

# Projekt **JOVIALISMUS**

## **Jovialism** or **the Freedom to Say «No»**

**Ideas for a solution of democratic political philosophy  
dealing with global equality and global power**

Kyiv, June – September 2007

Jörg Drescher

Translated by: A.B.C. Group, Kyiv, Ukraine

Proofread by: Eric R. Eissler, Pittsburgh, USA

If this work has any value for you,  
you have an opportunity to make a voluntary donation for me:  
Deutsche Bank, account #: 2009819, bank code: 63070024  
SWIFT: DE06630700240200981900, BIC/IBAN: DEUTDEDB630  
Account owner: Jörg Drescher, Destination: theory of the state



## Introduction

The title of this article, «Jovialism or the Freedom to Say “No”», tells a lot about the contents of this article. The matter at hand is a person who can reject violence, poverty, censure, hatred and intolerance.

At first glance it could seem that the title contains a contradiction: either a person accepts Jovialism (which could also occur) or is free to say “no”. This contradiction proceeds from our property to divide subjects into “either...or”...

But this impression dissipates, if we regard the title in such a way that this “or” helps to interpret the notion of «jovialism». In this case «Jovialism» means: «the freedom to say “no”».

I define an idea of man described here as “the jovial idea of man”; in this respect I do not want to call a man «*Homo Iovialis*» (this simply would not be true that a human being is exclusively benevolent and amiable). Rather I am trying to explain the idea of „*Homo Informaticus*” with the following text: A man as a living being can process information in order to survive and due to this he can make a free choice between “yes” and “no”.

Among other issues the given article has been designed as “a theory of state” in respect of the basic income. In this case the matter concerns neither financing, nor political management but the question: «Are we ready and do we have an opportunity to realize the necessity of work to choose, make decisions and ... to live?»

In a foreword it is appropriate to express an acknowledgement to people who contributed to the creation of this book. It is impossible to enumerate all people who have influenced this work, so I would like to name just some of them.

First of all I want to thank Netzwerk Grundeinkommen, where in particular Robert Ulmer revealed to me a deeper picture of the notion of «existentialism». Also, I would like to express my gratitude to Attac in Germany where I received keen, but important criticism of the contents of my work. Priceless assistance was provided by the DAAD employees in Kyiv (The German Academic Exchange Service) due to discussions with various guests of “the German Table”. I thank them sincerely as well as I express appreciation to all my friends and acquaintances in Ukraine for infinite conversations during the last 5 years about the USSR and the present-day reality.

I express special gratitude to Professor Michael Opielka who provided me with materials and in this way helped me to have a deeper insight into sociology.

I would like to express the most profound appreciation to Matthias Diltay. Without his support this work would have never existed. This was a juxtaposition of humanities, natural sciences and economics which were extended in a synergetic way. He introduced the “Diltay model in forming an emancipatory basic income” and I contributed with this “theory of state”.

This article is dedicated to you, my readers and to no one in particular. I hope I have managed to do something that would help you to know more about the essence of living together, human coexistence and may be even about yourselves.

Kyiv, September, Jörg Drescher



# Part 1

## Main features



## Introduction

The present work is an approach to a solution of a question of Professor Doctor Yehezkel Dror who has set a task in the Werner Weidenfeld's book „Demokratie am Wendepunkt“ – to create a democratic political philosophy concerned with global equality and global governance.<sup>1</sup>

In my opinion, in order to generalize the solution proposal, it is necessary to give answers to fundamental questions. Among them there is the following: what should the meaning of the word “Democracy” be? At the same time it is necessary to resolve the inner, occurring conflict for the reason of global equality on one hand and global governance on the other. The reason of conflict is the fact that equality excludes governance.

Whereas the task definition is concerned with political philosophy it is necessary to get to the bottom of the pattern of the theory of state. On the basis reasoning from such point of view there appears an obvious contradiction with globalism, because such position would lead the entire world to be transformed into one single state.

So, is there a way to reconcile these contradictions? Are they really conflicting? Perhaps, they arise only because we proceed from concrete conditions?

Here we would like to refer to relativism, which means that each point of view depends on conditions (relative). Global governance is eliminated when the matter concerns the global equality in terms of governing people. A global theory of state must not compulsively impose the vision of the world as a single state, rather on the contrary, it should ask a question what such “state” is like and what challenges it faces.

If we are already referring to relativism, then we have to choose the right reference point in order to find answers to these questions. Who or what has to be equal on a global level? Who or what has to rule and who exactly does it have to rule? Who or what does the state consist of?

In the Russian language there is a proverb, the right question already contains half the answer. Assuming that our questions are “true”, it is possible to find a part of answers, and it is the question word *who*, which indicates the reference point: an Individual.

Therefore, this entire article pivots around the examination of the person, through the prism of aspects of equality, power and state. Thus the introduction to the solution proposal should be the description of an individual. Other closely connected aspects such as equality, power and state tasks arise from it. Looking ahead I am giving the explanation why everything proves to be like this: if we regard an individual separately per se, he does not need any discourses about what is equality, power or the state task. Only upon appearance of a second individual similar to him, these reflections become necessary. The above-mentioned apparent contradiction, viewing the world as a single state appears when a definition of “the world” is given: “the world” is a collision of two “identical” individuals.

What has not been decided so far is the notion of what role is played by democracy in all of this. This matter has been deliberately omitted by me because without preliminary reflections the definition of democracy would have been simply inadmissible. Here it makes sense talking about reflections only after collision of two identical individuals and it does not have limits “anymore” – to the extent of the required democratic global philosophy.

---

<sup>1</sup> Demokratie am Wendepunkt; Werner Weidenfeld (Publ.); Siedler Publishing House, Berlin 1996; page 386, ISBN: 3-88680-605-7



In view of all these reflections it would be useful to introduce two more conditions, to which the given article must correspond: the independence of time and place.

Independence of time implies that the listed statements suit all the times (in order to guarantee sustainability in the future) and independence of place is necessary to correspond to the demands of globalism. They have to become the framework for the implementation of the set task.

## **A person himself and for himself (Every man for himself)**

As it was mentioned in the introduction part, the development of a democratic global philosophy or theory of the state requires the definition of an individual. History knows several approaches to the composition of such an idea of man. Some proceed from the fact that a human being is just good, others just evil by his/her nature.<sup>2</sup> I would like to use a different approach in order to completely exclude the notions of good and bad.

So, what is a human being?

The response to this question is simple and this can be checked by any person next time when he or she feels the impact of one's body's metabolism. An individual is a living being who needs to maintain metabolism. The process of digestion awakes hunger and thirst again and again. At the same time, air or it would be better to say, oxygen is necessary for respiration in order to ensure metabolism. Finally it is necessary to add that the crown jewel to all these processes is excretion. This biological process of metabolism allows a person to live on Earth for a certain period of time. In this context a human being differs neither from any other living beings nor from his or her own brothers or sisters.

While studying various materials on the given topic I was surprised; why this biological similarity had been ignored before and why it did not influence any of the philosophies known to me.

In reality, it would be unfair to be content with the fact that a human being is a creature with metabolism. After all, an animal or a plant can be described and distinguished in a more detailed way. Therefore, a human is endowed with certain properties and abilities determining him or her as a human being and as an individual.

In order to avoid arguments about these properties and abilities being innate or acquired, I will discard these reflections. On one hand, they could wipe out the framework of my article; on the other hand, it does not make sense for ensuing reflections. So, while describing a human being I would like to focus on two points:

- 1.) A purely biological level (human similarity)
- 2.) Properties and abilities of people (individual for everyone)

My reflections on this subject (needless to say) are not new. Thus, the Nicomachean Ethics by Aristotle contains the so-called *entelechy* as a natural aim within itself: *According to his/her nature, a human being does his/her best to develop potentials and abilities of his/her character, first of all of his/her spirit. This properly is his/her aim; if there is an aim within itself, this is definitely good for him/her. It is here and not in mere satisfaction where the individual's happiness lies*<sup>3</sup>.

I do not completely agree with Aristotle because an individual as a living being first of all tries to simply live (biological precondition). Only then he /she may develop his / her inclinations and

---

<sup>2</sup> Compare Appendix 1 – Ideas of man

<sup>3</sup> History of Theories of the State, Reinhold Zippelius, 10<sup>th</sup> extended edition, C.G. Beck Publishing House, 2003, page 27, ISBN: 3-406-494943



abilities. Here I would not like to be obsessed with a character or a spirit, after all a human being has got other organs but a brain (for instance, muscles). Thus, in Karl Steinbuch's works there is the following statement: *the human brain was created not to process rational processes but in order to ensure survival of the organism*<sup>4</sup>.

In his statement Steinbuch is right concerning the fact that there is nothing for the sake of which the human brain exists, if survival is guaranteed. Only in this case I would agree with the definition of human predestination according to Aristotle because Aristotle prioritized survival (in the above-mentioned quotation), which is not surprising, if we take into account the age when Aristotle lived – it was when in Ancient Greece survival was to a considerable extent ensured by means of slavery.

Now, in order to make a certain summary of all these statements, I will assert that an individual like all the living beings is endowed with properties and skills necessary for survival. Once a person's survival is ensured, the ultimate development of properties and skills may become the number one aim. The experience shows that there are people who prefer addiction (in general the matter concerns drug use, but it also includes television, travelling, shopping ...) and this proves the fact that the given statement may be applied to most people but not all.

So far we have regarded an individual in an isolated state and now, before elaborating on the mentioned statements I would like to discuss another question in the given context. In this question the matter will concern the concept of freedom.

By freedom we mean natural decision-making on various opportunities of action with their further choice. Here we can also relate the rejection of an opportunity of choice or creation of new opportunities. In general, it means the autonomy of an individual in terms of self-government, self-sufficiency and independence.

As previously indicated, there are biological conditions that a human being, who is "not free" cannot do without metabolism, and is therefore permanently unable to live. A human being's freedom ends ultimately with his/her death<sup>5</sup>. Until this moment of death, he/she is absolutely free (in the isolated state).

In order to demonstrate the given statements as a concrete example, let us discuss a person on a desert island:

Irrespective of the fact how a person has happened to arrive to the island, let us suppose this person wants to survive. For this purpose he has to fend for himself. Of course, it is up to him whether to do so or not. If he chooses not to do it, then he will have to tolerate the consequences - for instance, to be reconciled with hunger that will lead to (starvation) death. This unfreedom is preconditioned with biological components.

In terms of searching and finding food, a human being has certain properties and abilities (for example: the sense of hunger, feet for walking and hands for grasping).

So, we will proceed from the fact that a human being wants to live, he searches and finds food. Let us also suppose that the time necessary for this does not take the entire day. Notably, we will consider the time he does not spend on his search for food as actual freedom. During this time he has an opportunity to know himself better (for instance, to learn which properties and abilities he possesses) as well as to extend his knowledge.

---

<sup>4</sup> "Falsch programmiert", Karl Steinbuch, 4<sup>th</sup> edition, Deutscher Taschenbuch Publishing House, January 1970.

<sup>5</sup> In Ancient Rome during a triumphant procession a slave stood behind the victorious commander holding a laurel wreath over his head. At that the slave was incessantly repeating the following words: „Memento mori. Memento te hominem esse. Respice post te, hominem te esse memento“(Remember about death. Remember that you are a human. Turn around and think that you are also only a human.)



While the person lives on a desert island in conditions of isolation, the conflict with another individual who has to look for food and has free time for enjoying absolute freedom is completely out of question.

So, our friend lives alone on the island, he is absolutely free and has already started to put up with the natural need to provender. Notably, he realizes that this urge maintains his life, so he assumes responsibility to eat daily.

In our view, the person on the desert island has got two things: himself (with his inner world, i.e. thoughts and ideas, senses and feelings, dreams and wishes, views and perceptions...) and the world around him. Now our friend lives in this world – we might as well say that he interacts with it as his actions have an impact on himself and in his world.

In one way or another, our friend recognizes everything via his perception faculties and these interactions are stored in his brain. In general, we call this knowledge. It may also happen that this person comes from a totally different world and appeared to be on the desert island from the consequence of a shipwreck. Probably, the person possesses books and can read. It means that he finds the retained knowledge in an external form – I would prefer to refer the retained knowledge as experience.

Having combined his knowledge and experience, our friend comes to a realization. If, for example, he has not eaten a fruit but has buried it in the ground near his concentrating being unable to stand the smell coming from it, he notices that after a certain period of time a plant sprouts up at that very place, then he realizes that there is connection between the fruit and the plant. He can check his knowledge by means of directional experiences, doing which he cannot be sure in objective correctness of his learning (eventually, under different conditions his attempt may fail). However, I would like to return to objective correctness later.

With this point I would like to complete the individual investigation of the individual as it hardly makes sense leaving our friend in solitude on the desert island to recognize himself and come to any further conclusions. Perhaps, he would like to share his knowledge, his experience and his thoughts with others... Maybe he is not sure and would like to find out if his thoughts are going to be clear for other people to understand... Probably, he would like to learn more about other people in order to know himself better...

For this reason, in the next chapter our friend will be visited by another but a similar individual. So then we will see how they will behave.

## **A human being among his own kind**

One day another person appears on the island, with his own properties and abilities but with the same kind of metabolism. Our friend has recognized the boat from far away, so he is really excited and worried with the question about who is going to visit him today. For many years he has never encountered anyone but for himself he has figured out what food suits him and appeals to him. So, on occasion of celebration our friend is cooking a festive dinner.

With every stroke of an oar the boat is getting closer and closer. Later, a thought occurs to him – how on earth will he communicate with the guest? Does he speak the same language? How should one address him? Could he be a general, an ordinary sailor, a politician or another kind of public figure? Or perhaps this could even be a woman, could it not?

At the thought that the guest could appear to be a lady, his heart starts beating faster. Here I will raise a point of clarification – primarily, I created our fabled character to be a man, but would anything change in my above-mentioned statements, if the island concentrator was a woman?



I presumed that biological functions are the same for all people. So now it is a high time to bring this hypothesis into challenge. Perhaps, everyone will agree with me concerning the fact that there are certain (biological) differences between a man and a woman. That is why I would like to limit out consideration of main biological functions of humans to metabolism. In this case a man and a woman will be identical. The men's impregnation capacity as well as the women's ability to give birth to children makes no difference in the process of survival, although they are important for reproduction and preservation of species. For this purpose both sexes have different functions, which I would like to relate to different abilities and capacities of every human. While we are regarding a human being as an individual creature, sex does not matter. As a man I would like to add: women are people – so consequently, all the statements in terms of isolated investigation of human beings concern women as well.

There will always appear an attentive reader who will ask himself/herself a question about what on earth marks a human being off from an animal. The majority of statements I have set out here are related to animals as well – first of all it concerns metabolism, abilities or capacities. Does not it mean that a human is only an “improved kind of animal”?

Had I said that a human being is distinguished from an animal by “thinking”, “self-knowledge” and other “types of activity”, I would have had to give an explanation to the notion of “thinking”, “self-awareness” and other “types of activities” as well as to produce reasons in favor of an opinion that all this is peculiar only to a human being. So, does it mean that a man is merely an “animal”? What characterizes a person?

The answer to this question may be found in my previous statements and it is connected with freedom, which nothing in nature is able to overcome: the freedom to say “no” and in this way to take responsibility for oneself, one's environment and one's social deeds. Only a human being is able to consciously refuse from eating in contempt of the food offered. By the word “consciously” I mean that the person knows the consequences of his/her actions.

But we have digressed from the topic, as a matter of fact, our friend on the coast of the desert island is looking forward to the guest coming and with eager hopes that the person in the boat is a woman. At that, a thought about the origin of this boat occurs to him – he starts ruminating where this boat is sailing from. He recalls how once he was washed ashore on this desert island himself. Until that moment he used to live in a different place and in different conditions. He owes his life mostly to his mother who had brought him into the world healthy. But he also has to be grateful to his father, indeed as we remember (must remember) from the school biology course, participation of both sexes is necessary for ensuring the natural process of conception (even if the science has made such a giant step forward that the man's participation is not so active anymore, and the joy created by nature risks to pass into oblivion).

Therefore, it is not without pleasure that our friend may ponder on how lucky he was to come to this world from of his mother's womb, and think that perhaps his mother's womb may not be necessary for that anymore. However, this will hardly give an answer to the question about the origin of a human being. Although, as a matter of fact we can already say what a human is and what makes him/her differ from an animal. In this regard, this article would have to become the theory of state with the primary task to create democratic global philosophy.

However, let us return to the origin of the boat and to our friend. Frankly speaking, both the boat and our protagonist have started to gradually recede in my memory. Through you, dear reader, in your imagination all this becomes a kind of reality. Do I mean by this that we – you as a reader and I as an author – are the result of a certain “Ens Supremum's” (higher power's)



thinking process? What would be the “no” answer in conditions of the declared freedom? If we give the “yes” answer, then there arises a question of the “Ens Supremum’s” origin, the result of whose thinking we are; so are our thoughts really ours? If we say “no”, then we will return to the problem of the human being and the genesis origin. Yet, is this “no” ours at all?

In order to smoothly lead this question to completion, let us briefly have a look at genesis and return to our guest. Due to what has already been written I have found out that an individual is regarded independently and lives in his / her own world, and also he / she perceives the given interaction. Therefore, for an independently regarded human being the object becomes real when he cognizes it mentally and sensationally. And for him/her what he/she has conceived is just an object and not a part of himself/herself. Our friend on the desert island perceives himself subjectively. Where does the cognized object come from and how did it happen to come to the world of the subject? What sense does it all make? The answer to these questions may be given only by someone who is asking them. From us (the author and the reader) our friend has got only a blurred idea at best. If I had to give a general answer about the origin of the human being and genesis, the answer would come out as subjective but still it would be accepted or rejected by others.

