XIV OPEN SOCIETY FORUM

RETHINKING ENEMIES OF OPEN SOCIETY

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OPENING REMARKS

MALL HELLAM
DIRECTOR OF OPEN ESTONIA FOUNDATION

Dear friends, honoured guests! It is a great pleasure to welcome you all to our 14th Open Society Forum. For almost 20 years the Open Society Foundation has stood for the development of open society here in Estonia and also shared our lessons learned with friends from other countries. In these years "open society" has become an expression we often use. But how often do we stop to think about its true meaning?

The Open Society Forum is exactly the right place to ask what is the essence of open society and how to nurture and defend it. The Austrian philosopher Karl Popper, whose book *The Open Society and its Enemies*[1] inspired our forum's title today, said: "There will always be enemies of open society and the better it is established the fewer people will see that it is in danger – in constant danger". Describing the open society through its enemies is one possible approach, but another is to ask: how does it differ from any other democratic society? To put it concisely, I would say: if in a liberal democracy, people have a right to an opinion and to speak it, then in an open society, people actually do it. As long as there is a hope for an open debate, there is hope for an open society. This is why we are so happy to see so many thinkers from Estonia and from abroad holding heated debates in our forums. Let me give a warm welcome to our participants in the debate: the keynote speaker, the renowned professor Timothy Garton Ash, columnist Ahto Lobjakas, political scientist and journalist Iivi Anna Masso and Vita Terauda, head of the Latvian-based Providus Centre for Public Policy.

[1] Popper, Karl. (1945) The Open Society and Its Enemies; Vol 1: The Spell of Plato; Vol 2: Hegel and Marx. London: Routledge

Dear guests, we are here at a very complicated time. We are witnessing the global crisis of extreme liberalism, which has offered endless opportunities and freedom for collecting wealth, but left little space for values. Now is the time to ask: how will the crisis affect the future of open society? Will it be inimical to open society, paving the way to populism, black and white solutions and hard line policy? Or on the contrary, will it launch an honest debate about values our society should be built upon? When the invisible hand of liberal market economy has failed us, will the invisible hand of democracy and shared values take the helm? A crisis is always a challenge for democracy. Extraordinary situations often tempt rulers to cut back on public debates and make decisions behind closed doors. How to avoid it? I think the answer lies in the strong civil society, which stands for openness and transparency. If indeed there is an invisible hand of democratic society, the civil society is the invisible arm holding it in place.

On that note, I would like to wish you an inspirational Friday evening. May the debate that starts here today continue tomorrow, next week and next year, spread beyond this room and create plenty of ideas to turn this crisis of the economy into an opportunity for democracy.

OPEN SOCIETY EUROPE AND ITS ENEMIES: FROM THE END OF COMMUNISM TO A CRISIS OF CAPITALISM

TIMOTHY GARTON ASH

For starters, I have to tell you that amongst many other things, one great achievement of Estonia over the last 20 years is that it has developed a very strong and positive brand. We live in the age of branding and I think the brand of Estonia is really a very strong one. And so of course is the brand of open society and Open Society Foundation. So if we put together the brand "open society" and the brand "Estonia", we have a superbrand.

The title of my speech is a reference to Karl Popper's book already mentioned. And I am not talking about *the* crisis, but *a* crisis of capitalism. What I want to do is to suggest to you a summary of the features of the open society Europe we have managed to build over the last years, from 1989, and then see how the crisis in which we find ourselves affects us, and what we might do about it.

So there are four features of open society Europe. First, the non-violent revolution. 20 years ago, in Central and Eastern Europe: we invented something new in history. Not many things are genuinely new in history, but in 1989 we invented a new form of revolution. Twenty years on, everybody talks about peaceful and non-violent revolutions, but what we have to keep in mind – and I see many younger people here – is that from 1789 all the way to 1989, talking about "non-violent revolution", would have been a contradiction in terms, like saying " black-white" or "man-woman" or "socialist-conservative". Revolution was fundamentally associated with the idea of violence. I remember the Velvet

According to Timothy Garton Ash, the open society Europe is characterized by six features: non-violent revolutions, the EU as a non-hegemonic empire, diversity, rule of law, independent and diverse media, and good governance.

Revolution in Prague, when I was with the leaders of the revolution. When we were in the Magic Lantern theatre, somebody said that we should call it a revolution, but revolution means violence and as we do not want violence, we cannot call it a revolution. So it was a very new model of revolution of which your wonderful singing revolution was a salient example.

