summarized in the [Draft Treaty establishing a Constitution for Europe, 2003](#); in the [Treaty of Lisbon](#), and in the [Charter of Fundamental Rights of the European Union](#)

Regarding *citizens' rights* and the *Charter of Fundamental Rights* the Treaty of Lisbon preserved existing rights while also introducing new ones. While guaranteeing the freedoms and principles set out in the Charter of Fundamental Rights, its provisions regarding civil, political, economic, and social rights have become legally binding. Diversity is also well protected by the following rights and duties: right to human dignity, to liberty and security; respect for private and family life; prohibition of slavery; freedom of thought, conscience and religion; freedom of expression and information; freedom of assembly and association; freedom of the arts and sciences; right to education; equality before the law, and citizens rights. Any discrimination based on any ground, such as sex, race, colour, ethnic or social origin, religion or belief are prohibited.

## 9. Shaping and discussing the values and principles of new regionalism and the international organization

### ***9.1. Are the European values and principles universal?***

#### *9.1.1. A world system of centre and periphery versus world federal union*

In Braudel's view “our economic worlds are thus economies with boundaries, a centre and a hierarchisation of the component spaces”.<sup>15</sup>

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<sup>15</sup> Fernand Braudel (1978): The Expansion of Europe and the “Longue Durée”. In: H. L. Wesseling (ed.) (1978): *Expansion and Reaction*. Leiden University Press, Leiden, 22.

### 9.1.2. *European universalism*

In Wallerstein's view *European-universalism* developed during colonisation.

He believes that there are three main varieties of this appeal to universalism<sup>16</sup> :

The first is the argument that the policies pursued by the leaders of the pan-European world are in defence of „human rights” and in furtherance of something called „democracy”.

The second comes in the jargon of the clash of civilizations, in which it is always assumed that „Western” civilization is superior to „other” civilizations because it is the only one that has come to be based on these universal values and truths.

The third is the assertion of the scientific truths of the market, the concept that „there is no alternative” for governments but to accept and act on the laws of neoliberal economics.

### 9.1.3. *East-Asia in emerging as world power*

A recent debat on the emergence of Asia as a world power was started by Kishore Mahbubani, 2008, Singapore<sup>17</sup>

## **9.2. *Thinkers of other civilizations on European (Western) values and principles of modernity (China, Japan, Korea, India, Singapore, Turkey)***

European civilization has developed and renewed itself in close interaction with other civilizations of the World. It played an important role in the creation of the phenomenon of modernization, i.e., the development of capitalism as a global economic, commercial, financial, and political system during the 19<sup>th</sup> and the 20<sup>th</sup> centuries. The whole World had to face, in all this period, the necessity to understand and interpret modernization – European/Western modernity - as a way for peoples from different countries and civilizations to live and interact with each other. “Western” countries played a leading role in this process by opening up, by force, the classical agrarian civilizations worldwide. Their goal was to involve these in a free market based economic and commercial world system.

The economic, commercial, financial, and political principles of the West, as well as its idea of a democratic civil society represented a challenge for the political elite of the non-European, - Ottoman, Chinese, Japanese, or Indian - civilizations, reinforced by the issues around colonization, imperialism, or, more recently, the Cold War and globalization. Comparing their own societies to “European/Western modernity” they investigated what to adopt and what to reject;

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<sup>16</sup> Immanuel Wallerstein (2006): *European Universalism. The Rhetoric of Power*. The New Press, New York, London, xiii-xiv.

<sup>17</sup> Kishore Mahbubani (2008): *The New Asian Hemisphere. The Irresistible Shift of Global Power to the East*. Public Affairs, New York

this investigation often resulted in bringing forward the contradictions and possible criticisms of those Western values and principles. At the same time, they became actively involved in the emergence of a capitalist economic, commercial, and financial system in their own countries, which gradually replaced the traditional agrarian societies. As a consequence, these non-Western peoples have developed their own ways of modernization.

Mustafa Kemal Atatürk: state-capitalism, “import-substitution” strategy of economic development, protectionism, industrialization, and state intervention, modernization following Kemalist ideas

K'ang You-wei: constitutional monarchy as a civil state could be an alternative based on Confucian values represented in [Confucius: The Analects](#).