Meanwhile, just a few meters were left between the boat and the shore. To our friend’s bitter disappointment the passenger of the boat was not at all a woman but an elderly gentleman with a grey beard, curly hair and sun-burnt skin. Our friend was upset because his expectations were totally different, but cheer replaces his brief despondency and he already shouts something to the stranger.

If my creative wit was scarce, I would continue by saying that the stranger understood our friend. However, it goes without saying that the stranger cannot comprehend a single word. This is the point that would help me to emphasize right now an important role of the language not being afraid to spoil the article with made-up dialogues.

The old man moors to the shore and staggering gets out of the boat. Not waiting for an invitation, our friend helps him to anchor the boat and continues talking a mile a minute. During the time of his solitude he maintained the ability to talk by means of communicating with himself. But the old man was gaping at him looking puzzled saying to our friend in his own language that he did not understand him.

Finally they started using a sort of sign language, with the help of which our friend managed to invite the old man for dinner. Our friend made a conclusion that after a long way the old man must have been hungry. He made a decision on behalf of his guest and his own human biological properties of metabolism (most probably, subconsciously) were taken as a basis for the invitation. Really the guest was very hungry; so, he got the message of the finger talk and followed our friend to his concentrating.

Whatever they tried to talk about, the other party would still be unable to understand what was said. However, for example, the mango fruit was the same for both of them – not merely the word but the shape, the image and its properties. Our friend loved mango but the guest refused. He would prefer bananas as a mango happened to cause him digestive problems. Saying this I mean that exactly the shape, the image or properties of things may be similar for all people but there are certain advantages (values) that prove to be different. Thus, for our friend a mango has a high value while for our guest it is absolutely the opposite.

What can each of them express with their own words – or moreover – by a crude sign language?

Such ideas occur to each of them on our desert island; they are trying to express all this in their language. Definitely they also think in the same language. Language with its rules (grammar) and words (semantics) may be considered as a form of expression of ideas, feelings and desires. Herewith



I chance a guess that ideas and the language have more impact on each other. Moreover, a language is manifestation of a cultural circle, in which it is spoken. Language<sup>6</sup> serves as the means of communication as both the receiver (the listener) and the sender (the speaker) understand the main rules of the language. I guess that hunger (as an idea) is comprehensible all over the world because this feeling is known to every person (or have you ever met a child who never cries?)

That is why the language involves the biggest difficulty in communication and represents the most important source of problems. If we present the expressed word in the wrong context, it may cause absolutely unexpected reaction of a receiver. The same is possible in terms of one language.

As we have already checked on the example of certain individuals, in life there exists the objective goal-setting or namely its sense. Goal-setting for the language, if we regard it as a capacity or an ability of an individual is consequently its appreciation as the means with the help of which this life goal is informed.

Thus, the example with our two island concentrators has shown that minimal understanding of a language is sufficient for survival. The animals, as far as their language allows them, enter the act of communication exclusively for the purpose of informing about danger or the fact that somewhere there is food. The human language can express much more information (ideas).

But still let us return to our couple on the island and leave the topic of languages. Despite the fact that they have failed to understand each other, our friend was really happy to see the guest. During a storm the boat was ruined and they had to stay on the island.

Days passed, but they still did not manage to start communicating. By the way, the old man was not very eager to do that, on the contrary, he felt respect at the expense of our friend's attention. As for our friend, with each coming day he was becoming more and more disappointed and he already grew to hate the elder. For him it was more and more difficult to tolerate the long-awaited company and our friend already contrived a plan of killing the alien as he meanwhile started calling the man.

For many years he had managed to survive on his own, however, he did not care what would happen anymore. His last hope – to eventually happen to be among people - due to the guest's efforts was disappointing him more and more. Here a very apropos remark would be a categorical quotation by Immanuel Kant calling to action: *Act only according to the maxim by which you can at the same time want that it should become an universal law.*

If our friend could afford to kill the old man, then according to the Kant's maxim, he would also have to give the guest this right to kill our friend (the maxim of his actions – the murder of the guest – would be the universal law according to Kant). Our friend has a peculiar human property that allows giving up on the murder. His decision is dictated by free will. Restriction of this freedom is usually called morals or ethics.

Kant's indication is correct; however, our example shows that the life goal (reproduction) is desirable. One should not treat categorical appeal as a subjective extremity but as an objective goal of action. By this it is meant that the second creature also has to accept the same idea as a general law (in our example: the old man thereby agrees with the fact that he has the right to kill our friend but with an adjustment that our friend may kill him as well).

Finally, the meaning of morals (or ethics): social (or individual) attitude to traditions, norms and rules (which partly have rooted in laws). This attitude depends on the conscience of every person. Conscience is based on the personal attitude to deeds and their possible consequences. The

---

<sup>6</sup> I communicated with people who have mastered several languages. They consider that ideas remain in the memory but not the language itself. Having lived abroad for five years I completely subscribe to this opinion.



precondition to this is an ability to estimate deeds and their consequences. In this case conscience is exposed to the influence of actual conceptions of moral and ethics.

If, for example, a murder of a foreigner is considered normal in the society where our protagonist came from, then perhaps he will have fewer conflicts with his conscience, than if he had other conceptions about the equality of people. Though, it is far too early to approach this matter yet – first of all because both acquaintances of ours are staying alone on the island and we have already tackled social aspects.

So, in this slow but sure manner we are approaching one of the most important issues of the task definition: the notion of justice. When we slightly clear out the matter that everything is permitted and the restriction is only in ourselves, which is the subject of moral and ethics, we will be able to ask ourselves a question about what justice really is. As we have already cleared out, the answer to our question about moral and ethics depends only on our conscience. As far as justice is concerned, it would be a good idea to create a concept of the model of thinking in order to show what is fair and what is not.

## **The concept of «the impartial third party»**

If I ask you, dear readers, what you think about our friend's intention to kill a man, the third party notion will come into action. Besides, I don't know you with your experience, your knowledge and consequently your scholastic attainments. This adds neutrality<sup>7</sup> to the "impartial third party" notion. However, why do I keep calling you "the third"?

Being an author, I am a person. Circumstances (namely, the desert island and its two residents are made up by me) represent the second person. That is why I have called you "the third". We could have asked those two guys on the island as to who they consider to be the "unknown third". It would be me as the author or you as the readers (at that none of them are able to come in contact with you).

Reflection is based on the already prepared statement about the fact that staying on the island, our friend had never wondered what was fair and what was not. Only when the second character appeared, an issue of justice came into the limelight.

Now, I want to ask you if it is fair to commit a murder – it is only possible to say "yes" or "no". Certainly, I would like you to say "no". So we will proceed from the fact that it would not have been fair, if our friend had killed the old man.

We take this decision on the basis reasoning from the information we have received. After all, so far we only know that the old man somehow bothers our friend with his presence. This fact per se would hardly be a good reason for driving the old man to grave. What if the old man is destroying the things created by our friend on the island? What if the guest starts impinging on our friend's life foundations? Then the guest would become a threat to our friend.

The further we proceed, the more metamorphoses happen to our idea of justice. So, justice is a relative notion as it depends upon the available information necessary for evaluation.

That is why I would like to divide justice into three categories:

- 1.) Subjective justice
- 2.) Objective justice
- 3.) Absolute justice

---

<sup>7</sup> In earlier publications a concept of "the third unknown" was described. However, it did not explain is this "unknown" may be a part of the system or not. The new title clarifies the situation.



Subjectively, our friend considers that killing the guest would be fair. For us as for “the impartial third party” it could also be (it does not matter how well aware we are of the reasons) subjectively fair, if our friend kills his guest. It will be objectively fair, if all the people considered as “the impartial third party” admit our friend’s intention to be fair. We would also have to ask the “murder victim” if he considers the prospect of being killed as a fair one. It would be absolutely fair, if we asked this question to all the “impartial third party” people and received the unanimous and unambiguous answer. For this it would be necessary to set the record straight for all the relevant data. However, because it is practically impossible, as everybody is “involved”<sup>8</sup> in this or that way, we could at least try to approach this justice as close as possible remaining maximally neutral.

This concept of the “impartial third party” may be applied in real life. Generally, justice and truth have a lot in common – as a matter of principle, the matter concerns the verity.

In the example, when our friend wanted to check the verity, trying to find the connection between the buried fruit and the plant, I postponed wanted to explain this later. Now it is time to regard this question from the point of view of justice.

Our friend sticks to the subjective opinion that this is correct. If his guest finds out that a fruit plant may grow from a buried fruit, it will also be subjectively true. In the circumstances concerned it will be the objective verity for both of them. As the “impartial third party” we could subjectively estimate and objectively admit this fact at the expense of the information obtained from each of them.

If, for example, we change the conditions for the given experience (a different climate, a different soil...), it will not mean that there is no correlation between the fruit and the plant, but it will be the evidence that verity is relative, in the same way as in the case with justice.<sup>9</sup>

Meanwhile, a few months have passed on our island, while our friend was pondering whether he should kill his guest and if he has a right to do so. Is it fair? Is it right? Now, I would like to take a closer look at this intention to commit a murder.

## Conflicts

When we got acquainted with our characters on the imaginary island, there were absolutely enough resources for both of them. But when the old man becomes a threat for our friend’s living conditions, the intention to commit a murder will lead to a real conflict. I call it a “real conflict” because one of the conflict participants has actively set hands to the other one’s living conditions thereby putting his own survival at stake. In our case it is necessary to remark that in this way the guest also ruins his own living conditions. On one hand, the guest may know this; on the other hand, he may be unaware of this.

What else may spur our friend on to commit a murder?

Suppose there was a boat which was wrecked during a storm. Our friend could surmise that it was the old man who had destroyed the boat. They could use the boat to put to sea and catch fish there. Therefore, the boat is a means (a facility). Generally speaking, in this case, we may discuss the conflict of means.

---

<sup>8</sup> Compare. The Heisenberg indeterminacy principle from quantum physics, which reads (if we state it really simply), that with definition of one phenomenon you interfere with obtaining results from the other (connected with it)

<sup>9</sup> Mathematics is considered to be an exact science. It is exact only because there are exact definitions (the mathematics axiom). 1+1 is 2 only because it was defined like this. If we mix a liter of water with a liter of alcohol, the new liquid will not make 2 liters, although if we mix a kilo of water with a kilo of alcohol, the amount of liquid will be equal to 2 kilos.



If I say that the boat contained the instruments with the help of which it was possible to build a new boat, then the matter will concern the means as well. The old man does not care how our friend planned to use these instruments. He lies in the sun all days long and only in the evening comes to the hut to snack on what our friend was gathering for the entire day.

Our friend lets the old man know that he would like to build a boat but in order to do this he needs his help. However, his words are lost upon the old man who continues basking on the beach. Here we see how the conflict of goals occur.

Eventually, the old man takes the mangoes he does not like and starts throwing them against the wall. Our friend is raving with fury because as we know he likes mangos – but the old man could not care less. This kind of conflict implies different values. In our friend's eyes the old man destroys something valuable for him, which is not worth much for the elder.

An aggravating factor in all the mentioned conflicts is the point that none of the parties can understand the other one – as according to my scenario there must not be a common language.

Thus, we have different kinds of conflicts, which do not give a chance for our friend's intention of committing a murder to wane. Irrespective of the fact if it is fair or unfair, whether it is right or wrong, I would like to mention one peculiar opportunity for solving the conflict:

Our friend has made up his mind to kill the old man. However, he does not want to do it straight, so he keeps creating life-threatening situations. He also realizes the consequences while planning them.

I must confess that I am not always in favor of happy end in stories but I have described the old man as lazy and sluggish by which he could hardly inspire our friend's affection. So our friend decides to leave his concentrating voluntarily and to move to a different part of the island. The remorse of conscience scare him more than the search of a new territory, and perhaps then the old man will understand that (being independent) one should not be idle on the beach all day.

## **The first Summery**

A human being is a living creature who needs to maintain metabolism in order to survive. The primary goal of every living being is survival. As all other living creatures, a human being possesses abilities and skills to maintain metabolism. What distinguishes a human from other living creatures is the presence of willpower. This willpower makes a person independent from his needs – a hungry man is able to refuse offered food. Instead of the instinctive response to the upcoming feelings, there comes discretion (ability to make free decisions) and ensuing responsibility for the consequences. This freedom is restricted with conscience formed by the ideas of morals and ethics.

Justice, truth and rightness are relative notions. From his/her own point of view every person is right in his / her own way, as far as this point of view ensues from the acquired experience, knowledge and cognition. We have defined the interconnection of knowledge and experience as cognition. Objectively, we can call an issue fair, true or right only in case if the "impartial third party" unequivocally comes to a conclusion at least to a minimum of an equal amount of information.

Between men and women there are biological (objective) differences, which, however, are not connected with personal qualities. Therefore, the statements made are equally related both to men and women.



People communicate with each other by means of language with the aim of an information exchange. The information is not connected with the primary life goal of a living being (as a rule, in the animal world it is essentially ensuring preservation of the species).

Between people a conflict may develop on the basis of four plains: one of the conflicts which is life-threatening for all the participants, I call a real conflict; also there is a conflict of means (struggle for possessing resources); a conflict of goals (struggle for the use of resources) and a conflict of values (struggle for subjective evaluation of resources).

I call such human image a “jovial human image” - jovial in the meaning of amiable and friendly. The biggest difference with the “social image of a person” is in the fact that a human being is regarded independently as a pure individual but also at the same time in the context of other people. Here it is necessary to explain that the matter concerns both the reproduction of a single individual and continuation of the human race in general.

For a certain while we are going to leave our friend with his guest. Later on we will often return to them. I hope that in this way we have solved the first big task as far as how I imagine the equality of men: everybody wants to live.

## **A human being in groups**

When a person is born, he/she subconsciously begins to understand that he/she depends on his/her nearest and dearest and that they have an influence on him/her. This dependence during the first years of life is expressed through nutrition and general provision because, at first, a child is not able to survive without his family.

This implies that a human being is a social creature. Even our friend on the desert island recalls where he came from and remembers the fact that his own life used to depend on other people. However, he has learned to survive in the conditions of the desert island. It was a situation conceived by me in order to show a person in an isolated state; however, it does not mean that such a situation may not occur in real life as well.

As a rule a person may be a member of many groups. In this regard a question occurs: what is a group? The answer to this question is simple: a group is an accumulation of people united by a certain structure and certain relations. Groups differ in size, complexity, aim, history, traditions and organization.

Groups develop their own rules and determine their members' behavior with their help. Quite the opposite – the group participants influence the rules and objectives inside groups. Thus, there exists dynamic interconnection between them.

It is quite easy to explain why it is so important for me to regard a person in terms of groups that I concentrate upon this in my article: I regard the state as a certain kind of group.

Someone may object that the state is the opponent of the people. The nation lives on a certain territory, while the state only possesses defense and law enforcement agencies created there. Furthermore, the nation consists of independent individuals belonging to the multitude of groups.

I agree with this from the historical point of view, while the world was considered to be a union of territorial states. It is for this very reason that I (for the time being) would like to talk about groups, not the state. Globalization has deprived the territorial state of its original meaning – first of all, because the transnational corporations are apparently able to act independently from the states, in which they are situated. A point of view from the groups allows regarding transnational corporations as self-maintained “states”.



As you have already understood, we are gradually leaving the island behind and getting straight down to the topic of our article. However, we should never forget the knowledge we acquired with the help of the desert island.

That is why I would like to start with the smallest group, the couple. There exists several kinds of paired relationships and an interesting point here is that due to the quantity factor, minorities cannot be formed in such a group. However, oppression is possible - for instance, at the expense of the moral or physical ascendancy of this or that participant. Paired relationships may occur both on the basis of “aspiration for possession” and on the ground of mutual dependence.

As a counter to such paired relationships there exists the recognition of individual qualities or abilities as well as equal freedoms of another person. We are not talking about possession, subjugation or domination over another person, the matter in question is the paired relationships implying optimal development of the other person in accordance with his/her opinion and perceptions.

In this article we have already mentioned Aristotle who believed that an opportunity to develop one’s properties and abilities is based on real luck. At that moment, when I cited Aristotle’s words, the matter concerned an individual. Now, I may extend the quotation and in this way I can tell that Aristotle saw the supreme good in what could be realized at the expense of politics.<sup>10</sup>

So it is for the first time in my article when the word “politics” occurs and I would like to clarify its meaning in my understanding: for me politics lies in sagacious behavior with a clearly set goal exerting influence upon the group. In this context, for me, every person is a politician because the majority of his/her actions affect the different groups.

Perhaps I have arrived to this point somewhat early in my essay. We turned our attention to the smallest group of people – the couple. Now, I would like to extend the couple to a bigger group.

Each group is united by one common goal – sometimes consciously, sometimes subconsciously, for someone it may be temporary and for someone it may be for many years; also the aim may be ambiguous and blurred.

The biggest conceivable group is all of mankind. This brings the question, what may be the aim that would unite it?

I do not want to cultivate idealism here and to position the supreme good according to Aristotle as a global aim of mankind: after all, not all the people aspire to realize their abilities and skills. I addressed this in combination of Aristotle and Steinbach. However, I do not attribute to humans (at least a subconscious) the strife to survive is inherent in every living being. This is our common goal – therefore, it is the supreme political goal (of each person).

