

SOME REFLECTIONS ON THE IMPORTANCE OF ‘HOW TO RULE’

Sara Lagi¹

ABSTRACT: The present article proposes some reflections on the issue of “how to rule” as crucial to think about politics in terms of limits on government and thus in terms of preservation of fundamental freedoms. By referring to some of the most prominent thinkers of European Liberalism, the article examines the principle of “how to rule” in relation to that of “who rules” in order to stress how just the latter can imply – if isolated from the former – potentially dangerous elements for the guarantee of a free and civic coexistence. In the last part, the article recognizes the relevance of Liberal-democratic tradition of thought as a compromise between the two principles.

KEYWORDS: Rule of law. How to rule. Orwell. Liberal-democratic tradition. European populist movements.

ALGUMAS REFLEXÕES SOBRE A IMPORTÂNCIA DE “COMO GOVERNAR”

RESUMO: *O presente artigo propõe algumas reflexões sobre a questão de “como governar” como cruciais para pensar a política em termos de limites ao governo e, portanto, em termos de preservação das liberdades fundamentais. Ao se referir a alguns dos pensadores mais proeminentes do liberalismo europeu, o artigo examina o princípio de “como governar” em relação ao de “quem governa” para enfatizar como apenas o último pode implicar - se isolado do primeiro - elementos potencialmente perigosos para a garantia de uma coexistência livre e cívica. Na última parte, o artigo reconhece a relevância da tradição liberal-democrática do pensamento como um compromisso entre os dois princípios.*

PALAVRAS-CHAVE: *Estado de direito. Como governar. Orwell. Tradição liberal-democrática. Movimentos populistas europeus.*

¹ Universidade de Turim. Torino – Itália. Professora do Departamento de Cultura, Política e Sociedade. Orcid: <http://orcid.org/0000-0002-2868-1608>. E-mail: sara.lagi@unito.it

In “Animal Farm” the British, Socialist journalist and writer George Orwell presented a brilliant and ferocious critique of Stalinism and the betrayed promise of a new society made up of truly free and equal men and women. The story is well known: the animals of a farm decide to revolt against their cruel and brutal master, to live according to the noble principles of Socialism. Just those principles will however be destroyed by the pigs – and precisely by the pig named Napoleon – who will finally impose a personal dictatorship in which “all animals are equal but some are more equal than others”, where Socialist principles and hopes will be reduced to a mere and empty phraseology for propaganda (ORWELL, 2004). There is extensive literature on the meaning of this fascinating 20th century political fable. Orwell’s objective was to make an allegory of the perverse effects of Stalinism and then of how that regime had literally abandoned any principle of freedom and respect for the most elementary rules of civic coexistence. In other words, Orwell’s merit would be to launch a powerful invective against Stalinian totalitarianism (NEWSINGER, 1999).

Yet, personally I decided to start from Orwell’s novel for another reason. I think that “Animal Farm” – especially when the pigs rise to power legitimating their leadership in the name of Socialist principles – shows us the peril of a view of political power, which is mostly focused on the problem of “who rules” rather than on “how to rule”. For the animals of the Farm, the main challenge is to chase the cruel farmer away and establish a new kind of order. The key to that change is just to replace the human master with new leaders who legitimate their rule on the basis of the victorious rebellion and in the name of noble ideals. Yet, once the new leadership is established, the situation soon degenerates because – among the many reasons for that – the elimination of the cruel human master and the rise of the smart pigs claiming to embody the true values of the animal revolution are considered *per se* the fulfillment of the revolution. For the rebelling animals the problem of “how to rule” seems to be of secondary importance.

Moving from the example of Orwell’s “Animal Farm” to political theory, there is an important tradition of thought which instead, has always considered the issue of “how to rule” central to political life and dynamics, i.e. Liberalism. By that I am referring to a century-long school of thought which takes shape in John Locke’s *Two Treatises on Government*, develops throughout the Enlightenment and the 19th century, the cradle of so-called Classical Liberalism, which experiences a tragic crisis in the early post war period and re-flourishes during the second half of the 20th century thanks to thinkers such as John Rawls and Richard Dworkin, just to mention some internationally popular intellectuals.