Sun Yat-sen: West could not solve the problems of democracy. Confucian capitalism based on family system and the Confucian values could be an alternative

[Fukuzawa Yukichi](#) : Western type economic and technological modernization by safeguarding Japanese values.

Mahatma Gandhi<sup>18</sup>: [Hind Swaraj or Indian Home Rule](#):

rejection of the Western liberal and free market capitalist expansion; rejection of forced industrialization; agrarianism; personalist world-federation; civil disobedience; cooperation among people based on reality and the values represented in [The Bhagavad Gita](#)

### 9.2.1. Asian values (discussion, Singapore)

Peter S. J. Chen, for example, raised the question: What are Asian values? <sup>19</sup>

In his view the Asian values are the followings <sup>20</sup>:

- Group Spirit and Paternalistic Employer-employee Relationship
- Mutual Assistance and Community Life
- Parent-child Relationship and Cohesive Family Life
- Friendship Patterns
- Normative Ideology and Value Concept

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<sup>18</sup> [Mahatma Gandhi: Hind Swaraj or Indian Home Rule. Gandhi Organization, Bombay](#)  
[Mahatma Gandhi: All Men Are Brothers](#) ; Mahatma Gandhi (1969): All Men Are Brothers.  
[Published by the UNESCO](#)

<sup>19</sup> Peter S. J. Chen (1977): Asian Values and Modernization. A Sociological Perspective. In: Seah Chee-Meow (1977): *Asian values and modernization*. Singapore University Press Pte Ltd, Singapore, 21-40

<sup>20</sup> Ibid., 29-38.

### 9.2.3. *Confucian capitalism as an alternative*

Opening up of China voluntarily and searching the ways of modernization based on Chinese values and principles.

Deng Xiao-ping

Singapore as a “hub” of Asian business life based on Confucian values and principles

[Lee Kuan Yew](#)

Confucian state capitalism

### 9.3. *New regionalism*

Jean Monnet and Walter Hallstein believed that the new *European supranationalism* could serve as a model for the whole World. Is it true or not?

History showed that states all over the World created functional regional economic and/or trade associations after the Second World War. It was in harmony with the aims of the United Nations Organization. The most important regional experiences are the EU itself, the MERCOSUR (grouping a number of countries in Latin America), NAFTA (North American Free Trade Area), ASEAN (Association of South-East Asian Nations), and African regionalism. On the basis of these emerging new regions one can say that the reality of the contemporary World is not *globalization* but *new regionalism*. More precisely associations in which the sovereign states are embedded. This means that the states voluntarily create different functional associations with the aim to safeguard their statehood. States (governments) as regional actors aim to participate in the *global economy* without denying the sovereignty of the state and the cultural specificities associated with it. They are for inter-state coordinating agencies, and did not establish supranational new regional institutions. Reality shows that *globalization* as the dominant idea of our age is only a political imagery.

Researching of the most important different regional unions from the point of view of functional- federalism or confederalism.

[ASEAN](#)

[ASEM](#)

[ASEF](#)

[SAARC](#)

[MERCOSUR](#)

[NAFTA](#)

## 10. Reform of the international organizations, and the UN

### Reform-plans on the renewing the United Nations Organization

The European idea of a *supranational union of peace* could contribute to the *vision of a supranational world union* of peace as unity in diversity.

#### Habermas

Habermas believes that the reform of the UN is necessary to avoid to become marionettes in a global economy.

In his view the EU is not a model for the other regions in the world to copy. But the *EU-model* – representing supranationalism and multilevel governance – can suggest new concepts on renewing international policy to states and regions belonging to different civilizations. It can also motivate the reform of the United Nations Organization.<sup>21</sup>

#### Common moral codex of mankind

The rules of a renewed universal human rights should be crystallised through dialogues among the different civilizations world wide. This could contribute to the framing of a *common moral codex of mankind*.

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<sup>21</sup> Jürgen Habermas (2004): Hat die Konstitutionalisierung des Völkerrechts noch eine Chance? In: Jürgen Habermas (2004): *Der gespaltene Westen*. Suhrkamp, Frankfurt am Main, 174-178.

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