This is what George Rudé, the historian, called a revolution of crowds: you have very large numbers of people on the streets with the spontaneity of crowds to go and storm the Bastille and not get the king's head cut off, but to put pressure on the power-holders and negotiate at the round table. To lead to a negotiated transition through compromise of creating a new state: maybe a new independent state or maybe a new state within the same frontiers. That in the simply-styled plan is a new model of revolution. And that is – although there were precedents elsewhere – Portugal's Carnation Revolution in 1974, the transition from Francoism in Spain, the people's power in the Philippines – this is something that we in Europe can claim to have invented.

Secondly, the European Union is something quite new in history: it is a non-hegemonic empire. Again, this is something no one has seen before. The European Union is without doubt in a sense an empire. A major political and legal authority covering a large territory of different peoples and many of our laws are coming in a sense from an imperial centre. But it is non-hegemonic: there is no hegemonic power that dominates this empire. In fact, if anything, the smaller states are rather over-represented whilst states with a larger population and territory actually have less power. This is again something I think is very new and unusual.

Third, the Open Society Europe, as you mentioned already, is a community of open societies in proper sense that are yet very diverse. One of Popper's main points regarding characteristics of the open society is that of relative diversity. This was not characteristic of Europe 20 years ago, let alone 40 years ago, when most of Europe did not have open societies, not in Greece or Portugal or Spain. In 1989 the "holy trinity" in the discourse about the transition to democracy – and I think you remember it well – was democracy, market economy and civil society. Those were the three things everybody was talking about. It seems to me that looking back from 20 years on, the three dimensions should

have been six, if these were to be genuinely fully open societies and genuinely liberal democracies rather than just what political scientists sometimes call electocracies or liberal democracies determined by the majority.

I think that the holy trinity has to be complemented by at least three more elements. First of all, the rule of law. I think we paid too little attention to the central importance of the rule of law at the end of the transitions after 1989. I remember that Václav Klaus, now the President of the Czech Republic, once famously said: speed is more important than accuracy. That was in a way the motto of the privatization and the marketization of the economy. I think that in hindsight many of the problems we have today have to do with the lack of a really strong framework of the rule of law which is of course a classical constituent of a truly liberal democracy. John Locke has said that there is no liberty without law.

The fifth dimension – which was again not sufficiently emphasized – was media. Independent, diverse, vibrant, critical and at least in part accurate in fact. I think the autonomous importance of independent quality media in the quality of democracy was perhaps sufficiently appreciated at the time. And if you look at the arguments around the world of public television and other media in the post-communist world in the last 20 years, you can see that.

And last, but not least, the sixth dimension in a genuinely liberal democracy and a genuinely open society is quite simply good government or good governance, the quality of public administration. Estonia is famed for its e-government around Europe and around the world, so I suppose you are much better to comment on the quality of public administration than I. But many parts of post-communist Europe as well as other parts of the continent share an inadequacy in terms of efficiency and in terms of corruption of public administration, which has been a major problem in many countries.

So, open societies in Europe should fulfil six, not just three dimensions. Finally, in this brief and certainly not comprehensive account of some of the salient features of open society Europe, some version of democratic capitalism should be followed. Of course, we must keep in mind that there is not only liberal capitalism, but also authoritarian capitalism around the world. We can use

the term which was developed by German thinkers in the first half of the 20th century – the social market economy, *soziale Marktwirtschaft*. That is to say, that not just the free market economy, but one in which great attention is paid to questions of social justice and at least of minimal welfare so that the value of freedom is complemented by the values of equality and solidarity.

There is a lot of talk about the neo-liberal Anglo-Saxon economies. But if you look more closely, the British social market economy is very different from that of the US. The British model is actually in many substantial ways the European model with a very strong welfare state, a much stronger one than in most post-communist countries. There is a strong emphasis on social welfare and social justice. So I think in open society Europe some notion of social market economy is a *sine qua non*.

As I said in the beginning, many of these things were by no means fully developed 20 years ago and were certainly not present in at least half of Europe if not more. So, what we have achieved in these 20 years is actually quite rare in terms of building up an open society Europe.

Winston Churchill once famously said that democracy is the worst possible form of government apart from all the other forms we have tried. I like to say that this is the worst possible Europe apart from all the other Europes that have been tried out from time to time. But this Europe is now facing the crisis that we all know and by which you have been hit by particularly hard here in Estonia and the Baltic states more generally. And this is what I want to turn to now: the crisis and its impacts on the dimensions of open society Europe. I would like to get to know more about the case of Estonia in the discussion, but in the countries I know better in central Europe – Poland, Germany and the Czech Republic – there was a touch of Fukuyamaism around 1989 and what immediately followed: the end-of-history thinking. There was an idea that once you've got the basic institutions of democracy and market economy, once you were in the EU and NATO, you've arrived at a sort of end state and all will basically be over. And there seems to be a kind of irony in that it is actually soon after most of those countries have gotten there when the crisis hits and it occurs that everything is not actually all right. Although you are there, in the goodship of the European Union and NATO, you are still being tossed around

by the almighty storm. And in this storm, everything is – in the language of Wall Street – being stress-tested.