However, let us give a closer look at the groups; after all it does not always happen that the main group aim cares about its members’ survival. It is because the groups may be both homogeneous (similar, identical) and heterogeneous (diverse). The members of homogeneous groups in many ways have identical or at least similar views and beliefs. Heterogeneous groups consist of participants whose ideas and beliefs may differ in many instances, which may cause tense situations. In any case the indicated aspect of juxtaposition is relative. Thus, a political party may be heterogeneous (according to sex, age and religious convictions) but at the same time homogeneous (regarding political goal-setting).

Another aspect for groups is continuance. First, groups are more likely to appear accidentally and spontaneously and the period of their existence is insignificant (for example, a musical concert or a

---

<sup>10</sup> History of Theories of the State, Reinhold Zippelius, 10<sup>th</sup> revised and extended edition, C.G. Beck Publishing House, 2003, page 27, ISBN: 3-406-494943



demonstration), while their aim is participation in this particular event or attaching weight to general opinion for a short while. On the contrary, permanent groups are meant for a longer time and stick together at the expense of the long-term common goals. It goes without saying that these goals depend upon the group and may differ greatly from one another.

An individual's life partly passes in the intimate groups. Such groups are distinguished with their relatively small size, which makes their participants feel protected. Mutual trust and solidarity prevail in them. Such intimate groups may appear as a result of expulsion from bigger groups (for example, insurrectionary movements).

Bigger groups such as political parties, associations, affiliations, trade unions and other organizations are distinguished with the presence of a common goal as well as with immediacy of the group members. Due to a big accumulation of people it is impossible for all the participants to connect with each other. One more aspect of big groups consists of dynamics: free discretionary decision of an individual is united by the group.

That is why groups may be regarded as independent living beings. For instance, there are monocellular and multi-cellular organisms that exist in nature. The main reason for the formation of such groups (which is sufficient for one separate organism cell not to exist independently) is connected with the competitive advantage in comparison with other living beings. In nature there are examples when in this way the groups or even the states were formed as it was in the case with packs of wolves or ant colonies.

A classic example with an ant colony also tells about the collective mind. Due to interaction of particular relatively unreasonable individuals in terms of one group (herein, an ant colony) due to communication (exchange of information) a sort of "super organism" is formed. The latter demonstrates reasonable behavior.

However, reasonable behavior is directly connected with conscious behavior. Thereby, I do not connect the group coexistence with free will but with entwinement of particular individuals' free will into an "animate" one. The group (as common existence) is not able to control itself independently (but it follows the group dynamics), it does not possess self-consciousness (upon that the matter always concerns collective consciousness, as for one example described by Karl Jung, Fichte or Hegel in his work "The World Spirit") and self-control (when discussing democracy we will tackle this question in a more detailed way).

«The group coexistence» is not free to say "no" as in order to do that its particular members have to use their freedom to say this "no". That is why it is so difficult to switch groups from one direction (from affirmation "yes") into a different one. Upon that, the following rule is in force: the bigger the group is, the more complicated it is (all the group members should be informed about the movement direction and should bear this information).

## Individual, community and society

Until then I have deliberately refused from using two words concerned with big groups: community and society. Ferdinand Tönnies (1855-1936), a German sociologist, in his work "Community and Society"<sup>11</sup> since 1887 was actively studying this topic and in general founded German sociology. The pre-condition of his approach is an affirmative answer of the other group participants (agreement with the fact that they also want to live). For Tönnies this affirmative answer is the main problem and topic, in terms of sociology.

---

<sup>11</sup> Community and Society, 1887, reprinted edition: Wissenschaftlichen Buchgesellschaft Darmstadt



Of course, the negative response may also be a pre-condition as I have already said in the definition of a person (the conscious “no”) – a conclusion like in the formulation of the Kant’s imperative that a person’s own life falls within the negation. Then we would have “The War of All against All” as with Thomas Hobbes (1588-1679) postulating the state of nature in his work “Leviathan”.<sup>12</sup>

Tönnies in his work proceeded from the fact that the collective knows two kinds of incentives, which may be defined in the following way:

An individual belongs to the society (from his/her perspective) only when he/she sees himself/herself in this group as a part of big social unity and considers himself /herself as a “determinative means” for the supreme aim. With this group an individual has an emotional connection and a sense of belonging (a sense of “us”). Community is self-sufficient. The examples of communities may be (as the already mentioned intimate groups): a family or relatives, neighbors, friends, a ship’s crew, a sports team.

An individual perceives the society as a means for actualization of his / her individual goals. He/she uses this group for self-actualization. An individual may exist without society – it is only a means for achieving the aim. Examples of societies are a corporation, a modern (territorial) state, humanity.

An American sociologist, Charles Horton Cooley (1864-1929) developed a similar point of view dividing groups into primary (Tönnies: community) and secondary (Tönnies: society) ones.<sup>13</sup>

It is impossible to divide these groups objectively because an individual may regard a group as a community and at the same time as a society. However, it must be said that in our globalized world there is a tendency of transition from community to society. Group relationships are becoming more and more rational and distant. The individualization process progressively regards groups as stepping stones and the society rather appears to be an obstacle.

By no means have I wanted to ascribe egoism to individualists as after all they are also important for society. However, when society stops being important for its member and a member himself/herself can easily do without society, social questions also stop worrying him/her.

Thus, for example in societies, where survival is mostly ensured, the power can be substantiated according to Aristotle: the power is an attempt to actualize its capacities and abilities (to self-actualize in this way) having experienced the limits set by the group. The individual tries to give himself/herself an answer to the question, for how long actually his freedom will suffice.

In this case nobody feels really responsible or authorized to intervene in other person’s freedom. For possession (an individual sees society as an owner) one should bear responsibility (as the part that does not see it). People mostly take care of what belongs to them rather than what belongs to society. If they care at all, it happens only in terms of their personal interests (then for an individual this is a direct expedient).

On the contrary: community plays an important role only for those regions, the survival of which it ensures. In this case an individual has to do his / her part in order to ensure general survival, irrespective of the fact if the community accepts this part or not. Then the matter concerns the consumer society (it should not be confused with the term of the German right for social assistance<sup>14</sup>, which by virtue of its meaning supersedes an individual from society into community).

---

<sup>12</sup> History of the Theories of State, Reinhold Zippelius, 10th edition with supplement, Publishing House C.G. Beck 2003, page 93, ISBN: 3-406-494943

<sup>13</sup> Cooley, Charles H. (1909): Social Organization. A Study of a Larger Mind. New York.

<sup>14</sup> The notion of cooperative society is rooted in the German right to the basic provision for the unemployed. The model of cooperative society is based on a condition that people being in close relations and living together have to help each other



The one who believes that community should be preferred to society is not aware of certain connections. First of all, communism (a Latin word that means society) has to appeal to the preference of community to society.

The point that was left without attention in the Tönnies's model is that the "community" and the "society" were created abstractly in order to give a separate explanation of the reasons spurring on for membership in a group. It is not surprising because as I have mentioned in my rough description of groups, an individual is a temporary member of all possible groups – one membership may correspond to the definition of "community", while another one may coincide with the definition of "society" (for the same individual).

Giving preference to the community would mean an attempt to suppress individuality. Society properly constitutes an individual's individuality. Only insulating oneself from other individuals it is possible to perceive individuality consciously. And it means that society is nonetheless necessary.

Community contains one more danger for the people not able to use their individuality. Somewhere deep inside his / her soul every person has a wish "to be a part of the community". If individuality is not developed well enough, a person is looking for its essence in the group – in this case the community has something to offer. If a person is striving at "collective individuality", the group possesses this person.<sup>15</sup>

In olden days stepping out of the group circle used to mean certain death for many people. That is why a person whose individuality (identity) was not developed well enough had to avoid such faults by all means. Thus the group will admit him / her in exchange for his / her personality forcing this person to forgo his / her own self.

However, there also exist "closed communities". I am referring to the so-called "loyal communities" and "secret associations", which do not disclose the aims of their group and do not admit new members. Such groups provide support and treat tolerantly only their own members. Thus, for instance, the academicians relate to the Ivory Tower (a world or atmosphere where intellectuals engage in pursuits that are disconnected from the practical concerns of everyday life).

Let us return once again to deliberation about consideration of a group as an independent organism. So it is not surprising that community rather than society will struggle for survival. This struggle may lead to a situation when particular members of the group may become unimportant and fall in the "struggle for survival", which is exemplified by wars.

I consider community and society important; therewith each individual must be free to choose a sense of his own belonging to the group. Society will not be able to exist without community as the organization of society is the cornerstone of community<sup>16</sup>.

In the context of groups we proceed to such notions as organization, governance and power. In achieving long-term goals of a group it depends on the organization how every member of the group will be involved in the process. Quite often organization is associated with hierarchical government and it leads us directly to power. I would prefer to start with power, to continue with governance and to finish with organization.

---

in complicated financial situations and to jointly cover expenses. It implies that the people related to such cooperative society are in less need of state social assistance than people who do not live in such a community.

<sup>15</sup> Compare: Bernhard Giesen: Kollektive Identität, Suhrkamp, 1999, ISBN: 3-518-29010-X

<sup>16</sup> Compare: «Community and Societies» by Prof. Dr. Michael Opilka; VS-Verlag 2004, ISBN: 978-3531142258



## The second summery

A particular person is a member of groups because he/she is a social being. Groups may numerically contain from two people to the entire mankind.

A reason for forming groups is the facilitation of achieving a goal. In this case, the groups may be regarded as independent organisms, although a particular person may simultaneously be a member of several groups.

The bigger a group becomes, the less its members are directly involved in achieving the goal of this group. Membership in such groups can be explained with two reasons: the aim of the group is a priority or personal interests may be actualized (only) via the group.

Membership in a group, the aims of which are the supreme priority, I would call a community (according to Tönnies); membership in a group where personal goals play a more important role (according to Tönnies) may be described as a society.

Membership in a group may be voluntary (for example, in political parties, associations, trade unions, at concerts, demonstrations and so on) or natural (for instance, in a family, nationality, mankind, etc.)

Groups regarded as a living being have “animal will” not free will – they act by means of setting aims by particular individuals. I would call such goal setting dynamics and say that the more the group is, the harder it is to do the goal resetting.

In groups one often has to tackle with organization, governance and power. Organization of groups may be regarded as an independent group that often possesses the aspects of society.

## Power

In order to start regarding the topic of power, we have to determine what exactly this notion means. My vision of power is an opportunity for a person or a group to impose his/her/its will on another person or group, thus influencing their behavior in the direction necessary for him/her/it.<sup>17</sup> In this way a human idea that every person is endowed with free will is suppressed.

For asserting one's will it is possible to use various means of power, such as positioning (the father of a child, the director of an enterprise, etc.) Such position may have a legal background (for example, a policeman in the state) and to be externally recognizable at the expense of a special kind of clothing (for instance, a uniform). In this way, clothes become the expression of position and may be regarded as a means of power. Values to which an individual/a group may strive also belong to the means of power.

However, the means of power may lose its efficiency, if an influenced person or group does not attach the same importance to this means as an executive (the one who imposes power). As it has been already mentioned in the chapter about conflicts, different definitions of values may lead to conflicts.

By many people power is seen as capacity, which means that it is regarded as property not depending on the means of power. At this rate, for example, Niccolò Machiavelli (1469-1527) in his opus “The Prince”<sup>18</sup> (in original „Il Principe“) did not give a definition to power. Moreover, Machiavelli described various positions giving power (in the form of principalities) and the ways to occupy those positions. The essence of the book is about the correct behavior of a man in power (the prince) and the qualities he has to possess in order to occupy such a position.

---

<sup>17</sup> Max Weber: *Wirtschaft und Gesellschaft. Grundriß der verstehenden Soziologie*, 1st semivolume, Tübingen 1956/1980:

<sup>18</sup> Niccolò Machiavelli: *Il Princip/Der Fürst*; italienisch/deutsch; Reclam; ISBN: 3-15-001219-8



To the present day “The Prince” is in the list of must-read literature for people involved in politics (for example, when studying political science). This book is a kind of manual for politicians striving to power and personal success. “The Prince” reads that for those who have power in hand, all means are good when they want to lead their people in peace and quiet.

Machiavelli shows that there exists a difference between the actual power (an opportunity to use the means of power) and the power applied in concrete situations.

That is why power is the evidence of social attitude and not necessarily an attribute of a participant. This is a dynamic process which is constantly changing. Power is very subjective because it is given only to one person. Consequently, subjective sensation and perception of power plays a more crucial role than the power executed objectively.

The attitude to power is always associated with actual situations and is not constant. The attitude to power is determined by the people of power and those towards who it is directed. There exist voluntary relations in terms of power, which are accepted (partly due to prudence) and the coercive ones determining relations that remain intolerant (partly due to the fault and temerity of people in power or those towards who it is directed).

In 1959, in their treatise, social psychologists French and Raven classified power into different categories:<sup>19</sup>

- **Legitimate power:** A person yields to influence if he/she considers that a person exercising influence has a right to influence decisions or manners of behavior. The legitimate power for example relies on the power of authorities at the expense of their relative position in the organizational framework. Legitimate power is similar to authority and it depends on the individuals' conviction, on the right of authorities to occupy such position and perception of a person holding this position.
- **Reward power:** Power obtained in reward depends on the ability of a person in power to entitle such reward. Along with material or financial remuneration it is possible to use attention, praise and encouragement. Power obtained in reward is based on the opportunity of the authorities to offer advantages, benefits or promotion, to expand the sphere of responsibility or raise wages.
- **Coercion power:** Power through coercion implies application of negative influence. It may be based on the opportunity of demotion, dismissal or withholding remuneration. Compliance of a dependent personality is attained by means of striving for valuable remuneration or fear of not getting it.
- **Referent power (power through identification):** this form of power is associated with an ability of a man in power to evoke in people a sense of communality. It influences the self-attitude, the attitude to a person in power and emotions about his goals and intentions. It is based on a charisma of a person in power. People exposed to influence want to identify themselves with the personal qualities and merits of a man in power and are content with being admitted to the circle of adherents or followers. It may lead to a situation when in the presence of difference in opinions an object will give up earlier or it won't run to discussion at all.
- **Expert power (power through knowledge):** Here power is the consequence of intuitive and valuable knowledge of a person in power. This power of an expert is based on his skills or experience. Unlike other fundamentals of power, this one is very specific and limited to a certain sphere, in which the expert has experience and high proficiency.

---

<sup>19</sup> French and Raven's Bases of Social Power in a Not-for-Profit Health Care Facility: Perceptions and Satisfaction. Dissertation Abstracts. 59, no.07A: 2605.

French, J. P. R. Jr., and Raven, B. (1960). The Bases of Social Power. In D. Cartwright and A. Zander (eds.), Group dynamics (pp. 607-623). New York: Harper and Row

This chapter has been taken from Wikipedia on the query about power:

[http://de.wikipedia.org/wiki/Macht#Machtbasen\\_5Bnach\\_French\\_und\\_Raven\\_281959.29.5D](http://de.wikipedia.org/wiki/Macht#Machtbasen_5Bnach_French_und_Raven_281959.29.5D)



I would like to emphasize that the authority (“legitimate power” according to French/Raven) may occur due to professional or human competence of its owner, general respect or availability of the means of power. Authoritarian power may be based on expertise, knowledge and experience. As a rule, people yield to its influence voluntarily, so that this influence is not always perceived as the use of power.

If authority is the result of the rules and regulations that are in no way connected with personal qualities or abilities, the closer it is to power. Then the authority represents a form of power when it does not entail voluntary changes of behavior or attitude. Especially, when it is based on the letter of law, it may be misused.

«Legitimate power» (according to French/Raven) may also exist in the form of a status. Status indicates the position in a group, the official order of which is oriented to certain values. A position may be connected with respect, rights and duties. Social status is seldom a result of personal qualities or makings, what matters here is the income level, background or profession. A status is reinforced with the help of symbols, partly of a pecuniary character, partly at the expense of the title and marks that particularly serve for recognition or distinction.

Status may be inherited, handed over or acquired. The higher is the social status, the more freedoms and correspondingly rights the person has. It means that the status makes a person afford to use the power.

I would like to extend the definition of power:

**Dominance** is indirectly related to application of power or an opportunity of its application. It rather determines the ambition of a person (or a group of people) for a position in power in terms of the group. Dominance is related to the aspiration for recognition of superiority.

On the contrary, there exists a possibility of the situation, when power is assumed to someone when the latter does not want it.<sup>20</sup>

**Violence** may be regarded as a method of power application. Two forms of violence may be discerned - physical (from light to brutal) and mental (subjective and indirect). Violence is often met with a rebuff, which leads to aggravation of tension as both sides are striving to surpass the adversary.

**Manipulation** represents various forms of influence. It is hidden, in general an indiscernible form of power. Manipulation occurs in advertising, politics, pedagogy and mass media in order to invoke a person’s need with the help of incentive, group pressure and suggestion.

As it has already been said, power is a double sword and depends on the perception of a person in power. To the object the power does not necessarily have to be imposing the will. Moreover, sometimes power is a duty to resign to another person’s power. In this case, duty becomes something, which due to inner understanding becomes voluntary (permanent) – for instance, attending school, helping other people, nutrition, refusal to kill... It implies understanding (inner understanding).

In fact, coercion is a part of an outside (expected) opinion, which another person has to obey until he acquires such an opinion (to attend school, to work, to eat, not to kill...). Thus, for example, hunger is a kind of natural coercion, provided that there is no one’s opinion behind it.

Application of power from the point of view of a person in power is necessary when the permanent use of rights (to attend school, to work, to eat...) or continuous following the prohibition (to kill, to

---

<sup>20</sup> Compare “Monty Python’s Life of Brian” (film 1979)



steal...) happens not according to the will of a person in power. Application of power in this case is a duty; not to follow personal will and tolerate negative consequences of power application.