Defining the meaning of Liberalism is complex: Liberalism refers in the first instance to a series of “ideas and values” which primarily involve individual freedom, individual dignity, social progress, tolerance, respect for other’s opinions as well as referring to concrete political movements and most importantly to a specific kind of society, called Liberal society (WALL, 2015). In this essay I will refer to Liberalism in one of its (for me) most important political implications and meanings: Liberalism as that political doctrine reflecting and investigating the problem of *how to rule* while respecting individual freedom. This is one of the long-term components of Liberalism as a tradition of thought: already evident within John Locke, Charles de Montesquieu, and Immanuel Kant’s political theories. For the British thinker – whose *Two Treatises of the Government* is considered as the “manifesto” of the transformation of the British monarchy into a constitutional monarchy (1689) – the government had the duty to protect individuals’ natural rights through Law. By that, Locke meant that any government violating such a duty (which was both a moral and political obligation) would be tyrannical (LOCKE, 1982). The problem of government, which had to act within certain limits, was crucial for Kant too and Montesquieu formalized this by elaborating two core principles. With the first principle, Montesquieu argued that the fundamental difference between Monarchy and Republic, on the one hand, and despotism on the other was that the former acted within the respect of the Law, i.e. within the respect of the principle of Legality. On the contrary, despotism was marked by the sentiment of fear just because it acted beyond any kind of limit. With the second principle – which was logically related to the previous one – Montesquieu stated that the concentration of the three main powers into the hands of one single subject/institution was to be avoided and that a government capable of granting fundamental freedoms was one established on the separation of powers and a check and balance system (MONTESQUIEU, 2007). Montesquieu’s political theory remained a reference point for all 19th century European Liberals who – as in particular Benjamin Constant – were particularly concerned about the issue of posing stringent limits on governments, to avoid violations of fundamental individual rights. This concern emerged again from the works of thinkers such as Alexis de Tocqueville and John Stuart Mill and it never perished although just these two – differently from the Liberal thinkers previously mentioned – embraced the principle of extending the right to vote to all citizens beyond social/class distinctions. On theoretical level, it was thanks to Tocqueville’ and Mill’s work that there was the “encounter” – in terms of political theory – between Liberalism and democratic tradition, which had been separated, and in reciprocal antagonism, so far. More precisely, it was

the “encounter” of a tradition of thought concentrated on the issue of “how to rule” with another tradition classically committed to identifying the people with the true ruler of a true democratic government. Both Tocqueville and Mill thus gave a crucial contribution to the development of Liberal-Democratic thought (CONSTANT, 2016; TOCQUEVILLE, 2010; MILL, 1999).

Between the mid-19th century and the mid-20th century – i.e. before the rise of totalitarian regimes in the very heart of Europe – one of the clearest expressions of a Liberal concept of government and political power was the aftermath of the so-called *Rechtsstaat* (“rule of Law”) system. According to the latter, there must be clear principles established by Law according to which a community is ruled and which the government itself must respect (COSTA; ZOLO, 2007). The massive crisis involving the major European Liberal and parliamentary democracies during the first post-war period as well as the rise of totalitarian ideologies seemed to bury Liberalism, which however reemerged in the second post war period, for example thanks to the authors of the so called Cold War Liberalism (Karl Popper, Raymond Aaron, Isaiah Berlin, Jacob Talmon). Against the Totalitarian tragedy, they emphasized the issue of “how to rule” within democratic systems, in order to understand which limits the government could not violate (MUELLER, 2008).

One of the most frequent and popular critiques to Liberalism’s concern for “how to rule” is the fact that it would overestimate the importance of individual freedoms and would underestimate equally relevant rights such as social ones. Also, it would underestimate the problem by which freedom remains an empty word for those living in poverty or who are socially and economically marginalized. Chiefly for those starting from a Marxist argumentation, Liberalism and Liberal-democratic theory with their attention for individual freedoms, for “how to rule”, would be nothing but the expression of the bourgeois political and social view. This critique is acceptable but it seems to ignore two important elements: in historical terms, Liberalism has not only “encountered” democracy by embracing the principle of people’s suffrage but also it has moved closer to traditions of thought such as Socialism, while showing a growing concern for social issues. In 20th century Europe, prominent intellectuals such as the Italian Carlo Rosselli, elaborated a *Liberal Socialism*, a theory which saw Socialism as the ultimate and highest realization of Liberalism. Rosselli observed in fact how social justice and the emancipation of the working class would fail without the provision of fundamental freedoms and the respect of the individual. In Britain Leonard T. Hobhouse advocated a liberal and democratic kind of society, while

trying to conciliate the principle of individual freedom with the demands of a more equal and just social order (ROSSELLI, 2009; HOBHOUSE, 2009).