Now, let me go again through my list in reverse order and see how all of these dimensions are stress-tested and look at the conclusions that I think we might draw, starting with our models of democratic capitalism.

It seems to me an absurd exaggeration to suggest what some people have suggested: that 2009 is to capitalism what 1989 was to communism. 1989 was *the* end of communism, 2009 is not *the* end of capitalism. But it is *a* major crisis of capitalism. In some respects, the greatest in 70 years. And I think that one of the problems in the transitions in the Central Europe was that in many cases there was a single model, simply a transition to a functioning market economy, to capitalism. It seemed as if it were on the shelves for them to simply take and install correctly, so that it would work. It was a model described these days as neo-liberal. It was very much a starting point for the focal Washington Consensus[2] advanced by the IMF and the World Bank particularly in the 1990s; it was the starting point and benchmark of many Western institutions including the EU.

I think in hindsight that maybe we did not sufficiently appreciate that one of the things that makes capitalism so different from communism is that capitalism has always been plural. Yes, there were some variations among the communist regimes, but they were nothing compared to the varieties of capitalism. Even within Europe. Some scholars in Oxford and London School of Economics have identified three different characteristic types of European capitalism. And precisely the variety of capitalisms is one of its great strengths, as Popper would have anticipated. What this means is that capitalism comes in many varieties. For example, with many varieties of ownership and very different roles for the state, very different models of regulation. And what works for a small southern country, may not work in a large northern one or vice versa. In other words, you do not need to be looking for a single model, but for the mix of capitalism that works for you and your special circumstance.

[2] Policy prescriptions for Washington-based organisations such as International Monetary Foundation and World Bank, laid out by economist John Williamson; the term is also used for indicating free market fundamentalist policy making.

The other point about the crisis of capitalism has to do with globalized financial market capitalism. That rather specific area and the kind of capitalism located particularly in New York and London, and which precipitated the crisis which engulfed us all. The title of the forum asks the question of rethinking of the enemies of the open society. Oddly, one of the greatest enemies of capitalism were the greatest capitalists. The crisis of capitalism was generated not by any outside force, but in the heart of capitalism: in the financial sector. I think there are lessons to be drawn both about the regulation and about the ethos and values of capitalists. I think what we need is a set of principles that can inform our shared thinking about this area, and those are in my view the classical principles of the social market economy.

Some of you may know that Ludwig Erhard, one of the great figures of West-German *soziale Marktwirtschaft* had his own "holy trinity": freedom, order and responsibility. He said that for a social market economy, you need all three. And in my view, that is a very good guide to thinking: freedom of the market and for the market actors; order in terms of a strong framework of law and regulation given by the state and by independent courts; and last but not least, the responsibility, *Verantwortung*, an ethos on the part of capitalists themselves. That they are not simply in it for their own short-term goal, for the next multimillion dollar bonus by the end of the year.

Remember, that Adam Smith wrote two great books. One was of course *The Wealth of Nations*, but the other was *The Theory of Moral Sentiments*. So I think there is a real discussion to be had about the ethos and the values of capitalists and a broader discussion to be had about all our dedication to the single goal of economic growth as against the more balanced models of a more sustainable growth, both socially and environmentally, perhaps even morally. That was about point number one: the social market economy.

Now, let me turn to the point about open societies. The obvious point to be made here is that times of crisis are trying times for all democracies. The temptation for populism of various kinds is particularly strong. That was true of Europe after 1929; it seems as if it may be true again in Europe after 2009. I think that one way of describing the problem we face across the continent is the vicious, self-reinforcing downwards spiral between scapegoating by eth-

The difficulties in the development of an open society vary among the states, although several problems as well as delights are common to all, says Timothy Garton Ash. On the picture (from left): the director of the Centre for Public Policy PROVIDUS and former head of Soros Foundation Latvia, Vita Anda Terauda, Iivi Anna Masso, who is actively participating in the public debate both in Estonia and Finland, and the director of the Open Estonia Foundation, Mall Hellam, focussing on the bright side of the open society debate.

nic majorities or the parties that claim to represent them, and the progressive alienation of ethnic, cultural and religious minorities, with all its variations. What is interesting is that the cases across the continent are very different. Clearly, the situation with ethnic Russian minorities in the Baltic states is very different from that of the multiple minorities in South-Eastern Europe and enormously different from the problem we face in much of the rest of Europe – the growing minorities resulting from a fairly recent immigration of the last 20-30 years from Morocco, Turkey or Algeria, or, in the British case, from Pakistan or India. Often Islam and especially the extremist Islamists are sure as hell enemies of an open society.