The means of power carry encouragement or punishment to someone who (partly against his/her will) is “compelled” to do certain actions. In the theory of behavior it sounds like:

*Encouragement is what serves for elimination or reduction of the insufficient or stressed state, which in their turn as perceived as «punishment».*<sup>21</sup>

Therefore, encouragement or punishment may be used by others in order to rouse a person to any kind of action. Until these actions follow the inner incentive, they are the means of power (see also French/Raven).

Thus, a person who is encouraged or punished may regard these means as the means of power when the inner consent to the use of these means is absent. As well as a person using the mentioned means does not necessarily realize that the applied means are the means of power.

## Organization of power: Governance

Attitudes of power exist separately from attitudes to governance. Attitudes of power are dynamic and depend on the situation. Each person possesses power, if by the word “power” we mean our own free will necessary for imposing movement in this or that direction on another person.

Max Weber (1864-1920) considered to be one of the most prominent founders of German sociology determined governance as the presence of at least one commander and one command recipient; for the application of governance the headquarters or alliance are not at all mandatory.<sup>22</sup>

So it will hardly be surprising, if we return to our definition of the group. In this context headquarters or alliance as such would be a group in terms of a superior group. So I consider governance to be the organization of power.

Exactly in a group consisting of more than two members where there is a commander (a person in power), it is possible to talk about organization of power – for example, the fact that everybody supports a person in power gives him/her the right to give orders.

Right here there is a notion of legitimacy. This term means legitimacy and justification (derivative from the Latin word “Lex” = «Law»). Here in particular the matter concerns justification which allows an individual (or a group) to exercise power over others by means of orders.

However, what justifies governance in general?

In the cited example, governance was legitimized by support of all the participants. In the animal world there exist also forms of governance for organization of animals into groups (the ants have a queen, in the wolf pack there is a leader) and for “legitimacy”, if we can talk about one in the animal world, various methods are used (for instance, progeny, force, etc.) The aim of these natural forms of governance is organization of groups for the sake of increasing chances of the group for survival.

A human being, apparently, surpasses animals because he/she possesses free will. For example, anarchy eliminates any authority as a form of an individual’s governance over other people and sets a goal of embodying coexistence according to the principles of justice, equality and fraternity without any means of coercion.<sup>23</sup>

---

<sup>21</sup> «Basic Sociology: Theoretical Models»; the 4<sup>th</sup> edition, Horst Reimann, Bernhard Giesen, Dieter Hoetze und Michael Schmid; was published in 1991 in the Western German Publishing House Opladen

<sup>22</sup> Max Weber: *Wirtschaft und Gesellschaft. Grundriß der verstehenden Soziologie*, 1st volume, Tübingen 1956/1980:

<sup>23</sup> Duden: *Dictionary of Foreign Words*, volume 5, prop word «Anarchy»; ISBN: 3-411-20915-1



Personally I support this idea; however, relying on my own life experience I have to confess that such ideal of a society is only possible under the condition that all the people should live according to these principles<sup>24</sup>. The challenge is in the fact that each person has his/her own free will, abilities and peculiar properties; and organizing support of the power without the latter ones implies understanding. However, as it was mentioned in the beginning of this article, the human brain is programmed for the organism's survival, while organization of intellectual processes is only its secondary function (compare the quotation by Karl Steinbuch).

In the very beginning of this article I wrote that in Dror's striving for global equality and global governance these two virtues mutually exclude each other, if equality and governance concern a person. As people differ in their abilities and qualities (this also concerns maintaining relations with authorities), governance is established as organization of power. It is necessary to protect a person's freedom from the freedoms of other people.

What is meant is the following: when all the people are equally free, each one has an opportunity and virtually also a right to kill another person. Thus, he/she encroaches on another person's freedom, the freedom to live. If we once again remember Kant's imperative, it becomes clear that not everyone is able (on the basis of one's abilities and qualities) to live (under the condition of general life assertion) according to the Kant's principle.

The above-mentioned inability justifies many structures of governing people by people. Herman Hesse (1877-1962) in his book, "Steppenwolf" (1927) he wrote that the principle of majority substitute's power, the law falls into the place of violence, and voting takes up responsibility.<sup>25</sup> Many people deliberately wish to be governed, but they are inhibited by their (conscious) "No" (personal) responsibility for their free will of those who do not agree with this "No". In this way, they apply power, delegating their own power to representatives.

Taking into account our level of knowledge of the organization of governance in groups must serve for creating conditions able to ensure peaceful coexistence (inside the group and therefore of the "legitimate" sphere of influence), in order to increase chances for survival with the help of the group (which also means for the group itself).

This statement seems to sound too idealistic, although it is valid in terms of several groups (for instance, mafia). Problems occur only in collision of the groups and several structures of their governance (irrespective of their organization).

Another obstacle for the group is the fact that it does not always carry in itself an "ideal goal" as it does not always position itself as self-evident (compare Recourse to Aristotle). Groups are not always formed in order to improve the group's chances for survival but for instance in order to run a sports society. In spite of everything, there is also a certain organization of governance in such groups, in order to structure power.

So we have distinguished two essential features of governance in groups: one kind of group cares about survival (according to Tönnies further on I am going to call such groups communities but not in terms of motivation for participation in the group but by their orientation) – other groups act according to the Aristotelian approach (and again according to Tönnies: society).

I will presume that the more members a community contains, the better survival is ensured; then the individualization process starts and the establishing associations gain momentum – the group

---

<sup>24</sup> Compare. «The Price of Anarchy» from the theory of game is an indicator symbolizing failure, if a gambler starts pursuing his/her own goals instead of cooperation.

<sup>25</sup> Compare. «Steppenwolf» by Herman Hesse, Publishing House Suhrkamp, Frankfurt/Main 1999; ISBN 3-518-36675-0,



becomes less and less important. Organization of power in society is aimed not at survival but rather at the actualization of the higher personal individual goals.

In my consideration of the groups, I have indicated that a group may also be regarded as an independent organism. If survival of the group members is ensured, the survival of the “Group being” is also ensured, which also explains why the “Group being” strives so persistently to “self-actualization”. This is a remarkable transition from community to society at the expense of formation of new independent associations by these societies (for example, the USA, the European Union, the Commonwealth of Independent States...).

In this way we are gradually approaching the “state” as a special form of a group. Most certainly an attentive reader has already noticed that I have defined governance as organization of power but not as a method of this organization. Basically, there is no necessity in this as I would hardly like to restrict all variety of transformation opportunities. It will suffice to discuss the task of the aim of governance (as organization of power) for my further reasoning.

## Jovial state

Do you think that it matters what form of government exists – monarchy, aristocracy, “democracy”, dictatorship or any other kind – if under this government survival will be guaranteed and people will have an opportunity for self-development?<sup>26</sup> If your answer is “yes”, then I will ask myself, what goal and task must the government have according to your opinion?

If you give a negative answer, then you will certainly agree with me in the following statement:

*The aim and task of the government are to create conditions able to ensure peaceful coexistence and thereby to give equal chances to develop freely and self-actualize not restricted by the similar rights of other people.*

I was once said, that with my idea of the human-based theory of state I am doomed to come to natural right. The drawback of natural rights is the absolute spiritualization of a person regardless his/her character in reality.

However, I regard the laws or rights as a sort of agreement, the parties of which have to be familiarized with all possible consequences. This theory directs us to Ancient Greece during the period of the IV<sup>th</sup> century B.C. When there was an attempt to make peace with the help of treaties in Greece ruined by war. Their central idea was to make an agreement between all polices (independent communities) and every polis secured its own autonomy. These first peace treaties became the fundamental of the League of Nations and the United Nations Organization.

The idea of agreements proceeds from the fact the war is a state of nature (compare: Hobbs “War of All against All”). The first treaties in Greece were practically aimed only at short-term intermittence of this state of nature. Thereby, the Greeks realized that to secure peace for the long term, is only possible by means of strong power of hegemons (“strong leaders”).

I regard divergence of the natural rights taking into account the fact that up to this day they have never worked. The theory of agreements proceeds from the fact that the position of a society grounds on a social contract which in its turn takes natural rights as a basis. However, it does not promote making “universal peace”.

---

<sup>26</sup> Compare the expression „Panem et circenses“ („Bread and circuses!“) by the Roman poet Juvenalis (Satires, 10, 81)



Virtually, as a legal base I find general human rights according to the UN resolution 217 A (III)<sup>27</sup> of 10.12.1948 rational. The state must guarantee these rights if it wants to call itself vital. However, a peculiarity of a jovial state is in providing an opportunity for the enforcement of these rights.

As a precondition I suggest the following example of extremity:

I give a man the right to live; I take a gun and shoot him in his head. Thus, I have not deprived the man of his right to live as even a dead man has the right to live, although he has no opportunity to use it.

But if I give a man the opportunity to live, I may not kill him as a dead man has no opportunity to live.

A right in itself without the corresponding opportunities gives nothing.

In constitutions of almost all states there is an official oath<sup>28</sup> of highest persons of the state, which in the German Basic Law of 23.05.1949 for the President, the Chancellor and ministers of the Federated Republic in articles 56 and 64(2) reads the following:

*I swear to apply the power given to me for the good of my nation, for its benefit, safeguarding it against misfortune, to follow and protect the Main law and the Federation laws, to perform my duties conscientiously and to be fair to all.*

The Federated Republic is related with this oath due to an old tradition that goes back as early as to the Age of Enlightenment. The Prussian Kaiser Frederick the Great (1740-1786) declared in his state the prosperity of everyone as the highest principle in the country, which was juridically authenticated in the General Land Law (1794). The German Constitution of 1849 contains a similar oath and in the 42<sup>th</sup> article of the Weimar Constitution of 1919 there is also a similar formulation of the oath.

According to a remark of Maunz / Dürig / Hertzog / Scholz this oath does not presume that punishment as the notion of prosperity was taken from subjective considerations of one person (giving the oath). So this is the exact reason why in the generally accepted and recognized definition there is no description of prosperity, benefit and misfortune. However, I tried to be fair in this article, providing on one hand an opportunity for survival and on the other hand an opportunity for development (guaranteed by the Law – Article 2 GG).

Basically, in the contents of this oath I see the description of the jovial state task; moreover, under the conditions of globalization I suggest making amendments. A separately taken nation must not stand alone in the center of solemn promises, all of humanity as a single entity must be together within it:

*I swear that I will dedicate my efforts to the well-being of mankind, promote their welfare, protect them from harm, and do justice to all in the meaning of the Universal Declaration of Human Rights.*

An oath gives a possibility to check the person giving it on the following questions in order to have an opportunity to raise a claim against him/her. A person in power enters into a treaty not with his conscience but with the nation, which gives an opportunity to an individual to ask him the following questions:

---

<sup>27</sup> [http://en.wikisource.org/wiki/Universal\\_Declaration\\_of\\_Human\\_Rights](http://en.wikisource.org/wiki/Universal_Declaration_of_Human_Rights)

<sup>28</sup> Appendix 2 – Various official oaths



- Has this person been doing everything for the good of the people?
- Did the person, who gave the oath, do any good?
- Did he safeguard against misfortune?
- Was he fair to everyone?
- Did he act on behalf of the Universal Declaration of Human Rights?

Perhaps, it is somehow hyperbolized that one leader has to take care of all of humanity. Probably it is hardly possible. However, the duties of the state leader include bearing responsibility for its nation with regard to humanity in general, because his people are a part of humanity. How could a war be justified, if there is not a mere nation at stake but all of humanity? It would only be possible if humanity was threatened by another nation (compared with a real conflict which had to be avoided).

As you may see from the oath and the formulation of the task of a state, the structures of governance in the state are not tackled at all. Thus, I depreciate governance as a means for achieving the aim, regarding it exclusively as organization of the relations of power. So we have eventually come to the consideration of special relations of power in the state.

## State powers

Today, the nation is opposed to the state being the first power. The nation is a homogenous group consisting of particular personalities and subgroups. The state is situated on a particular (historically) defined limited territory. Partly the “nation” is diluted by transnational groups trying to influence the state (applying power); on the other hand, particular personalities are staying beyond the state territory (for instance, due to emigration or living abroad).

Traditionally three powers began to be a point of discussion since the times of John Locke (1632-1704) and Charles-Louis de Montesquieu (1689-1755): these are lawmaking (legislative power), execution of laws (executive power) and practice of law (judiciary power). Such separation of powers is based on (justified) mistrust towards the people in power.

These very reflections about the state, in advance considering moral inferiority in an attempt to put organizational restrictions for them, were opposed to idealistic plans based on common sense and collective consciousness.

The aim of the separation of power into three parts was creation of moderate governance in order to preserve the people’s freedom. Montesquieu proceeds from the point that everyone who is trapped under the tentacles of power tends to abuse it. This abuse is able to reach the utmost limits for this power. So these three powers are meant to control each other by all means.<sup>29</sup>

Three powers are represented in groups. This allows ascribing certain properties to them (society and community). As far as the matter concerns the knots of government, they may be perceived as the groups (of three “individuals”). If this governing group forms a “sustainable” society”, then the primary reflections of Montesquieu are to be overshadowed by oblivion.

Today, the mass-media is often called the forth power opposing the three powers of government.<sup>30</sup> Nowadays, in this category we may also classify blogs (sometimes they are called the fifth power),

<sup>29</sup> History of the Theories of State, Reinhold Zippelius, the 10th revised and extended edition, The C.G. Beck Publishing House 2003, page 122, ISBN: 3-406-494943

<sup>30</sup> Julia Risch: «The Fourth Power in the State » in the Trier University, Medienwissenschaft:

<http://medien.uni-trier.de/leben/medienmenschen/nachgefragt-recherche/thomas-reutter.html>



which are something like personal journals/diaries. The Internet is to blame for the situation when “the quality of information” has become really distressing as quite often the sources of information are absent and everyone may write whatever he/she wants. Thereby, I would like to pay attention at the fact that the situation in the “traditional mass media” with their reporting form may be exactly the same (compare: manipulation). The main problem is the contents of truth in the information, which is possible to check, if it is possible at all, only after a certain period of time. Also, we should not forget about the large transmission of information through the internet.

I would like to call economics the fifth power of the state.<sup>31</sup> We imply economic components in the form of enterprises, markets and finances. Those who possess economic means of power are able to use them for influencing the state. As a matter of fact, this kind of power is more known as lobbyism; however it does not come to light in any of the theories of state known to me.

So in our state there are six powers, the impact of which has to be “restrained”, if we want to keep the mutual mistrust of the powers.

During the times of Locke and Montesquieu, in the state there was one more power, to which the attitude today is more disdainful, but anyways it plays its role in the global context. This matter concerns religions. Since the Age of Enlightenment, religion was considered a privacy of everyone and in the overwhelming majority of the states religion has the right for existence unless it constitutes a menace for life or property of other people. Care about spiritual life of the population is not a task of the state. Nobody imposes faith.

Here I do not intend to make any suggestions concerning the state powers yet. Moreover, I would like to regard “the issue of democracy” as the main theme.

## Democratic global philosophy

By and large, democracy is considered to be a system, when people participate during elections and voting in decision-making in solving the state issues. The term “democracy” comes from the Greek language and means the direct power of the people in Ancient Greece. According to the Duden dictionary of foreign words democracy may also mean: “*The principle of formation of free and equal will and the right to decision-making in social groups*”.<sup>32</sup>

In the introduction this article I asked a question “what must govern and what must be governed?” In general, the notion of democracy implies that the people have to govern themselves. However, as it is shown in the description, groups have to be regarded as independent “living beings”; consequently the group and correspondingly the people do not have self-consciousness and self-control.

Thus, the question of democracy is not “who” must govern but “what” must be governed. This “what” includes the occurring relations of power via groups with respect to an individual who must have the same access to the means of power as everybody else (without the necessity to possess them). These means of power are necessary in order to find solutions of the conflicts in terms of communities (I will also relate the statement of the conflict issue). Here conflicts play an important role for development of every individual and humanity in general. However, the solutions must not lead to the situation when an individual may threaten the mankind or die because of this.

---

<sup>31</sup> Interview with an economist Elmar Alwarter: <http://www.freitag.de/2005/45/05450301.php>

<sup>32</sup> Duden: The Dictionary of Foreign Words, 5<sup>th</sup> volume, the word “Democracy” слово (3); ISBN: 3-411-20915-1



My understanding of democracy is obvious (as I hope) from the following example:

In High School there is a final exam in mathematics. If you conduct the exam in the form of voting, it will mean that on every solution it would be necessary to vote which of them is correct. Is it possible to solve, in a democratic way, how much  $19+15$  is?

Does not mean democracy in fact of the example with the math exam, to give the test taker the possibility, to leave the task for one or a small group, but to check the result in common?

Although, there is no guarantee that the solution of the problem is correct, in this case each person takes part in deciding what is correct and what is not.

It means that the task of searching the global form of democracy is not in establishing a system of governance but in making (organizing) the situation in such a way that for instance a plain Spanish peasant could address with a variant of problem-solving in Southern Europe (interdepartmentally) to a necessary (responsible) body. In this case “the right bodies” may, are entitled to and must possess sufficient means of power in order to apply the suggested solution in practice. This would give an individual an opportunity for equal decision-making and immediate power for realization (global equality in the conditions of democracy as a form of global governance).

Government serves (as it has been mentioned in the oath): for the benefit of the people (creating conditions making peaceful coexistence possible and providing equal opportunities in these conditions), generating value (self-actualization and development) and averting misfortune (while nobody’s rights are infringed).