Regardless of the very personal opinion one might have on this tradition of political thought, among the many principles established, Liberalism and the Liberal-Democratic tradition argue that politics and most importantly the problem of organizing a modern, civic and progressive kind of political and social order cannot be univocally identified and reduced to the problem of “who rules”. The latter must be taken into account in relation to “how to rule” and therefore to the concrete challenge of establishing limits to the government and those representing it. Liberal intuition about the relevance of such aspect in my opinion is useful, to interpret some aspects of past and present political situations.

Think about the emergence of totalitarian regimes and ideologies in the first post-war Europe. Obviously as we all know there is a variety of different reasons and factors behind that rise. However, in general terms, one cannot ignore that one of the key factors behind the totalitarian (Fascist and Nazi) success was precisely the ability to move political debate and even people’s expectations from the “how to rule” to “who rules” or better to “the one who should rule”. Scholars have stressed how the development and consolidation of mass democracies and mass parties had contributed to create the perfect condition for the assertion of ideologies and political parties based on the leadership of one single charismatic figure (ARENDETT, 2009). There is much truth in that. Yet, what really interests me is rather to highlight that the assertion of those figures leading political parties with clear anti-Liberal and anti-democratic programs implied exactly that the loss of trust in the importance of “how to rule” in favor of “who rules”, i.e. in favor of a political vision which practically identified one figure, one party, one ideology as the right one to solve the ongoing crisis. The “who” became more important than the “how” both in Fascist Italy and in Nazi Germany. Faced with the “biennio rosso” – the massive wave of social and economic protests led by workers and peasants through North and Central-North Italy – and political instability, the “who” was Mussolini who promised order, safety and the restoration of social peace, although the “how” of his rule concretely consisted in the elimination of political and party pluralism. In Germany, after the long-running instability of the Weimar Republic, the “who” was Hitler who promised order, safety, the vindication of the Versailles humiliation, although the “how” of his rule implied the establishing of a totalitarian power.

Now I would like to bring your attention back to the present day. Looking in particular to the political context I know best, the European one, recent years have witnessed the emergence and development of populist movements,

of different nationalities. European populism is a complex phenomenon which should also be considered in the light of the weakness of the European Union, its egoisms, its being a monetary union rather than a true political entity based on a true European identity and a true sentiment of solidarity. The way in which the 2008-2009 financial crisis was treated and – more recently – the reactions of some European countries to the pandemic problem are an example of that. Yet, in my perspective, populism is an expression just of some potentially dangerous implications of the “who rules” principle. Populism appeals to “the people” as if it were a homogeneous entity. It advocates the necessity to make the people – and more precisely ordinary people – effectively rule. Its focus is, in my opinion, again and primarily on the issue of “who rules” rather than on “how to rule”. There is nothing wrong *per se* in advocating the principle of the people’s rule. The true problem is the specific way populism conceives just this supposed unitary entity called the people, i.e. as a sort of monolithic subject in which the “diverse” have almost no room, in which the “foreign” is *per se* a threat, and which opposes, with anger, the “élite” seen as an unbearably privileged group. Hence a strong Leader capable of establishing a direct communication with it, is necessary (URBINATI, 2019).

The latter aspect illuminates us on another controversial implication of a political concept entirely focused on the problem of “who rules”. If – as Isaiah Berlin correctly argued in his works – one reduces politics to this single issue, once established who “the ruler” is, any other issue or problem – like for example the protection of minorities or concrete limits to pose to the government – risks becoming of secondary importance, especially if the “ruler” is provided with some “salvific mission” and if the primary political relationship is conceived that between the “ruler” and the “people” (BERLIN, 1969).

Berlin’s intuition – which (in reality) came from Benjamin Constant – might be considered a bit extreme but it contains an element of truth, especially if applied to illiberal ideologies of different intensity and danger. With that I don’t want to argue that the problem of “how to rule” is more important or noble than the problem of “who rules”. In history – as I was previously arguing – Liberal-democratic tradition has emerged as an attempt to find a balance and a lasting compromise between the two. I have rather tried to recall attention to the centrality of the former and the importance of nurturing a political culture and mentality, which can be aware of the importance of the limits to power not only in the name of individual freedoms but also in also in the name of the preservation of democratic institutions.

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