But although the mythology of these cases is different in different parts of Europe, it is visible all the same in the upcoming EU elections. The xenophobic, racist, extremist and nationalist parties across the continent in their different forms are doing alarmingly well. For example, in Britain, there is a party called the British National Party, which is a racist party. Its rhetoric is directed mainly against the Asian British and Muslim British minority. It looks as if that party will pick up seven seats in the European Parliament and will be therefore getting money from the British taxpayer via the European Parliament. In Hungary, as you may know, there is a party called Jobbik, the Movement for a better Hungary, which is an explicitly anti-Roma party, that is also doing well. I just came from the Czech Republic, where there is a very small party called the National Party which had a television advertisement on 20 May which called for "the final solution to the Gypsy question". I am not going to suggest that we are back in the 1930s: we are not. But there is something very nasty happening in the margins of the European politics. And I would say that there are certain features that we do have in common with the 1930s.

One is that the answer to this is in the first place at the national level rather than the European one. People do not feel at home simply because they become Europeans. They feel at home if they are or become Pakistani British or Moroccan Spanish or Bosnian Polish. Feeling at home is generated in the process of civic integration into a national community, into a state nation, and only after that into Europe. Europe provides a supportive framework, a framework of the human rights, a right to appeal to the European Court of Human Rights,

the system of norms and benchmarks. But the primary civic integration still comes through the nation and the state.

I think we all need to think about how we spell out the rights and duties of the citizen in a given state. And it is a very unhealthy condition in any country if members of a large minority are actually not citizens of the state in which they live. So, the key importance is on citizenship, and also on civic engagement. I have an example, which is perhaps a remote one for you, but I still think it is an interesting one. If you look at the biographies of the London bombers and the Madrid bombers, the Islamist terrorists, who attacked our cities, then you see that their stories and their alienation were as much about how other people in the societies treated them as much as it was about how the policy of the state treated them. So what the state does is only half the story. The other half is what the society does.

Let me now move back up in my list and come to two other features of the open society Europe. Firstly, I said that the EU is a non-hegemonic empire. But if we look at the European elections, which is of course only one very imperfect indicator, one does not see significant evidence of great popular enthusiasm for this unprecedented project. The turnout in the direct elections of the European Parliament has consistently fallen since the first elections 30 years ago. From the average of 1979 within the European Community of 63% to only 46% in 2004. In the UK, more people voted last time on the "Big Brother" television show than in the EU parliament elections. So I thought we were doing pretty badly. But then I looked at the numbers for Estonia and I'm sorry to tell you that you did even worse. The Estonian turnout in 2004 was only 26,83%. That is to say only one in four people voted. And that is a little bit low even according to the British standards.

I think there is a way of thinking about it which I think is, in its diversity, common across Europe. Across the whole of Europe the pro-Europe argument has a similar form. The form it takes is this: we are or have been in some bad place and want to be in a better one, and the better one is called Europe. The "bad place" could be the legacy and memory of Nazism in the case of Germany. Or it could be the memory of defeat and occupation in the case of France. Or it could be the memory of dictatorship in the case of Spain and Portugal. Or it

could be the memory of both occupation and dictatorship in much of Central and Eastern Europe. Or it could be the memory of economic failure as in the British case. But the problem comes when we are in it. What is the shape of the argument once we are in it?

Here I see two problems. One is that reality never lives up to the dreams. If you had a dream of Europe as many had in this part of Europe for many decades, the reality cannot live up to it. In the Third Republic of France there was a saying. *Comme elle était belle, la République, sous l'Empire* – how beautiful it was, the republic under the empire. And it is somewhat true of the European Union today. The second thing is that Europe is a victim of its own success. The people under 20 today seem to take it for granted that you can travel from one end of Europe to the other without showing a passport, often even use the same currency all over Europe. The enthusiasm for the European project is diminishing partly because of its success. Also, there is a very definite enlargement fatigue. If you look at the debate around Turkey or Ukraine or even around the Eastern Partnership, there is very little enthusiasm for enlargement inside the European Union, particularly in Western Europe. And I have to say it is not so self-evident that those just outside are themselves so keen to join as the people in Central and Eastern Europe have been over the last 20 years. So there is a little bit of fatigue on both sides and I think that is a major problem for the future of open society Europe. To allow a kind of a *Zwischeneuropa*, an intermediate zone of weak and corrupt states dominated either by Russia or by other powers or by mafias would be all along very bad for Europe.