## Suggestion for realization

**The three powers:** Due to implementation of “penalty” to a person who takes the oath, the people get the instrument of control over the three powers by virtue of the fact that the oath is a kind of an agreement between the people (rather between an individual) and the state power.

**Mass media:** Nowadays, there exists state television, state information materials (including the Internet), “the quality of information” of which only remains to be “guaranteed”. In Germany the Federal Constitution sees to observing the norms by the three powers; however, it would be reasonable to suggest creating a similar body for mass media as well. Here the responsibility for control should also be delegated to the people.

**Economy:** The economic structure has been mentioned from the perspective of unconditional basic income (UBI).<sup>33</sup> Basically, it is possible to briefly sum up: requirement of the jovial economic structure implies that every person has an income. In this case the state must take up the role of a sorter in order ensure a decent life for every person.

For this, the general conditions of economic and fiscal policy are necessary. On one hand, it is necessary to guarantee provision of a person with goods and services, while on the other hand people have to be able to consume these goods and services.

**Participation of the people:** For realization of direct participation of the people I recommend the rationalization movement which, nowadays, is widely adopted in free economics (for the first time it was implemented by the Bosch Company in 1888). There is an idea behind it that people who are immediately connected with the problem may find the best decision. The rationalization movement must prepare the information for solving the problem (which also

<sup>33</sup> Appendix 3 – Legitimacy and guarantism (Professor Dr Michael Opielka)

Appendix 4 – the system of exchange and state of nature



has to be initiated by the population) and enable not only to convey the variants of the solution but in case of necessity to provide an opportunity for their realization.

**Education:** Education is the main condition of everything mentioned above. In this case, it is necessary to provide the applied knowledge, which helps to identify the related problems, in order to further develop the strategy of their solution. On the basis of this, there are suggested topics providing the knowledge about oneself and other people serving for overcoming conflicts, stresses and control over one's own and other people's aggression. An incentive for this is the lesson of the worldview and psychology. State educational institutions and courses have to be accessible for everybody.

Due to education in the state it would be possible to inhibit "the seventh power" by means of creating an opportunity for everybody from the "worldview market" to find his/her own solution and at the same time to study the diversity of existing suggestions.

## Conclusion

Thus, jovialism<sup>34</sup> (as I call this philosophy in the article) creates a bridge between liberalism and socialism. Freedom and identity of an individual (liberalism) in jovialism is considered in the same way as equality, justice and solidarity (socialism). So far, the second biggest political ideology opposing these two ones has been conservatism.

I hope I was able to illustrate the big picture with the help of my approach.

Today, the world finds itself in the middle of an extremely dynamic process, jovialism was being developed not as a static philosophy but more as an open philosophical project. The task of definition calls to study other areas of thought and points of view on the main aspects of the represented approach; to thinking and to apply all the results in practice. I proceed from the assumption that in reality the truth has always been clear, both now and always. It has been described in every key; however, it has often been misinterpreted.

That is why jovialism is a philosophy of "eternal doubts" in quest of the "truth" at the expense of the emancipation of humanity in general.

---

<sup>34</sup> The meaning of the word comes from the Latin word «iовialis», which means "belonging to Jupiter", embodying the characteristics of the father of Roman gods such as for example patronizing, benevolent, friendly and tender attitude.



# Part 2

## Detailed rendering of basic characteristics



## Introduction

Already at the moment when I was describing the main features of jovialism in the first part it became clear to me that a second part must appear as well. Although, the first part may be regarded as an independent solution there occur certain questions associated with equality of people.

Practically in real life there have always existed “more important people”, although everybody is equal. I would be fair concerning this circumstance, so in the second part I will concentrate on the details of a person’s worth and reflections about justice and truth in particular. Such notions, as power and responsibility or also abuse of power and corruption are related to this as well.

Besides, the notion of freedom that is in the first part is not precisely determined. It is necessary to go into detail on the subject of freedom’s limits as they are established not only by moral and ethical restrictions of freedom but also by other factors that will be described here. In this fragment, I would also like to introduce such notions as “the state of nature” and “natural right”, on which the idea of jovialism is based.

With my references to jovialism I am reproached again and again for continuously adding “-ism”, which could be abused as a dogma. I will try to concentrate on this reproach at length and substantiate the examples of other “-isms”. In this respect the matter will also concern religion.

As it was described in the first part, for justice and truth the information is of great importance. That is why I will concentrate at length on this topic. First of all it will concern mass media, which are competent to disseminate information on the state. The first part could easily produce an impression that in suggestion of the main law for mass media the matter concerns the establishment of censorship or introducing propaganda.

At the end, I will concentrate on democracy once again and address the essential problem of the process of decision-making. In the first part, we got acquainted with the process of participation (putting forward a suggestion) but said nothing about the process of decision-making.



## Preparation and a trip to revisit our friend

After you have daringly made your way through the first part of my reflections towards jovialism, we have just got a bit of time to reflect on how my friend and I are going to get to a desert island. So we have a goal but so far we have not got any means for its realization.

The simplest solution would be a ship. Antoine de Saint-Exupery, a French pilot and writer, once suggested the following: *«If you want to build a ship, do not gather all your men in order to cut down trees, but rather prepare the instruments and distribute work; but teach them passion for the distant and infinite sea».*

Together with 20 other people we are sitting on a beach, our determination for going to a desert island together with my friend is what we have already received as a precondition. Saint-Exupery proceeded from the fact that the ship is built due to self-organization and in the presence of the common goal. What if we have got enough wood and the instruments are prepared? Then what are we to do with the tasks and work?

We are motivated, but nobody knows exactly how to build a ship. Do you think it is possible? Despite the high level of motivation and all the materials necessary for building a ship, the plan is absent.

Suddenly, one guy from our group says that he is an engineer, although so far he has not built a single ship; however, he has designed machines. All of us are rejoicing and calling him a manager on plan development and task allocation. In this case, we permit somebody to tell us what to do, what is right and what is wrong. Finally, we have got a common aim and we trust the engineer because he knows what he is doing.

In the library the engineer finds blueprints for building a ship and comes to us being very proud of his discovery. He says that this and that kind of work has to be done. Some members of our group have volunteered to do the tasks considering that they are able to do the mentioned kinds of work.

Thus the women started sewing sails; other people were working on the hull, and eventually the ship really appeared. While building our ship, we attracted some attention on the beach. Some people were coming and thought that we were doing it the wrong way; one man tried to interfere and give advice as if he knew it better; others considered that we would never manage to do this. They tried to criticize us in order to dissuade us from the idea with the ship.

In spite of all the obstacles, the ship was ready in a few weeks and heaved off. It sailed. Our delight was enormous. None of us would be able to do this job alone, yet it was possible to do it together because each of us had purposefully used his/her individual skills and qualities. Moreover, we had a director who could distribute work and allocate tasks. Everybody was proud with the group and himself/herself. Experts and critics left in silence walking along the coast and remained far and out of the way.

Of course we were pondering on how we would get by this ship to our friend. Although we already had a functional ship, who on earth would be able to steer it? Who had any experience of navigating the ship in the sea?

Logically we said to our engineer: if he could build a ship, then he had to steer it. However, he resolutely refused and said that he knew the ropes in shipbuilding but definitely not in navigating ships.

If we remember the first part of jovialism, then it will come to our mind that every person has his/her own individual skills and qualities. This very point means that not every person who can build a ship can also navigate it.



One member of our group had once said that he considered himself able to do this. After all he was a millionaire and could steer a ship. On hearing this someone flung his arms up. Then a question sounded: «What do riches have to do with qualities and skills? ».

Then someone had an idea to solve the question in a democratic way. Thus the engineer and the millionaire were nominated for candidates.

With a slender majority, the choice was made in favor of the millionaire; at that seven people abstained from voting for the reason of absurdity of this decision-making process and the engineer was among them.

Finally, one of the abstentions suggested that the millionaire should hire an experienced navigator instead of steering the ship himself. After certain hesitations the millionaire agreed. In a small town they found a person who had the experience of a captain and the generous salary offered spurred him on bolstering the project. Another man who also had an experience refused for the reason of the way, in which the ship had been built. After all, it was built by an engineer who had never designed ships before.

Then everybody was somehow satisfied. However, they only lacked trust to the ship and the navigator, for absolute satisfaction. However the determination to get to the desert island was stronger, so everybody set off for the adventure.

On board there were men and women, including the millionaire and the engineer. The person who was hired as the captain turned out to be unbearable. He was constantly criticizing something and two weeks after they set out to sea he raped a young girl, which everybody was aware of.

We ran riot and wanted to throw the captain overboard. But what would happen to us afterwards? The engineer refused to steer the ship, the millionaire was discredited. But the captain did not have the right – even if he was in an exceptional position – to behave in such a way.

On taking counsel we decided to lock up the captain and to turn over command to the millionaire and appointing the engineer as an advisor. In a case of doubt, it was necessary to ask the real captain. After all, his own life depended on our successful arrival to our friend.

For a start I would like to concentrate on this as an introductory part of our story and to refer to certain statements that ensue from here.

## Equality and worth

So, as you have already read in the first part, jovialism enunciates that all the people on the ground of their metabolism are equal. At once we recall the engineer, the millionaire and the evil captain. All three of them have to maintain metabolism in order to live. Are they “equal” due to this fact?

As living beings they are, but it does not concern their individual qualities and abilities.

If you think that one person may altogether have more “worth” than another person, this is your subjective opinion. You evaluate a person on the basis of his/her individual qualities and abilities. This opinion may change if we transpose our crew from the ship into a plane. There neither the engineer, nor the millionaire, nor the ship captain with their individual abilities will have equal worth as on the ship.

Thereby subjective worth is relative. For example, on the ship the captain is “more valuable” than in an airplane. Hereto you will surely ask whether it is possible to “evaluate” a person objectively, and what can be evaluated objectively?

Imagine that an extraterrestrial creature appears. What can it evaluate?



It may determine what happens due to qualities and abilities of a particular person. Thus, for instance, evaluation of the ability to build the above mentioned ship is only possible, when a person does it in practice. In this way the estimated point is not a person's abilities or qualities but their consequences.

A person's objective worth is the benefit and the results brought by his abilities and qualities.

The idea with the extraterrestrial creature corresponds to the concept of "the impartial third party". In the first part we have determined that there also exists something absolute, to which after the statements in the first part we have to relate all the qualities, abilities, results and their use for a particular person. Of course, if one person represents subjective worth for at least another person, this person has value (which is subjective but may be objective or absolute).<sup>35</sup>

## Self-esteem and respect

Now a person will also want to feel worthy and respected. As it has been already discussed before, in his / her disposal there are his / her qualities and abilities. It is due to the use of these qualities and abilities that the sense of self-esteem emerges. If we compare it with entelechy (to have a purpose) about which we have learned in the first part, it means that Aristotle saw in the individual's natural goal in one's self-esteem.

In comparison with other people, a person's self-appraisal may rise and fall. The matter concerns not the objective but the absolute worth of a person as the individual's self-esteem is always in ratio to other people.

Without this ratio, self-esteem depends on self-reliance (confidence in one's own qualities and abilities) as well as on self-faith (confidence in one's efficiency and usefulness). Only then a person feels self-esteem. This sensation may be amplified due to recognition and respect of other people and may abate for the reason of criticism or disdain.

In friendly or family relations respect most often hardly depends on the results or usefulness of a particular person but comes from the individual's existence (Do you remember the intimate groups?)

The next point is the verb "to want", which may be interpreted as the expression of self-esteem. When I say "I want", this may be regarded as "I am worth it".<sup>36</sup>

What "I want" may be associated with respect of other people; it becomes clear from the following constructions of sentences with the word combination "I want". Thus in the sentence "I want to tell this to you" the matter at hand is not self-esteem but respect of other people ("You are worthy enough to understand it". The same concerns the construction "I want you to do something, to work, to be..." ("For me you are worthy to do this, to work, to be...")

Later, we will return to evaluation once again but for the time being we will leave it with everything mentioned above. We have to understand that equality does not mean equivalence. Self-esteem and respect of other people appear due to the knowledge of one's own abilities and qualities as well as the benefit, which they may bring, but not due to their comparison with other people'.

Self-esteem appearing in comparison with other people in understating or overstating their worth in one's perception (for instance, in the feeling of inferiority) does not have anything in common with the actual person's worth (which may be only subjective, objective or absolute), which may be assigned to a person by the "impartial third party".

---

<sup>35</sup> In the Catholic Church before the communion people pronounce the following sentence: "Lord, I am not worthy that You come under my roof but just say one word and my soul will be healed". The first part represents the so-called "subjective worth" and by only one word (of God) the objective worth is assigned to a person, which "heals" his/her soul.

<sup>36</sup> From my personal experience I can say that I was familiar with many women who told me the following: «When feeling lovesickness or having problems with partners I go shopping in order to relax a little». This could confirm the above-mentioned statement "I want" used as "I am worth it" and explain why capitalism is so successful.



## Influences in the system

You are also a person who does not always become surprised that there are always people described as the ones aspiring for power, aren't you? In the scenario that I have sketched for the second day, we have 3 people suggested for consideration in regards to their position in power: the engineer turns down the position of power for the reason of his self-concept; the millionaire who wants to be in power because of his self-concept; and the captain who wants to acquire power due to his knowledge and experience.

After the example with the ship, it became clear that certain abilities and qualities of a person are important for survival of the entire crew of the ship. The most frequent delusion is that this person wants to be even more valuable and so he/she behaves completely different than the other people. It happens because of one person for whom this is an inner position (in our case this is a captain) or because of the group (here the crew of the ship). Aspiration for such position is often explained by the point that the given person is presented by the group itself.

If a person in power realizes his/her position, then his/her manner of treating other people depends upon his abilities and qualities. Thereby we will concentrate on the responsibility towards the group.

## Responsibility

In our case the captain's responsibility is only limited to the crew of the ship. I would also like to state that by raping the girl he did not commit any crime pertaining to the crew, this was a crime only towards the young girl. But the ship's crew is of course united because the young lady was not able to resist the captain on her own.

The captain committed that deed realizing his importance (value for the group) and tried to speculate on his impunity, although maybe he did not realize his importance and did not estimate the consequences at all. In both cases conscience (as it was described in the first part) plays an important role.

Is the group responsible for the deed?

On one hand the answer may be negative. Merely the only member of the group may be responsible for the mentioned deed – primarily the captain. The others may also share this responsibility, if they for example persuaded the captain to commit this deed by means of making him understand that he was so important for them so he need not be afraid of any sanctions.

The captain cannot impute his responsibility to anyone else and at the last resort he will bear responsibility for his deed himself.<sup>37</sup>

---

<sup>37</sup> During the e-mail correspondence with Robert Ulmer (a member of the Netzwerk – Grundeinkommen Council) regarding existentialism he wrote to me (Jean-Paul Sartre: «Being and Nothingness»):

«[...] Every person is an individual who bears responsibility for himself and for the world being in communication with other people both in a small circle (family, sweethearts, friends, acquaintances) and in a social one. By no means, the Sartre's philosophy contravenes the fact that there are meaningful social norms, predetermined meaning contents or religions. He only expressly points out that these norms have no effect per se but every person, every individual is responsible for these norms being accepted or denied. If I believe in God the almighty and spent my life in fear of this God, then I am also responsible for this. Other people bear responsibility when trying to terrify me with their God (or what is more modern – the religion of work); however, I am responsible for the extent to which I will let them intimidate me. Then I address to the great force of the world of ideas: a person complaining that he/she was born in the wrong (repressive, deceitful and prim) society, has to be admonished by Sartre's reproach in saying that he/she all the same bears responsibility for how he/she adopted the (repressive, deceitful and prim) norms, how he rebels and resists.

At any rate the set question "if we are able" to take up responsibility or not is hardly a question of competence. Even if I have been leading a poor-spirited conformist mediocre life, I would also be responsible for this. Sartre's ideas about individual responsibility are tough, unpleasant and destroy usual pretexts: "Indeed I wanted to do it otherwise but the circumstances, the family, the society..." The world of ideas is especially unpleasant for all contemporaries of historical catastrophes (such as, for instance, national socialism) who would like to live with the feeling that it is not they but the others (Hitler, Himmler, Gebbels, Gerring) who must be responsible, if they get a Sartre's reproach that they are fully responsible for what they torerated, for not killing Hitler, etc. (or did not find another way to stop him), for not saving the Jews".



Of course, a share of responsibility also lies within the group: due to the group the captain has acquired his position, which perhaps influences his conscience. As it was described in the first part the group cannot have collective conscience – in this case every member of the group bears a big responsibility for the group. This may be undesirable for the group (or better for its “head”) or for someone in particular. Then responsibility is shifted to the group although the responsibility is associated only with one’s own conscience.

This is the reason for the conflict with conscience, which some members of the group solve, bypassing their conscience (I was complying with the order) or by means of estrangement from the group. This estrangement may occur for the reason of either a group or an individual.

## Value, capital and power

In the first part we discussed that a man differs from other living beings by being the only one who has freedom to say “no” (I define the notion of “freedom” as ability to decide and make a choice between different possible actions, in particular, impossibility to choose nothing and creating new opportunities for oneself). Later, I will refer to this notion in a more detailed way. Now we will need these human qualities to explain how they are related to value, power and capital.

If we ponder on what exactly what meaning belongs to the notion “evaluate”, we will come to a conclusion that there is “evaluation” of minimum two items, one of which will be given preference (while the other one will be turned down). «Evaluation is necessary for creating a succession of certain items, of which later it will be possible (necessary) to make a choice.

