

The Faith of Crisis

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By [MARK SOMOS](#)

Last week's "[Athenian Legacies: European Debates on Citizenship](#)" was an unusually thought-provoking conference. The technical thoughts were professionally and well-provoked, and the setting prompted unbidden

reflections. It's hard to think of a better place than Athens to discuss topics like assumptions about human nature in constitutional law, ingroup-outgroup formation, contested and reassertive circles of family, tribe, village, state and federation, or the asynchronous imperatives to gradually form and suddenly rally a citizenry. The papers rolled on, and we strolled between sessions, talking and admiring the overwintering fruit trees.

One palpable and recurring theme was the nature and meaning of the conference itself. Our hosts, whose generosity was superb and elegant throughout, told us repeatedly how difficult it was to stage the event, and that its success is a testimony to Greece's continued ability to function and do the necessary great things. Though cynicism and misanthropy are the staples of my trade, our hosts were entirely right.

Crises are opportunities, as PR men and insurance ads agree. Stability is the ignorants' illusion and crisis is the norm, any historian will tell you, laws evolve in the breach, and Jefferson, Jacques Roux, Kropotkin and other fans of extra-legal crises present them as the engine of society's wholesome dialectic. But how can you tell a crisis? Surely it ranks with "democracy," "ethical standards" and "inflation-proof" as one of the most routinely abused buzzwords that bear the load of our public discourses' all-pervasive ambiguity. Without context it's unclear who does the judging, who is being judged, what goals came under threat. Yet its utility diminishes as its clarity rises. Without context it grabs and holds attention as well as "emergency," and like emergency, it unites us in a search for solutions. The vaguer the crisis, the louder the clarion call. Every solution begins with a scapegoat, a "them" to our "us," with both identities expanding and contracting according to demand. Lone greedy traders, financial institutions, the financial system, war-mongers, the embedded military-industrial complex, the short-termism of professional politics, the manipulative rich, the irresponsibly indebted poor, the ageing, the young, the North, the South, the BRICs, the PIGs, overpopulation, bad cholesterol and the yuan. In most speech acts, "crisis" came to mean "look!", which obviously one is already doing. But is it a bad thing to keep "crisis" a vague and shifting signifier, help us examine one by one the elements of our joint and compressed lives, an *aide-mémoire* for a nascent global citizenry? If it's possible to judge crisis, Athens is the place for it.

Cynicism, another Greek gift and, as mentioned, my default approach, comes easier to political than to legal philosophy. The latter seems constructive even at its most critical. *Ceteris paribus*, variations on even the extreme position that "legal order is not contrary, but supportive of injustice, inequality and crisis," be it applied to parts like constitutional, corporate, international law, or to law as a whole, still assume that agents are potent, and intentions matter. Legal theory's optimism seems ineradicable, as it cannot easily accommodate the possibility that speech acts are irrelevant. Political philosophy, by contrast, can happily entertain both extreme, and low-key but chronic skepticism, despite the luridly uncritical and naive positions it occasionally offers on the redeeming potential of collective deliberation, economic interdependence, civic education, or historical/scientific progress.

But while it's easy to be or not to be a Cynic under Athenian citrus trees, it seems impossible to become one. The sun makes laughter at one's ambition and others' authority, and delight in meaningful achievements, equally contagious. I go to Greece at least once a year, wearing different hats. Friends, conferences, research, recovery, sight-seeing. I visit different parts, stay for varying durations. That may be why I find it hard to tie its identity to things one could not find elsewhere, especially where the ancients had colonies. *Prima facie*, EU membership further reduced distinctions, like currency. Race is no less problematic a foundation for national or state identity than it is in France, Norway, Spain or the UK. The Orthodox Church's influence on politics and education, or the Macedonian Alexander's place in Greek history, are cherished irritants that frame my conversational partners' view of Greek identity as the evolving debate, without stale taboos, that it was meant to be. Yet Greek identity is undeniably clear, at least to a visitor. Greece is an idea. Rather, it's a way of publicly debating ideas, which is why 1822 seems like a link and not a resurrection. What is remarkable is how the ideas kept in public debate are not limited to self-definitions, given the tempestuous transformations of the Constitution, forms of government, party system and other institutional features. For our Greek hosts, to talk about Europe is part of talking about Greece, and *vice versa*. Europe blaming Greece, and Greece blaming Europe, remove not an iota from this rule. Greeks, if anyone, easily handle the notion that it's every interesting entity's nature to separate and challenge its parts, be it the soul, the European Union, or the ghost of European Communitarianism.

Compared to my last visit, the most noticeable changes are the proliferation of bicycles and Anglophones, and the everyday affluence of iPhones and dress. Unbidden, my colleagues remark the same. A German colleague adds that he won't go shopping as he planned, they clearly don't need his injection. He gives an excellent paper on *Kultur, Bildung* and aesthetics in Schiller, and Humboldt's *Limits of State Action*. An American colleague talks about Werner Jaeger as part of a non-Straussian Greek ideal by disillusioned Weimar *émigrés* to the US, followed by a paper on Tönnies, and what *Gemeinschaft* and *Gesellschaft* owes to his view of ancient Greece and Nazism. Papers on Renaissance views and adaptations of Greek ostracism, Sparta's meaning for Eastern European state-builders, human capacity and citizenship in the American and French Revolutions, Greek-inspired twentieth-century revisitations of rhetoric, and current cosmopolitan citizenship and supra-state constitutionalism flow seamlessly from the first few sessions on Plato, Aristotle, and ideologies and practices of ancient democracies and republics. There is no jarring or irrelevant paper, and the double reflection, on the technical content and on its relevance to the day, is sustained by the same Athenian air that the Enlightenment idolised and breathed.

The 3 am walk to the bus stop on Syntagma leads past democratic monuments covered in graffiti, their layers impossible to date and disentangle. I ride to the airport talking with African and Asian immigrants, feeling not slightly enriched by facts, but renewed in my lost faith in Europe, in debate, and the value of uncynical reflection.

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