Finally, I will come back to the non-violent revolutions. And here I want to make the following two points. First of all, in 1992, you could have said that the velvet revolutions all the way from Poland and Hungary right through to the Baltic states and in some sense even in Russia, were a one-off, a unique circumstance to do with the fall of the Soviet Union. 20 years on, we can see that this was not true, but actually the new model of revolution I described. Examples given, Slovakia, Croatia and Serbia, where the greatest war criminal of our times, Slobodan Milosevic, was toppled by a largely peaceful revolution of his own people. Also, Georgia and Ukraine, and outside Europe, South Africa, which in many ways had its own version of a velvet revolution and actually

learned directly from the Central European experience. Of course, there are examples of failure – recently in Belarus, very sadly in Burma; the name of Aung San Suu Kyi[3] needs particularly to be remembered at this moment.

So, if we want an open society Europe, we should reflect on whether the European Union should understand itself to be the promoter of democracy. We should not leave the promotion of democracy just to Washington and particularly not to simplistic versions in which the Bush administration dealt with it. We should have our own long-term multi-dimensional promotion of democracy emphasizing the rule of law and the role of independent media as much as if not more than simply the fact of having elections. Starting in our own neighbourhood, but not ending there. I am enough of a Kantian to believe that we should remain true to a vision of not just Open Society Europe, but of an open society world. That is to say, a world of liberal democracies. But I am enough of a realist to know that powers like Russia and China are not going to be liberal democracies any time soon and we have to face up to that and deal with it. So what we need, is the right combination of realism and idealism. And in order to do that, in order to further our own interests as well as our values in the next decade, is a common European foreign policy.

If there is only one thought I would like you to take away from this session, it is this: how can we attain a stronger European foreign policy? I am involved in a think tank initiative called the European Council on Foreign Relations which is devoted to that goal. And the reasons for wanting that have to do not only with what I have been talking about, but also with the fact that it is increasingly clear that in the 21st century the agenda of world politics will increasingly be set by the non-European or even non-Western powers – particularly by the rising powers of Asia, above all, by China. And therefore, no European power, however large, will be in a position to realize its own interests and pursue its own values.

In a time of global challenges like climate change, migration, organized crime and pandemics, all of us, large or small, need the critical mass of the European

[3] Aung San Suu Kyi – a Burmese opposition politican and a Nobel Prize laureat. In 1990 general elections she was elected Prime Minister as the leader of the National League for Democracy, which gathered 59% of the vote, but was instead put under detention by the military junta. She has been under detention for almost 14 years out of the past 20.

Union and the European common foreign policy, to realize our common interests and defend our shared values. I believe one of the great European projects of the next 10 years should be the pursuit of the European foreign policy. In the next decades we will define ourselves not so much by the relations with each other, but by our relations with the rest of the world. If in 1989 the business of the day was the liberation and unification of Europe, then today the business is about the place of open society Europe in the increasingly non-European world.

Q1: Uve Poom, **Foundation for Investigation and Disclosure of Communist Crimes**: I have a question coming from my background of where I work. Do you think it is possible to have a meaningful common EU foreign policy without the general population understanding what happened behind the Iron Curtain?

TIMOTHY GARTON ASH: My answer has to be "yes", because otherwise you would make me even more depressed about getting there. I think it is possible because I think the key of getting a common foreign European policy is a combination of European institutions and thinkers, who are thinking European and about the European interests, and strategic coalitions of member states on a given issue. So I think it does not actually matter that different states have different primary issues. If you look at the policy towards Ukraine, you have a coalition where Poland as well as the Baltic states and others played an especially leading part, but which had support from Western European member states who had very little interest in Ukraine. On the other hand, when it comes to Morocco or Maghreb, you have Spain, France and Portugal playing the leading role, but also the support of other countries. So I think that is how the European common foreign policy can be made from issue to issue with the consensual support to states who have particular interest or knowledge in a particular issue. But immediately, it gets more difficult when we come to states like Russia or China, in the case of which we are all interested.

Second point – the importance of memory. I think the importance of memory is not so much for the specific task of European foreign policy, but for an understanding of why we have a European Union at all. My generation had hoped that 1989 would be a kind of a second founding myth of the whole European

Is acknowledging the crimes of communism a precondition for a unified open society Europe? On the picture: Uve Poom from the Foundation for Investigation and Disclosure of Communist Crimes

Union as the first 45 years were for the Western Europe. And I have to tell you very soberly that as I travel around Europe in this anniversary year, I see that it has not happened. I am sorry, but unfortunately 1989 is not a pan-European memory or myth. For the people in Spain or Portugal or even France and Britain, it was not a good moment, while it was a huge moment for the Central and Eastern European memory. So I am afraid our memory is still divided.