So, a human being is the only living being with personal will: “a freedom to say “no”. If we try to juxtapose “to want” (will) as it was represented before with “to evaluate”, then a man is a living being who can “evaluate freely”<sup>38</sup>. Of course, this evaluation must not be reasoned rationally.

In comparison with human evaluation, now I would like to concentrate on the worth of an individual because it may be subjective, objective or absolute. I call the values, which are possible to exchange for an equivalent by some means, a capital.<sup>39</sup>

Thus my labor power, for instance, my capital is given in exchange for something else. This something may be money, gold, provisions or other means of exchange that seem to another person subjectively equivalent. Thereby means of exchange acquire axiological character and play the role of capital.<sup>40</sup>

Everything does not have a value for exchange (no capital); for example, children, old citizens, sick and disabled people and finally the unemployed, etc. Anyway, I have already mentioned that in friendship and in family, existence in itself is a value, and until at least someone will value a person, he will have his worth (which may be subjective, but also objective and absolute).

Let us return to capital and compare it with the notion of power in the first part. Mistakenly one may juxtapose capital with power and think that it is possible to possess power (as capital). But capital loses its power, if the capital owner does not have the equal value as the capital receiver anymore.

Capital always presumes capital as equivalent. “A kiss on the ass” (which does not have any value for the kissed person) will not make anyone move so that the kisser could grant what he wants (unless the kissed person sees in this a necessity for himself).

---

<sup>38</sup> Nietzsche: «If we are talking about values, we are talking through inspiration, through the optics of life: life itself makes us accumulate values because life...» Martin Heidegger: «Values originate not from something supernatural, they are conditions of our life; this means improvement of the quality of life; they originate in our life and serve for it»

<sup>39</sup> Compare Appendix 5 - Annotations to the Dielthey’ model

<sup>40</sup> Werner, Götz W.: Presse, Andre (Hrsg.) Grundeinkommen und Konsumsteuer (2007), Universitätsverlag, Karlsruhe.



From this point of view capital is a force (in the physical meaning), which is activated due to “want” via “subjective evaluation” (“subjective evaluation” may also play the role of the “objective” one). Ability to work does not necessarily mean that I work in practice, so generally speaking there is nothing you may exchange for this “ability” as well but just for the benefit, which another person may get from this ability (and which he subjectively regards as quite valuable).

Power and capital are related notions. In this respect, capital is the means for power, if it is regarded by the power holder as worth striving for. So we may get down to discussion about abuse of power and corruption.

## **Abuse of power and corruption**

Although abuse of power and corruption are very close concepts, they are not synonymous. With the abuse of power, the one who possesses it uses the power in one’s reprehensible aims (from the point of view of moral and ethics).<sup>41</sup>

With corruption, someone tries to force a person possessing power to use it in reprehensible ways from the point of view of moral and ethics.

Both concepts imply that in this case there exist four factors: a power holder (corrupted), a power recipient (corrupting), the means of power (the means of corruption) and the subject of power (the subject of corruption). Abuse of power and corruption occur only when the means of power (the means of corruption) has a subjectively higher value than the subject of power (the subject of corruption). A person (or even the entire group) is involved in the conflict of values.

We will take the case with the rape on the ship as an example: a power holder is a captain, the means of power is his own force, as well as his status on the ship (without the captain everybody would be doomed); the subject of power is rape; the power recipient is the woman or the ship’s crew. Does the ship’s crew really see the crime in this rape or do they tolerate the captain’s deeds because otherwise they would be doomed for shipwreck? Thus, the ship’s crew experiences the conflict between tolerance and survival.

Let us take another example of corruption: you are driving in Germany, with a speed of 120 kmh along the rural area (where the speed permitted is only 50 kmh) (the subject of corruption). The policeman stops you. In your bag there is a sum of €1,000 and you would like to move on as soon as possible. In this case you may offer the policeman (corrupted) not to impose a fine (the subject of corruption) on you, if you pay him €1,000. What opportunities does the policeman have and what motives may drive him?

Upon €1,000 he may have a conflict of values – first of all, if he really needs the money. In this case, for him the means of corruption value of will be higher than the availability of the fine (the subject of corruption). If the matter is in his profession (the manifestation of which is first of all his means of living), then the price would have a different meaning because he is afraid that this story will be revealed (and consequently he will be punished).<sup>42</sup>

If all policemen are corrupt, the value shifts again. Those who do not want to be corrupt in this group may lose their membership in this group, which in some groups it may be, a matter of survival.

---

<sup>41</sup> As it was mentioned in the first part, we define such notions as moral/ethics as the society’s (individual’s) attitude to traditions, norms and rules. In every case this attitude depends on a person’s conscience. The conscience is based on one’s own attitude to actions and their possible consequences. The precondition to it is an ability to evaluate deeds and consequences. In this case a person’s conscience is influenced by moral and ethical notions.

<sup>42</sup> Compare with the Kant’s idea: «If someone refuses from an idea to commit a theft only because he/she is afraid to be noticed and punished, this is a change of meaning, which occurs inside him, is legal but not moral». (“History of the Theory of State”, Reingold Zippelius10, revised and extended edition. The C. G. Beck Publishing House, page 147)



Corruption may be organized by the state in such a way that in order to become a policeman it is necessary to pay money. In this case, selection takes place and corruption relations are diverged in a certain direction (the corruption value grows in respect of the subject of corruption because the investments have to be amortized).<sup>43</sup>

By and large, corruption and abuse of power make the opportunity to make conclusions that the subject of power (corruption) is “relatively indifferent” for a person abusing the power of a corruptionist, he does not bear responsibility for what does not directly concern him.

Abuse of power and corruption are only possible, when power abusers and corruptionist’s regulations do not play any role. If correspondingly there is no expressed conscience, we may also talk about prostitution (in the meaning of immoral and unethical conduct).

In order to return to the ship, let us imagine another situation as if the crew had been impartial and had taken responsibility because every member of the crew could become a “subject of power”.

There is one more topic, which I would like to discuss in this context: nepotism, which in Germany is called “Vitamin B”.

The matter will concern a group, particular members of which are often relatives (that is why we deal with nepotism) and promote each other, most often pro bono. Vitamin B (B is a symbol) is necessary in this case for prospective, shrewd and informative connections and gaining one’s own benefit. The opposite kind of support is based on personal acquaintance and kinship. Other people will hardly manage to get into such group. In the first part, I called such groups, “secret associations”, whose activity is often interpreted by others as “the conspiracy theory”.

The system is based on rendering reciprocal services and favors, which may lead to interfusion of private, social, political and economic interests. In such cases the abuse of one’s position in power is committed for the good of acquaintances and relatives. Relations between acquaintances and relatives may also be the means of power (corruption).

## **The freedom to say “no”**

We already gave the exact definition to the concept of “the freedom to say ‘no’” by means of regarding it in correlation with evaluation. Due to free decision-making (and the evaluation proceeding from it), a person has an opportunity to behave independently from instinctive and animal influences.

«The price» for this freedom is the responsibility for one’s own behavior, for one’s environment and for oneself. This freedom implies awareness: the knowledge of all possible consequences of one’s deed.

As we have learned from the first part, a human being is absolutely free and only restricted by actual abilities. Thus a man by his nature cannot fly but nevertheless nowadays he has achieved a capacity of being present even in on the level of the Universe.

A human being does not accept natural properties, being restricted by natural abilities and qualities. Thus he/she creates new opportunities due to his/her freedom (unacceptability).

---

<sup>43</sup> In Kyiv the following situation was described to me: the militia and judges have to pay for any training (unofficial) in order to get into this circle. In this way corruption is “instrumentalized”.

In Germany corruption among the judges and the police is mostly absent. The main role in this is played by fear and generally corruption is not so strongly “instrumentalized” as in Ukraine.



For this reason progress moves ahead because a human being considers himself/herself restricted in his/her capabilities. He/she tries to learn the limits of his/her freedom and by this extends his/her potential.

During transition from childhood to adulthood (the transition period) a person experiences these limits very often. The problem is in the ability of a person to affect another person's freedom with his own freedom (for instance, killing each other just for checking the limits of freedom<sup>44</sup>).

So, where are the limits of freedom?

In the first part we called moral and ethical notions of particular people the independently determined limits, while the conceptions of society are legalized in written form and enforced by the authorities. I would like to refer to other limits.

## The limits of freedom

A person is absolutely free in terms of his/her limits. In this respect, for example, Jesus was free on the cross, if he accepted the circumstances (no freedom of movement, pain). Despite all this, on the cross he was free to choose how to evaluate his tormentor. In his thoughts and in his decision he was free.

Of course there are ways and means to break this freedom. On one hand there are psychotropics and drugs (as well as the corporal drugs which manifest their effect in sport, dances, rhythm), which on the biochemical level penetrate and directly affect a person's freedom. On the other hand psychic and physical torments may be regarded as penetration into a person's freedom. To this we can also add group coercion.<sup>45</sup>

Information may also have an impact on a person's freedom. As an example of indirect influence by means of information: the rape on the ship happened between the captain and the woman. As there were no witnesses, the woman, for instance, could invent this story in order to harm the captain. It does not matter, if this really happened or was fabricated: the woman encroaches upon the captain's freedom by making the crew react to this.<sup>46</sup>

An example of direct influence is a famous scenario with "a child and a stove": the child always has the urge to want to touch the hot stove. You, as an adult are standing beside and give the child the information that the stove is hot. In this way you are influencing the child's freedom to experience this himself/herself.

By and large we may say that freedom is limited by the knowledge of possible limits. Natural limits of freedom were set by the natural laws. By means of connection of all his/her experiences (to which in the first part we gave a definition of "cognition") a person expands his/her opportunities in terms of the set natural limits.

---

<sup>44</sup> As a real example: Felix and Florian (both 17 years of age) stabbed to death a married couple on January 17 in Tesin (Mecklenburg – Vorpommern). In March 2007, a 16-year-old Cojo Ienga was stabbed to death in London by a gang headed by a 13-year-old.

<sup>45</sup> On the basis of human instincts – equally with fear associated directly with survival – a wish to be connected is one of the fundamental human emotions. A wish "to belong to something" is rooted in a human soul so deeply that it is impossible to predict all its hidden influences on life. The entire social behavior of a human being is dominated by wishes. An ensuing conclusion is that equally with immediate fear in the situations dangerous for life the fear of loneliness is one of the motive powers of human behavior.

In olden days, banishment from the group for many people meant sure death. Therefore, a person will try to avoid expulsion by hook or by crook. With a feeling of disgust the self-preservative instinct will hide inside a person and will pay dearly to be accepted in the group, which means - to survive, so it is a certain kind of self-restraint.

From my early articles, Jorg Drescher, 2007: «The Theory of Relations in Reflections about the Origin of a Man».

<sup>46</sup> As a real example: Marco Weis, a 17-year-old student from Niedersachsen has been imprisoned in the pre-trial prison in Turkey because of a 13-year-old English girl who claims that he has raped her.



In their principle, the natural laws are the information determining a person's freedom. That is why with the help of the knowledge of processes occurring in the human brain it is possible to purposefully influence the freedom of a person's consciousness (directly by means of psychopharmacology or drugs or indirectly with the help of information).<sup>47</sup>

The end of freedom (so far) is specified as death.

## The meaning of death

As it has already been stated in the first part of this article, the only relative freedom ends with death. Nevertheless, death can have consequences for the entire system.

If we regard the example on our ship: if the captain had simply been thrown overboard, the ship would have not been steered, which would have doomed the entire crew.

Finally, the ship is not the state but only an association limited by time, which exists only during the voyage. However, a real society normally outlasts several generations and exists longer than one human life..

History contains examples, which show that upon abolition of governance in a "guided society" a power vacuum occurs that may lead to collapse of the system.<sup>48</sup> The doomed systems are first of all those established by a particular person or a group of people.

Stable systems may also exist after death comes (as the so far existing natural law). That is why in the first part I have cited as a reference a Roman expression «Memento mori» (reflections on death). This implies the consciousness of death (the driving forces) as well as the requirement to make them interchangeable.

The influence of death is the lack of knowledge on what it is and what follows after it. That is why many people try to erect a monument to themselves in order to remain "eternally alive". If we regard this with respect to values, we will see that people consider themselves significant and want to be perceived as such by the following generations.<sup>49</sup>

Basically, there are three options of what happens after death. The first variant is that we merely die; the second option is our transition to a "different state"; the third possibility corresponds to the second variant but this "different state" is reincarnation. This issue does not bother me personally any more, after my suicide attempts because one day all of us will have to experience this anyway.

---

<sup>47</sup> Dr. Timothy Leary suggested the following basic principles of ethics: «You do not have to change the consciousness of your successors without their consent to it; you must not restrain your successors from changing your consciousness».

<sup>48</sup> An example would be the Green Party, the ex-head of which Joschka Fischer did not want to play this role further on for his own personal reasons. Other examples may be reflections on what could happen, if Hitler died or was killed. Contemporary examples are Fidel Castro in Cuba and Vladimir Putin in the Russian Federation.

<sup>49</sup> Adolf Hitler erected a monument to himself by his brutal attitude and is still the negative example in the memories of the entire world.



## State of nature

In the first part of this article, I was writing about natural rights and the fruitless attempts to apply them in practice, in real life. The point is in specific rights and their deviation. All we have previously learned allows us to give the following definition of the state of nature:

*«People are living beings who inside their sphere maintain metabolism until their very death.*

*Their qualities and abilities guarantee this metabolism. Unlike other living beings a human possesses “a freedom to say “no”. This implies his / her conscious freedom of making decisions that exists independently of his / her instincts and impulses. It is «no» because in the process of choice the negative answer is given to other opportunities. The choice is made on the basis of the individual value priorities.*

*The limits of this freedom are set from outside by physiological laws (to which the above-mentioned metabolism is related as well). The internal limits are set by the person with his/her moral and ethical notions. They are mostly studied and formed in the course of life.<sup>50</sup>*

*«The price» for such freedom is responsibility for oneself, other people and the environment. I call the «instance» making a decision, if this price is to be paid by the conscience. Conscience decides if a person may do everything possible for himself/herself due to his/her external physiological potentials, in particular what he established for himself as limits».*

## Natural law

The «liberal» natural law allows every person to independently cognize these (or the above-mentioned) external or internal limits of freedom, in particular to determine them. On the basis of his state of nature a person has a right to form his conscience inside his state of nature and to follow it afterwards.

This liberal right has extended itself as a “social” natural law, as it is limited in such a way that using his/her “liberal” right nobody can prevent others in its fulfillment. Basically, it is an obligation, not a law. This obligation is governed by the state of nature because all people are similar in their above-mentioned state of nature and have in their disposal qualities and abilities in order to form conscience and act according to it.

The «Jovial» natural law adopts the “liberal” natural law and describes the “social” natural law as “the right for obligation”. The obligation lies in compliance with the conditions enabling to exercise the “social” natural law. This can be expressed in these words:

*Due to his/her state of nature a human being has the right to form his/her own conscience, to act in accordance to it and fulfills the required obligations and conditions to make this right exercisable for all the people.*

In this context, I would not like to talk about guilt. After all, a man has a freedom to say “no” and refuse himself from this right (the state of nature). Among everything else, complexity of the objective proof of guilt is in this freedom as well.<sup>51</sup>

Objective guilt is expressed when someone is charged with responsibility for the deeds contradicting the ethical / moral value conceptions (which are partly legalized). This would imply that the natural right plays a role within the value conceptions. As it has already been shown, value conceptions are rather subjective. A person admitting the natural right and perceiving it as an obligation (responsibility

<sup>50</sup> Video: [http://www.br-online.de/cgi-bin/ravi?verzeichnis=alpha/geistundgehirn/v/&file=spitzer\\_16.rm&g2=1](http://www.br-online.de/cgi-bin/ravi?verzeichnis=alpha/geistundgehirn/v/&file=spitzer_16.rm&g2=1)

<sup>51</sup> An example of complexities in the objective proof of guilt is awareness of the fault committed for the reason of illness or immaturity.



of his/her conscience) may subjectively feel guilty, if he/she resists this obligation. His/her duty is in creating the conditions, in which this right is exercised (is secured and will be exercised).

With acknowledgement of this obligation subjectively a person is charged with a “duty” – to apply this right. This is the so-called “price” for freedom in the state of nature. This price is “paid” by the person by means of assuming the knowledge about the state of nature and forming his/her own conscience (meanwhile using his right).

The natural right also confers the “right to resistance” as the right to “creating conditions for obligations” includes the alteration and abolition of the conditions, which may not suggest these opportunities. Of course, on becoming an obligation the “jovial natural right” is restricted because the deeds are based on one’s conscience.

## **Ideology**

When I told the others that would have to write philosophical works, to deal with equality, supremacy and democracy, the wind blew me to a totally different side. Some people think that every person has his/her own personal philosophy and it is impossible to create philosophy for everybody; others concentrated on the word “jovialism” because they saw an “-ism” in it and were concerned about the dogmatic implication. Jovialism requires neutral consideration and no dogmatic (evaluating) direction. I explain the fear of “-isms” by the point that a person only takes for himself/herself what seems pleasant to him/her. Thus many “-isms” in history were interpreted in the wrong way and led to extremities, which partly contradicted the initial ideology.

## **The misunderstood «-isms»**

The freshest example of the wrongly interpreted “-isms” in existentialism was noticed by me when I realized the latest big philosophical trend of the 20<sup>th</sup> century. The core of this philosophy for many people focused on the fact that there is no sense in life and everyone may do whatever he/she wants. In this way existentialism was regarded in individual philosophy. The one thing dealing with this philosophy in a more detailed way will state that it also contains a notion of “responsibility” for the society. Moreover, in the first part we have determined that the objective sense of life may mean survival of the mankind as well.

There is an impression that liberalism as a big political trend excludes the community because it emphasizes the person’s freedom. Exaggeration of man’s personal freedom shows (for instance, no assistance for the destitute because they have to help themselves), that is why some people shun the “-isms” so much.

In this respect socialism in its extreme form is hardly any better, as it restricts the freedom of liberalism and in this way suppresses individuality.

The misunderstood utilitarianism (as a philosophy of usefulness for happiness) may lead to a situation when a subjectively determined “happiness” must act as a dogma for everybody. In this way minorities will be left behind. The same point of view that a man’s personal freedom is a benefit leading to happiness, may lead to selfishness and free mentality (which is often called neoliberalism). First of all, the idea that regards what may be useful suppresses the issues having no objective value.

The next –ism has a special meaning for Germany, and that is national socialism. The own nation (regarded as race) is extolled in comparison with all the other nations. As we have already worked out, the relative sense of self-esteem (in this case the one of the group) may be absolute because there may appear the “impartial third party” in order to estimate the rest.



In its principle national socialism is a kind of narcissism which attributed to the lack of self-esteem. It is excluded that the diversity of people may lead to better people's ability of adaptation to conditions of the environment in order to ensure the survival of the mankind as a whole. Segregation and preservation of the nation for this reason may most likely result in harmful consequences rather than be beneficial, as only in merging new opportunities may occur. For instance, it was stated in case of eagles with inzucht (inbreeding).

In the first part I left our friend on the island so that he could create "clear conscience" for himself. In this way it is possible to understand capitalism as social Darwinism, in which our society implements a system, under which "certain people's ability for survival has been regulated by income" (a favor for a favor).

Alienation from the different/other-minded people (for instance, from disabled people) has occurred virtually without wishing them any harm. Not using euthanasia but on the contrary appealing to society that has to find place for the different/other-minded people («I don't want to take care of invalids; this must be done by someone else »).

But if nobody wants to take care of disabled people, they cannot find place in the society, so their ability for survival comes to naught. Thus we use "indirect euthanasia" (as in the example in the first part). The difference between direct and indirect euthanasia is that in case of direct euthanasia it is determined a priori who has the right to existence and who does not. In capitalism as social Darwinism the market regulates exactly "the right to existence".

## Religions – a question of God's existence.

Along with the "-isms" there also exist religions. The difference between philosophies (which often end in "-isms") and religion is that the essence of philosophy consists the search of truth, while in religion the essence is regarded as an already "found" truth. A philosopher believes in the existence of truth and is looking for it, while an adherent of religion is convinced in his/her truth.

Historically, religions were regarded as an attempt to impart the truth to common people. Certain conceptions of ethics and morals in a religion at times correspond to peculiarities of a region where religion is exercised. The rituals have to amplify the community spirit in order to increase the group's chances for survival. Moreover, due to religion many philosophical questions are answered – eventually, concerning what happens after death.

In religion the truth is often represented by God. In philosophy (the love for truth) a question is set on what truth really is. That is why I would like to call philosophy "the love for God". For this I proceed from the existence of truth ("God") and so I can be sure that He exists. However, the difference with religion is that I do not know the truth (so I "believe", I do not "know").

The idea of freedom to say "no" is based on an approach that all of us have a freedom to deny the existence of truth (God). «the questioning of God's existence» evades this freedom proceeding from the point that God exists but we do not know (may not know) who or what is God.

Conflicts occurring from different religions are based on a dogmatic conviction that they know who or what "God" is. « the questioning of God's existence » is trying to break this dogma. Jovialism with the concept of the "impartial third party" requires objective research of what is right. A freedom to say "no" expresses eternal "doubt" about the result being really correct (eventually, there may appear the "impartial third party" and will question the result by his/her freedom to say "no").



## Information

We stated both in the first part and here that information plays an essential role because a lot refers to information. In this way, this text is also a piece of information. Unless nobody reads the text, the information has no impact – either in the positive or in the negative sense. It follows that at the first moment information is neutral. Only after elaboration it may have negative or positive consequences.

Contemporary biology indicates that the living being relies on information. DNA contains “the plan of life-building”. Therefore, the aim of life may be regarded as the reproduction of information and communication associated with it. In this approach there occur changes involving optimization of the information contents.

According to the level of his knowledge, a man is “a living being who processes information”. When processing the information he uses energy, which came from his metabolism.

When the question “why” is posed we may count on only one answer. Because of its neutrality information does not have its own goal, consequently, the question “why” becomes redundant. It, first of all, justifies a man’s freedom to say “no” to himself and/or life because an animal never asks itself a question “why”.

If we try to remember what this freedom has in common with evaluation, we may say: the answer based on life in any case is information and so it has a neutral meaning. Only in communication of information (via environment, for instance, by means of the language) it is elaborated and developed into its own potential. Therefore, “senselessness” and “sensitivity” have a different impact on the freedom to say “no”.<sup>52</sup>

## Credibility of information

In the second part of this article, I was describing two examples of the information influences on freedom. In the first example we discussed the information transmission in case of the rape. There it was stated that it could be truth (the rape really took place) or conscious deceit (nothing happened between the captain and the woman) or unconscious deceit (the woman perceived the captain’s behavior as sexual assault but the captain regarded it differently).

In the second example I was referring to the child near the hot stove. Here the remark made by the adult could be both correct and incorrect. There are three possible ways of influencing a child: the first – he/she will decide to check the truth of your statement and touch the stove; the second variant – the child will believe the adult and will not touch the stove; the third – the adult will interfere (physically or psychologically) with the child who will independently try to check the truth of the adult’s words.

The raped woman or the adult from our examples subjectively make a decision about the transmission of information as well as its rendering and contents. Thereby the information will be subjectively colored by the narrator (if on the ship there was nothing between the captain and the woman, she may emphasize her conscious deceit describing this case in tears to one of the ship’s crew members).

In the state, mass media is also subject to these “rules”. The problem is in the situation that mass media reaches the members of the group copiously, so that they have a much bigger impact on the people than

---

<sup>52</sup> Johann Wolfgang von Goethe put the following words in the Mephistopheles’s mouth: “I am the Spirit that denies! / And rightly too; for all that doth begin/ Should rightly to destruction run; / Twere better then that nothing were begun./ Thus everything that you call Sin, /Destruction - in a word, as Evil represent -/ That is my own, real element“. (Lines 1337-1344). In this way Goethe expresses “senselessness” of existence from Mephistopheles’s point of view.



on an individual conversation or the reading of a letter. Moreover, usually communication flows in one direction.

So, special responsibility is placed on mass media (or to be more precise – on their representatives) and in the state they have a particular position in power. Information (by means of a mass media representative) may only have the influence admissible by the information recipient. If the recipient does not perceive it in the meaning, in which it was sent to him, the impact of power will not occur. In contrast to capital, the means of power is restraining the information – mostly by censorship.

As it has been shown in both examples, the problem is in the veritable (credible) contents of the information. The next problem is the information processing (If for example, the child does not know how a hot stove feels to the touch, he/she will perceive the information differently than if he/she had experienced it first-hand). Nowadays, additional role is also played by the information explosion and the lack of time for checking the information credibility.

For this reason there has occurred a suggestion to mark the information as “credible”. Thus we are approaching the topic of censorship as the reason for the information hiding, may only be a censorial aspect.

## Direct censorship

In the common sense of the word censorship implies suppression and a ban of information. Of course what we have read here about capitalism and the topic of “euthanasia” may be transposed to information. Thereby censorship would be comparable to a ban or suppression of “direct euthanasia” (someone regards the value of information, in particular its effective capacity).

Nowadays child pornography is prohibited by law (which does not mean anything other than the fact that contemporary conception of moral and ethics speak out against it). In this case «direct censorship» means the attempt to prevent the access to these materials. Another opportunity is to induce the author of this material not to publish it at all. Does the compiler of this material feel the blame? Is the demand (implying the corresponding moral and ethical conceptions) or the proposition (the information neutrality) responsible for dissemination? Or is it that neither a person who has compiled the material, nor a person who is offering it is responsible because the one responsible is only its “producer”?

In the global context there is a question about what the situation with the different moral ethical conceptions of various countries is. Thus, for example in the country X child pornography is not prohibited (perhaps, because there is no demand for it there), then the interested people may go to that country in order to satisfy there the demand of other countries with impunity. This changes nothing in guilt towards one’s conscience and in neutrality of information of both the material compiler and the distributor.

## Indirect censorship

In case of indirect censorship the situation is similar as in the case with the “invalids” – the one who refuses from the distribution of the information hopes that it will be transmitted by the others. «Indirect censorship» may intensify if the information is imparted with equivalent.

For instance, let us take a musical composition of an uncelebrated group that sends its record to a music program. A music radio station competes for the profits from advertising and depends on the audience loyalty rates. The group’s obscurity may cause the record to be turned down because the preferences will be given to the records that would be listened by the majority of audience. Another station faces a similar dilemma; correspondingly the song has no chances.



Thereby the market regulates the information proposals (in our case a musical composition) by means of “comparative evaluation” (an unfamiliar composition will fail to bring money – consequently, it is not valuable, so it will not be played). By this, I imply the “indirect censorship”, which is the same as “indirect euthanasia” about which we have learnt before. Information (and in the given case – a musical composition) is suppressed because of its financial appraisal (and with the hope that others will estimate it differently). This case may be transposed to all mass media (books, TV programs, newspaper articles...)

The consequence of “indirect censorship” is the mainstream. This stream may be determined by people having the equivalent (the capital) for information, although this mainstream has nothing in common with the previous articles about either the credibility of information or the absolute value of information.

I would like to finish the topic of censorship by asking you to think for yourselves, because there is no better censorship in the world. It is not a coincidence that education is a central requirement of the jovial theory of state.

## Democracy

What we have read in the first part of the article about freedom and justice could bring the awareness that the majority leads to veracity and justice. However, this contradicts my statements, in which I described my understanding of democracy. Basically, we deal with the process of decision-making under the process of voting, which is in no way associated with the quest for truth.

As it has been already rendered in the first part, democracy relies not only on the process of decision-making but also on submitted proposals. In this case rationalization activity serves for acquiring information as well as for its dissemination. Thereby, proposals (and what is better – alternatives) are considered for the decision to be made on their basis in any form.

The main problem in decision-making is a freedom to say “no”. With the choice of an alternative, the rest of alternatives lose the opportunity to be realized. If the choice is only between two alternatives (either/or), the situation is different than in case of availability of various alternatives (the hierarchy of alternatives).

Let us take our trip on the ship from the very beginning: we wanted to get to the island and we could choose either to sail a ship or to remain here. Everything would be different, if we had an opportunity to choose from a big number of transportation means. In this case the information would be acquired about various means of transportation in order to make a decision.

In this case, the matter concerns the individual search of decision which is in ratio with one’s own wishes (we remember: personal evaluation). Individual evaluation of several transportation means may have various kinds of substantiation. Some people will make a choice based on the vehicle’s exterior, others will give priority to technical criteria and someone else will prefer comfort. Maybe for someone all the criteria play an important role and he / she will position them according to the hierarchy for all the transportation means.

On making a decision one variant will be approved, while the rest of them will be turned down.

It will look differently, if the matter concerns the collective decision as it was in the case with the choice of the captain. The individual search of a decision occurs in the same way as in the recently mentioned individual choice. Nevertheless no one will guarantee that the ship will be steered by the person elected by an individual. The ship might as well be steered by a person he has not voted for (in case, if the majority principle is valid).

In the majority principle the freedom to say “no” (as well as the corresponding right along with it) loses its power. Here we deal with a dictatorship of the majority.



One may think that this problem could be solved by the principle of unanimity. But this would mean that the election would have to take place until the unanimous result was found. In any case, due to his/her “no” every single person would have enough power to refute the result.

Later, after the fifth “attempt of elections” this process would simply seem senseless to the people. They would have to either abstain from voting or join the majority in order to come to a common decision.

There is one more difference between the process of choosing certain objects (or people) and suggestions of a solution. It is not possible to alter objects (people) but with suggestions of a solution for a problem it is possible.

There is a rule that in case of a negative answer, the suggestion of a solution has to be revised (even after the opinion of the “negating person”). This is a process of unanimity or a variant of the problem-solving process optimization.

But even here this principle may appear to be unsuitable, if the first “negating person” wants to change something in a solution suggestion, which would contradict the opinion of the second “negating person”. This process would have been endless and would be terminated only by order of the “negating person”.

Let us sum up the problems of the collective decision-making process:

In the majority principle the question at hand is “dictatorship of the majority”. In the case with a quest for a solution (with a possibility of conformity) may lead to endless processes of decision-making, which may provoke constant changes on the part of particular “negating persons” (the so-called “war of changes”).

In this context let us return to supremacy, which was described in the first part as “the organization of power”. Inside the state there are certain organizational sites operating with appointed people who have to release the rationalization movement from constant dilemma in the “war of changes”.

Thus in decision-making we have established the democratic process, in which the task of the ruler is control over the rational decision-making (announcing optimization decisions; accepting proposals on the decision; jovial interference with the “war of changes” and so on). Taking the official oath, the ruler is obliged to fulfill this task according to the criteria of wealth, multiplication of benefit and to prevent the infliction of harm as well as in compliance with the aspects of justice and existing laws. From this point of view the ruler is the so-called “manager” of the state.

Finally, we did not mention in what (legal) way a person reaches his / her position. As we have learned in the beginning of the second part, not all the people are capable of fulfilling duties in these positions (there is plenty of literature dedicated to management, styles and techniques of management, so I would not like to touch upon it<sup>53</sup>).

The majority principle is meant for the office structure because in adjustment of relations based on an agreement, in case of resistance to it, a person may be dismissed. It could be a way for “optimization” of work. So, there is an implied right to refuse to a person from performing official duties, if it is possible to prove resistance to the above-mentioned criteria and those mentioned in the official oath.

---

<sup>53</sup> In 1998 I wrote an article about contemporary management in economics based on a principle of “managing people- co-workers – to efficiently use the qualities” by Hartwig Martin Herbst, published in the WRS Publishing House (ISBN: 978-3809207092). There are a lot of other books dedicated to this topic.



## Conclusion

I will renounce the idea of a detailed description of similar principle and organization of the state in general. I consider the detailed description of my proposal, on the tasks distribution in the introduction of the first part to be sufficient. What consequences this description may have, I do not dare to estimate – however, it would only be desirable that this article should find some understanding.

Kyiv, July – September 2007

Jorg Dresher



## Appendix 1 – Ideas of man

For the first time Douglas McGregor introduced his theory X in the book, “The Human Side of Enterprise”, in 1960 when he was a professor at MIT. The theory was regarded by him as a foundation of traditional hierarchical enterprise management. However, McGregor turned down Theory X and suggested Theory Y as an alternative.

Theory X tends towards an opinion that a human being is lazy by his/her nature and is trying to avoid his/her duties as much as it is possible all the time. Basically an individual is motivated externally, which means that the incentives must be focused on the outer factors and correspondingly sanctioned. A person regards work as a source of satisfaction and enjoys the results. Awareness of responsibility and creativity complement this human image.

**Theory X:** A human being possesses the innate indisposition to work, which is why he/she does his/her best to avoid it wherever it is possible. Because of his/her reluctance to work most often a person has to be directed, compelled, guided and threatened by penalty so that he/she could efficiently contribute into achieving the company’s goals. A person wants to be “braced” as he/she is not ambitious at all preferring routine tasks and striving for reliability. He/she is afraid of any kind of responsibility. That is why a manager has to substantiate every step in details, to edify and direct him/her energetically as well as to control strictly. In this way it is possible to ensure the efficient performance. The only issue that fails to compel the person to work with maximum performance is payment. It also means that inobservance of the rules requires strict control, penalties as well as coercion. Such a person’s behavior is oriented on the opinion of the majority.

**Theory Y:** For a person, work occupies a prominent place among his/her values and is an important source of satisfaction as by his/her nature he/she is ready to it and is motivated by it. The most important incentives for work are satisfaction of the I-necessity and aspiration for self-actualization. Proceeding from this, there must be certain conditions motivating people, for instance, with the help of means directed at inner convictions. If a person identifies himself/herself with the company’s goals, then there will not be a necessity in extra control because he/she will take responsibility and develop self-control and personal initiative. Under this theory creativity is required and encouraged. As a person feels his duty towards his/her company’s goals, he/she will act with self-discipline and self-control for the benefit of the company’s goals. So, there is no necessity for external supervision and consequently no penalties either. Further on, a person improves the power of his/her imagination, discretion, resourcefulness in order to solve organizational problems. Unfortunately, because of contemporary industrial conditions the ability to reason sensibly is used in the working sphere only partly.

*Theory Z, which is also called «the Japanese management» was introduced by William G. Ouchi in his book «Theory Z: How American Management Can Meet the Japanese Challenge?» (1981)*

This is not continuation of Theory X and Theory Y by Douglas McGregor. However, not long before his death McGregor had advanced Theory Z as a synthesis of the X-Y-Theory in order to challenge the most frequent kind of criticism that Theories X and Y eliminate one another.



## Appendix 2 – Various kinds of official oaths

An **oath of office** is an oath or declaration (usually in the form of a solemn pledge) a person takes before undertaking the duties of an office. Usually this is a position in government or within a religious body, although such oaths are sometimes required of officers of other organizations.

The official oaths are often required by the laws of the state, religious community, or other organization before the person may actually exercise the powers of the office. It may be administered at an inauguration, coronation or other ceremony connected with the taking up of office itself, or it may be administered privately. In some cases may be administered privately and then repeated during a public ceremony.