Q2: Andrei Hvostov, ***Eesti Ekspress***: Mr Ash, as far as I know, you are an admirer of Germany. You said once in an interview that Germany is a model nowadays, a model for democracy. I wonder what you think of the latest development of German democracy – the proposal to give children the right to vote?

ASH: I think it is a very specific question. I think there is a case for going down to 16. In many respects, the Federal Republic of Germany, which turned 60 last week, has become a model of liberal democracy and I think we have to acknowledge what has been done there. There are many aspects to it. Partly, this lies in the very strong constitution and constitutional tradition – perhaps the best constitution in the world – and the constitutional patriotism of which Jürgen Habermas spoke. Partly it is the social market economy, but also the way in which the federal republic has faced up to the difficult past: first to the Nazi past and now to the East German past. So I think that we in the rest of Europe, with all the caveats and reservations we might have about the particular aspects of German foreign policy, should acknowledge the remarkable achievement on the part of German democracy in the last 60 years. It is by and large the best state in German history.

Q3: Ivar Raig, Research Centre Free Europe: I have read a lot of your articles and interviews. In one of them you said that Europe woke up to where we are. You have also said that the United States of America is the last European type of nation-state in the world, but in the same time you do not believe in the idea of the United States of Europe, because European Union is weak and not democratic enough, and the political agenda is set outside of Europe. You have also said that we need a new generation of believers and visionaries for making a new Europe. Today, you said that the right combination of idealism and realism is needed for the increasingly non-European world. Regarding

this situation I have a question: what is the main goal of Europe? In which direction should we sail in our common small boat? To the West, to America or to the East, to China, India and Russia? And what kind of a new society would we need to build up in a situation where communist socialism collapsed in the beginning of the 1990s and is now experiencing the deepest crisis of capitalism?

ASH: I do not think we should sail anywhere, I think we should stay where we are, well anchored in the stormy seas. But I would say, if we could meet again in 2019 and the European Union had gone in some way to do three things, I would be a happy man and I would feel that we had delivered. One, as I've mentioned, is to have common European foreign policy on the key issues and in the key relationships: environment, energy, Russia, China, India, United States. Two, we should have successful examples of the civic integration of all those different minorities I spoke about earlier, so that one could comfortably say that Europe is a continent where people from hugely different family backgrounds, cultures, religions, histories and languages feel at home. That would be an amazing achievement and there I think it would be mostly a series of national experiments coming together to make a European model. Three, we must have found ways in a very difficult global economic competition. Let us not understate the intensity of the global economic competition – we have not seen anything yet in terms of competition from Asia. We must find ways of keeping meaningful work for most Europeans. I do not mean dramatic economic growth, because that is likely to be elsewhere and only to some extent in this part of the world, but meaningful work and reasonable quality of life for most of Europeans. If we have managed to do that by 2019, I think you and I could raise a glass of champagne together.

ON RIVALRY AND ALLIANCE BETWEEN LIBERALISM AND OPEN SOCIETY

VITA ANDA TERAUDA

We are invited to talk about rethinking the enemies of open society, and in fact as we are in *a* crisis, not *the* crisis of capitalism, it seems that we are looking at more than a crisis of capitalism, at least looking through the prism of Latvia, within Riga. We are looking at a crisis of capitalism that has thrown up a lot of other crises in society and discontent that I hope we will be able to examine as we rethink the future of the open society Europe.

Liberalism often seems to be under threat, not only from the direct forces of the economy but from a larger and deeper-rooted groundswell of opposition to the same liberal values that seem to have already arrived in our region and in fact accompanied and ensured our countries' return to Europe.

We seem to have found a whole slew of new "others" in our societies: new enemies, whether they are the liberals, the cosmopolitans, the Sorosites, the corrupt politicians, the bureaucrats on the take or the ethnic or other minorities in the country.

Long years of striving for open government have resulted in closed circles in government exacerbated by the current need to make difficult decisions on economic issues.

We have discontent – either with democracy, or maybe with the products produced by our very young democracies.

Mr. Ash mentioned the 3 missing focuses of open society in the developments over these 20 years in our countries. And I think you can see the elements of distrust that has developed in society, a distrust in whether the people's vote and voice counts in government, a distrust in free and fair elections producing a socially good result, a distrust in whether good governance is actually possible.