Some oaths of office are a statement of loyalty to a constitution or other legal text or to a person or other office-holder (e.g., an oath to support the constitution of the state, or of loyalty to the king). Depending on the state legislation the violations may entail legal consequences for the person taking the official oath in case he/she fails to be loyal to it.

Hereafter there are the examples of various international oaths of office, which have to show that all of them are similar from the point of view of their contents.

### **The oath of office of the Federal President of Germany<sup>1</sup>:**

*I swear that I will dedicate my efforts to the well-being of the German people, promote their welfare, protect them from harm, uphold and defend the Basic Law and the laws of the Federation, perform my duties conscientiously, and do justice to all.*

### **The oath of office of the President of the Republic of Ghana<sup>2</sup>:**

*I, (name), having been elected to the high office of President of the Republic of Ghana do in the name of the Almighty God swear (or do solemnly affirm) that I will be faithful and true to the Republic of Ghana; that I will at all times preserve, protect and defend the Constitution of the Republic of Ghana; and that I dedicate myself to the service and well-being of the people of the Republic of Ghana and to do right to all manner of persons.*

*I further solemnly swear (or solemnly affirm) that should I at any time break this oath of office I shall submit myself to the laws of the Republic of Ghana and suffer the penalty for it. (So help me God).*

### **The oath of office of the President of Greece<sup>3</sup>:**

*I swear in the name of the Holy, Consubstantial and Indivisible Trinity to safeguard the Constitution and the laws, to ensure their faithful observance, to defend the national independence and territorial integrity of the Country, to protect the rights and liberties of the Greeks and to serve the general interest and the progress of the Greek People.*

---

<sup>1</sup> The Constitution of the Federated Republic of Germany of 23.05.1949, article 56

<sup>2</sup> [http://www.judicial.gov.gh/constitution%20of%20ghana/second\\_schedule/home.htm](http://www.judicial.gov.gh/constitution%20of%20ghana/second_schedule/home.htm)

<sup>3</sup> <http://www.datenbank-europa.de/erdkunde/verfassung/0524.htm>



#### **The oath of office of the President of the Republic of Iran<sup>4</sup>:**

*In the name of Our Lord, the Most Merciful and Gracious*

*I, as the President, upon the Holy Koran and in the presence of the Iranian Nation, do hereby swear in the name of Almighty God to safeguard the official Faith, the System of the Islamic Republic and the Constitution of the country; to use all my talents and abilities in the discharge of responsibilities undertaken by me; to devote myself to the service of the people, glory of the country, promotion of religion and morality, support of right and propagation of justice; to refrain from being autocratic; to protect the freedom and dignity of individuals and the rights of the Nation recognized by the Constitution; to spare no efforts in safeguarding the frontiers and the political, economic and cultural freedoms of the country; to guard the power entrusted to me by the Nation as a sacred trust like an honest and faithful trustee, by seeking help from God and following the example of the Prophet of Islam and the sacred Imams, Peace be upon them, and to entrust it to the one elected by the Nation after me.*

#### **The oath of office of the President of the Russian Federation<sup>5</sup>:**

*I swear in exercising the powers of the President of the Russian Federation to respect and safeguard the rights and freedoms of man and citizen, to observe and protect the Constitution of the Russian Federation, to protect the sovereignty and independence, security and integrity of the State, to faithfully serve the citizens.*

#### **The oath of office of the President of Turkey<sup>6</sup>:**

*In my capacity as President of the Republic, I swear upon my honor and repute before the great Turkish nation and before history to safeguard the existence and independence of the state, the indivisible integrity of country and nation, and the sovereignty of the nation without restriction or stipulation; to abide by the Constitution, the rule of law, democracy, the principles and reforms of Ataturk, and the principle of a secular republic; not to deviate from the ideal of all enjoying human rights and basic freedoms in peace, prosperity and in a spirit of national solidarity and justice; to preserve and enhance the glory and honor of the Republic of Turkey and to work with all my strength to perform with impartiality the functions that I have assumed.*

#### **The oath of office of the Deputy of Verkhovna Rada of Ukraine<sup>7</sup>:**

*I swear allegiance to Ukraine. I commit myself with all my deeds to protect the sovereignty and independence of Ukraine, to provide for the good of the Motherland and for the welfare of the Ukrainian people. I swear to abide by the Constitution of Ukraine and the laws of Ukraine, to carry out my duties in the interests of all compatriots.*

---

<sup>4</sup> [http://www.eslam.de/manuskripte/verfassung\\_iri/kapitel09.htm#1](http://www.eslam.de/manuskripte/verfassung_iri/kapitel09.htm#1)

<sup>5</sup> <http://www.datenbank-europa.de/erdkunde/verfassung/14111.htm>

<sup>6</sup> <http://www.verfassungen.de/tr/tuerkei82-index.htm>

<sup>7</sup> <http://www.president.gov.ua/content/10304.html>



## Appendix 3 – Legitimacy and guarantism

**Professor Michael Opielka, the University of Jena**

Legitimacy is multifaceted. If societal policy has to promote legitimacy, the matter at hand is a complex phenomenon. Social justice may be perceived at first glance as a program against inequality<sup>1</sup>. But this does not bring complete clarity, because inequality may also have various criteria, for example, the income level, property, talents, and gender or education. To this we may add a controversial question of what exactly may be changed by societal policy and to whom it may be opposed. It makes sense in regard to the correlation between legitimacy and social policy in a more fundamental way. Indeed, social policy may promote legitimacy. Reasoning in this article will follow later. The concepts of legitimacy take place in social policy according to the basic liberal-social-democratic – conservative principles and determine the fourth political type. I define it as a “guaranteeing” one. In social policy it is focused on elementary fundamental guarantees protecting human rights.

### **John Rawls: « A Theory of Justice »**

No modern discussion about social and - in the main features – political justice can do without the reference to the book of the 20<sup>th</sup> century that has made a big impact – this is the work by John Rawls “A Theory of Justice”<sup>2</sup>. Rawls united classical theory of agreement with the contemporary theory of decisions in order to encyclopedically elaborate the theory of legitimacy from the intuitive “Legitimacy as Justice”. Such notions as “a principle of differentiation”, according to which inequalities may be justifiably fair when the weakest members of society are concerned or an idea that the legitimate order of distribution might be designed “behind the veil of ignorance” in its “natural state” became the leitmotifs of the contemporary political philosophy. To the objections interposed in 1970-s by critics Michael Sandel and Charles Taylor later called “communitarists” who said that Rawls was introducing the individualistic concept, the philosopher later responded that his concept of justice must always be considered from the point of view of politics as a concept inside the political society. His main opponent was the theory of utilitarianism, which did not allot any place to the political near economic subjects. Rawls considered himself a social democrat. His proceduralistic ethics has also received approval by such authors as Jürgen Habermas.

### **Regime of general well-being and social justice**

The concept inspired by influential works by Gosta Esping-Andersen has been wide-spread in comparative social and political research. Regimes of common well-being are a complex structure example of social policy, especially it concerns the labor market, social systems, first of all, the family, and state adjustment in particular. Esping-Andersen distinguished liberal, conservative and social-democratic regime of general well-being.<sup>3</sup> Some authors suggested besides these three types of regime the fourth one: «the South European» or «the Mediterranean» regime, some people suggested «the Post-Socialist» one; the authors with global perspective are proposing the «Confucian» regime of general well-being. On equal terms with all these phenotypic supplements the extension of the Esping-Andersen typology about the “guaranteeing” will be introduced again with sociological, social and theoretic arguments. It is focused on the position of citizens and rather the universal rights of all participants, the regime of general well-being.<sup>4</sup> The given extension of

---

<sup>1</sup> With more details in articles «Inequality – injustice» (from Politics and history), issue 37/ 2005 (Otfried Höffe)

<sup>2</sup> John Rawls, «Theory of Justice», Frankfurt 10975

<sup>3</sup> Gosta Esping-Andersen, «Three Worlds of Capitalism of General Well-being », Cambridge 1990

<sup>4</sup> Michael Opielka, «Social Policy. Basic Statements and Comparative Prospects». Reinbeck 2004

typology about the “guaranteeing” regime of general well-being appears to be more substantiated not only from the point of view of the social theory. It could also be useful for understanding of social and political innovations under conditions of globalization.

In liberalism labor is the leading idea of social justice. The consequence of the market economy is legitimate inequality. Not only since dissemination of feminism and its references to unpaid women’s housework, there has appeared a controversial question about what may be considered as a result of labor. On the labor market only the results of work in their pure form do not play a significant role.

This is the point on which the socialist – social democratic criticism is based and they stand for the state political redistribution focused on the example of fair distribution. Conservatives again cast some doubt on both the idea of labor and the idea of justice and want, rather, the conformity with demand embodied in the social forms; first of all, the family but also professional and other permanent forms serve as conservative sources of legitimacy.

According to John Rawls, in the concept of “guarantism” all basic social benefits will be meant for all people and regarded as the main positive social rights. Rawls and other authors consider that on the contrary to it, in “social liberalism” they will make up only a compensation of the absent market capital.<sup>5</sup> While Rawls in traditions of contemporary opinion about relations and functions substantiated by Hegle understands society as a cooperative interconnection, he does not consider the original communicative and ethical substantiation of social policy. He moves in the “post-metaphysical stream” of the contemporary, first of all Anglo-American political philosophy. Some of its representatives as for example, Harry Frankfurt, often confesses that their discussions about the tension of legitimacy and equality “do not bring anything substantial into solving the question about which societal policy should be followed and which should be avoided»<sup>6</sup>. But this nevertheless does not prevent them from presenting the philosophically-grounded normative and eventually subjectively political positions and opinions.

The reasoning of this article is aimed at deconstruction and reflection of these opinions. If Stefan Gosepath wants to project, in his extensive research, “liberal egalitarianism” and by this he substantiates “exceptions from equal distribution” first of all for the economic benefits in the following way: «Substantial exception from equal distribution is in unequal consequences of personal responsibility»<sup>7</sup>, then sociologically he must prove that in the economic life it is merely personal responsibility that determines different distribution of benefits – and not legacy, contacts or luck. In this case Rawls was more realistic. Realism cannot be denied by social policy. Without philosophical and socio-theoretical reflections practical social policy will lose orientation.<sup>8</sup>

On regarding politics in the analytical framework of the regime of general well-being, it becomes clear that social justice realistically can not be perceived in the residual perspective of such political philosophers as for example Otfried Höffe or Wolfgang Kersting. Equality in the contemporary differentiated state should be multifaceted. Social policy institutionalizes and makes social equality dynamic. It remains controversial but nevertheless efficient.

---

<sup>5</sup> In the same way as in Bruce Ackerman/ Anna Alstot, the stakeholder society, New Heaven/ London 1999, whose concept of «social heritage» as a capital movement was transposed on every 18-year-old in the survey financed by the Robert Bosch Foundation: Gerd Gretzinger / Michael Maschke/ Claus Offe, Society of participants. The model of a new state of general well-being. Frankfurt / New York. Campus 2006

<sup>6</sup> Harry Frankfurt, Equality and Respect in: Angelika Krebs (published), Equality without Justice. Texts of new criticisms of egalitarianism, Frankfurt 2000, page 38

<sup>7</sup> Stephan Gosepath Equal Justice. Fundamentals of liberal egalitarianism, Frankfurt 2004, page 16

<sup>8</sup> Ebergard Eihenhofer, Social Law and Social Justice in: Judiciary Newspaper (JN), 60 (2005) 5, pages 209-216

## Guarantism as a principle of equality?

Poverty is the most distinct form of social inequality. The reverse side of poverty is wealth. Frank Nullmeier has built his «Political Theory of Social State» on anthropological – social –philosophical reconstruction of «social comparison», which found its expression in the works of Russo in the following notion: «Focusing on others as well as aspiration for attention and high appraisal by others, to respect, rank, prestige and status are united in the idea of «amoure-propre» (pure love). Existence of this social comparison is associated with community and eventually incurs evil»<sup>9</sup>. Nullmeier wants to see evil regulated in understanding of the state, «which grounds it on recognition of comparative orientations as an integral part of subjective freedom and reacts to this by creating conditions for conventional values as transmission of this freedom to equivalent freedom»<sup>10</sup>. Practically the social state has embodied this into social insurance systems demonstrating inequalities of employment – with a hope that everyone will independently find access to the labor market.

In this perspective, social insurances are the most sensible systematic kinds of alienation of the phenomenon of social comparison, cultivation of envy. In this way social inequality mutates in capitalism, in which the idea of social well-being is developing into an evil, with which it continues living. Envy forgets about prohibitions and turns into an incentive for ascent and growth. This optimistic variant of the text could be opposed due to a big number of poor people. John Rawls in his «Theory of Justice» developed a notion of «the principle of differentiation». Following it, all inequalities are fair they take into account the weakest member of the society. Contemporary capitalism of general well-being claims rather justifiably that in conditions of competition with the «really existing socialism» it managed to noticeably improve the well-being of the general public. How will the experts themselves try to substantiate, for example, that decreasing the taxation level for people who earn good salaries will eventually be useful to people who earn little money? This so-called increase of wealth not only in Germany may not be substantiated by the Rawls’s “differential principle”.

Perhaps, for explanation of the notions considered by us, such as envy, inequality and comparison will help the view on the dominating principles of justice, which in their essence may be connected with political ideology. In the following scheme we see the systematized structured fundamental ideas of social justice:

<b>Redistribution</b>	<b>Individual</b>	<b>Community</b>
<b>Insignificant</b>	Liberalism (according to the output)	Conservatism (according to the demand)
<b>High</b>	Social democracy (according to distribution)	Guarantism (according to the possessed part)

Source: Opielka 2004 (Ant.22) page 49, modified

Chart: The Leading Regulative Ideas of Social Justice in the State.

If we imagine a classical triangle «on the left – in the middle – on the right», then it will be clear why social insurances, at least so far in Germany could create compromise of divergent ideas of justice – complemented by the liberal model of «care» (social assistance), i.e. concentration of the «actual people in need» and conservative model of «provision» as we find it in the case with provision of employees or families (childbirth grants and child rearing benefits). The leading idea of

<sup>9</sup> Nullmeier (footnote 25), page 20

<sup>10</sup> The same source, page 421.

guarantism is ahead of time because it is based on the rights of citizens, constitutional rights, «guarantees» the availability of the social component, which is defined concretely first of all in the concept of «civil provision» (really existing in Switzerland, the Netherlands, the USA as social security and old-age pension provision) and first of all in the requirement of the «basic income».

The point that since 2005 the notion of basic income has got second life in the political debates in Germany – after the first wave in the 1980-s<sup>11</sup>, on one hand is most likely associated with the hurt sense of justice, on the other hand – with an implication that this idea may give a positive response to this. In this respect the idea of guarantism is only in the process of development, but we can presume that the time of this idea is yet to come.

---

<sup>11</sup> Michael Opielka \ Georg Fobruba (published): Guaranteed Basic Income. Development and Prospects of Debt Liabilities, Frankfurt: Fischer 1986, as well as the collection of articles: Georg Fobruba: Dividing work and income. Basic income in the working community, Wisbaden: Sociology Publishing, 2006.

---

*With a brief contents of the article «Justice through Social Policy?» you may get acquainted in the almanac: “From politics and contemporary history”, issue 8-9, 2006., pages 32-38, as well as with fragments of the article “Fair Envy? Why Social Justice Experiences Hard Times Today?” in: Community. Forum about politics, economics and culture, 24, 1, 2006, pp 26-29.*

*By friendly consent of Dr. Michael Opielka*

## Exchange system and the freedom to say “no”

People could simply help themselves to everything. Restrictions are set only by his/her ideas of morality and ethics. The use of an exchange system significantly influences these ideas.

An exchange system gives default ideas about morality and ethics: you are allowed to take just the amount of goods as you have means of exchange.

Bertold Brecht once wrote: “First you think about food, then about morality”. In general he means that physical laws are stronger than (self-)imposed rules.

But the use of an exchange system affects the freedom of a person: he/she could take everything he/she wants, but the system says “no”, if he/she has no money.

Without an exchange system, a person would take things beyond any measure. Means of exchange should create accepted limits to this freedom.

Let’s have a look to the system:

If you go to a seller on a market, he would say “no”, if you just want to take something. You are (usually) not allowed to take something without giving anything. If you take it anyhow, he would call the police to underline his “no” and you might be called a thief.

But as an intelligent person, you may ask the simple question: why am I not allowed?

Now the seller has to explain, why he influences your freedom to take something without giving anything. His/her reasons may vary, but mainly he will explain that he has had to do something to be able to sell the goods you’d like.

But if the seller is as clever as you, he is going to ask, why you influence his freedom to say “no” and why you just take things, which are not yours. In this case your reasons could vary, too, but mainly you will explain, that you want to survive.

After this discussion, it depends on the seller’s understanding whether he changes his “no” to “yes”. But he will be very careful that nobody hears his/her answer – in case another person comes and wants something for nothing too.

The social system ensures that such discussions do not occur every day. But today’s usage transfers this discussion just to another place:

The provider of social help (usually the welfare system of a state) wants to know why you ask for money. You must prove that you have no income to maintain yourself. Actually it’s the same discussion as on the market.

An exchange system doesn’t influence the freedom “to give” (to say “yes”), but the freedom “to take” (by saying “no”). An unconditional basic income describes a “silent agreement”, that everybody within an exchange system needs means of exchange to maintain his/her life, but also that the exchange system limits the amount one person can take.