I hope that we will be able to talk about where this is leading. Is this crisis of confidence in the fruits of democracy and the market economy? Is it going to lead us to a re-examination and refocus on what is needed for open society, or is this a type of a downward spiral that Mr. Ash used to illustrate the ethnic minority issue? I will now ask our panellists to present some of their views and Mr. Garton Ash to make some comments. After that we will have a panel discussion and open the floor to discussion with the audience.

FREEDOM IN THE OPEN SOCIETY

AHTO LOBJAKAS

The open society concept made famous by Karl Popper, the Austrian, later British English philosopher, is an ultimately utilitarian one. Individual fallibility means that there must be no monopoly on truth, for it is unfettered critical thought that best advances knowledge. Each utilitarian construct ultimately fails the test of freedom and that of openness, because it must, at some point, take its eye off the individual. I think it is the individual that we should keep in focus because the individual is the only true measure of freedom.

I think the question of threats to an open society must be recast and broadened to the question what undermines an individual's ability to determine their life course to the best of their abilities. First, this is not about being able to make a difference. I think participation is overrated. There are forms of political organisation for making a difference in a free society. Important as these forms are, they are secondary. I think that the un-organised, un-political – indeed, occasionally impolitic – individual must be able to live one's life to one's satisfaction. Anything that undermines that imperative is a threat to an open and free society.

Historically, this part of the world – Estonia, Eastern Europe – has known two main varieties of threats to individual freedom. These are ideology and tyranny or, at times, both. The historical experience of freedom in modern-day Estonia and Eastern Europe, at large, has been one of liberation from ideology. By any yardstick, Estonia today is among the freest societies in the world. It has literally opened itself up to freedom. Crucially, freedom has not been bestowed on Estonia by its government. The independent state of Estonia is a necessary, but not a sufficient condition of freedom in Estonia. Freedom in Estonia is not sustainable in isolation. The freedom of the weak always needs

shoring up. On the one hand, one must get used to freedom, develop the habits which sustain freedom. On the other hand, a stable geopolitical environment is required to conduce it to the thriving of values associated with freedom.

And now we come to Europe. NATO and the European Union are ports in a storm. Neither is defined primarily via freedom. The European Union conceives of itself as being founded, among other things, on freedom. But the EU is not the guarantor of the freedom of its members or their citizens. It guarantees a limited set of freedoms: the free circulation of people, capital, goods and services, but no more than that. The EU's freedoms are at heart about the absence of borders, the breaking down of barriers. What springs forth is largely determined by the member states as they take advantage of the opportunities availed to them by the EU.

No doubt, the EU can be more than it is today, and it needs to be more than it is today. Yet wanting to be too much too soon carries risks. Europe today, I think, is looking for an ideology, and in this sense it lives in the past. And this may be its greatest weakness. The age of ideologies has passed for now, but the human potential for disappointment has not. Plus, I think, there are limits, to the benefits of self-engrossed navel-gazing. Conditions of existence are a notoriously difficult thing to pin down, identify, organise or rationally prove upon. Too much tinkering with its enabling mechanisms, too much expectation can be detrimental for a second-order contingent notion such as freedom. The EU we inhabit is by all measures a reasonably free, well-ordered political space where a version of the good life is theoretically attainable for all. By all means, the price of freedom is vigilance. But equally, there are things we cannot speak of, and therefore must pass over in silence.

NO OPEN SOCIETY WITHOUT FREE SPEECH

IIVI ANNA MASSO

In these dark times talk about freedom may appear to be a vain luxury, but it is especially in such times of trouble that we need to remember to hold on to the fundamental values of open society. While struggling for our personal and national incomes, we should not forget that freedom is not for sale.

There is right now an exhibition at the New York Public Library called "Between Collaboration and Resistance: French Literary Life Under Nazi Occupation" (reviewed by Edward Rothstein in NYT 4/24). Among the documents it displays lists of banned books, and a manifesto to the French publishers, which says: "In order to organize a common existence free of difficulties between the German Occupation army and the French population, and thereby to establish normal relations between the German and French peoples, the French editors undertake the responsibility to organize intellectual production."

It is not hard to guess who constituted the greatest threat to the desired "normalcy": political refugees and Jewish writers who, "betraying the hospitality that France extended to them, unscrupulously pushed for war, from which they hoped to draw profit for their egotistical purposes."

Why talk about this now, when not only the Nazi totalitarianism but also the much longer lived Soviet totalitarianism has been gone for decades?

Because somehow, the quoted words sound eerily familiar even today. They remind us to watch out whenever there is talk about maintaining "friendly" or "normal" relations where that requires special efforts, and when those who

seem to fail to live up to the desired standards of friendliness are marked as "troublemakers".

Free speech is the sine qua non of open societies. In these hard times we can be more worried by unemployment or threatened pension savings than an occasional unpublished book or a withheld public statement about some foreign human rights abuses, but in the long run, open societies cannot live and flourish without free speech. If free speech is limited about some topics, it is limited, period – and the fundamental values of open society are compromised.

The time when one could go to jail or worse for expressing "wrong" opinions is over in this part of the world (in many others it is not). But even now, free expression is sometimes under pressure, in different ways, for different reasons. During the last couple of decades, freedom of speech has been a major issue in the alleged cultural conflict between free West and politicized Islam, starting with Ayatollah Khomeini's fatwa against Salman Rushdie in 1989 – ironically the same year when the Berlin wall fell down and Eastern Europe was set free.

As several European analysts have observed, the fatwa and the development after it has led to a culture of self-censorship in the West. No one dares to write or publish another *Satanic Verses*. During the last few years, Europe has seen film-makers killed, writers hiding, plays banned, singers silenced and paintings removed from exhibitions – initially for fear of violence, but more and more often just for the sake of "sensibility", in order not to offend anyone.

This is being done in the name of "protecting" vulnerable minorities, but in fact many members of those minorities do wish to enjoy the freedom that open societes offer, and behind the demands of respect are often the interests of authoritarian states with energy reserves that the West depends on.

Silence "out of respect" thus turns out to be silence motivated by economic calculations. As parts of the former Communist world have turned to authoritarian capitalism, a similar logic applies to our relations to the East. Russia is working on a law whose purpose is to ban "wrong" interpretations of the outcomes of WW II, including talk about the occupation of the Baltic states. How

much "respect" are we prepared to pay in relation to those requirements, how much "sensibility" will our good-willed European friends suggest we show?

In a world where market economy no longer appears to be a guarantee of open societies, pressure coming from our authoritarian neighbours and partners is more subtle and more tightly bound to our economic interests than was the open ideological opposition during the Cold War. We have an incentive to shut up about certain things when we have a deal to make or an export venture to support. Those who are directly connected to such interests may caution others to be friendly and not cause trouble, not pursue our petty "egotistical purposes".

In his recent speeches, the President of Estonia, Toomas Hendrik Ilves has talked about the challenges that the turn from ideological Communism to authoritarian capitalism poses: during the Cold War, politics and business were kept pretty much apart, but now they are getting increasingly intertwined. The free movement of money and people also enables "the free movement of moneyed, corrupt and kleptocratic authoritarianism" – which is getting more and more creative in using the West's own institutions and rules to put pressure on its freedoms. This offers new temptations of corruption to Western politicians; there are economic incentives to make the "right" political decisions. Estonia's President has taken a stand for moral clarity and the rule of law in these circumstances, but sadly, not all European leaders are doing the same.

When the values of open society are attacked not by an appeal to ideological arguments but by economic incentives or blackmail, compromising free speech, human rights or political sovreignty is easily presented as being "reasonable", while sticking to high moral standards may be dismissed as unnecessary troublemaking.

This is why we need moral clarity more than ever in these times of distress when the threshold for accepting dubious compromises is getting lower. We shouldn't forget dead filmmakers and journalists; we need to remember that the way from book banning to book burning and from book burning to actual violence is all too short. We need to make a distinction between being friendly or submissive, reasonable or corrupt. Any apparent gain from compromising

freedom is only temporary – the values of open society simply should not have a price tag attached to them.

PANEL DISCUSSION: DEALING WITH THE CHALLENGES TO AND WITHIN THE OPEN SOCIETY

PARTICIPANTS: TIMOTHY GARTON ASH, AHTO LOBJAKAS, IIVI ANNA MASSO, VITA ANDA TERAUDA

TIMOTHY GARTON ASH: I have heard three very interesting sets of comments and I have one remark on each. Vita, about what you said – it is very interesting to look at the pathology of anti-liberalism in any given country. What strikes me is that in post-communist Central and Eastern Europe, the rhetoric of anti-liberalism has some similarities with that of the American Midwest. The liberals were the elites – Washington, New York and Boston – who appreciated liberal media, liberals in the universities etc. And in a lot of places the rhetoric of anti-liberalism has the same form: it is the elites, the universities and media that are to blame. I think that invites us to reflect on what that actually tells us about how we make the case for liberalism – that it is seen as an alien, metropolitan and cosmopolitan elite project.

I was delighted to hear Ahto Lobjakas speak not only with a perfect English accent, but also speak like an Englishman, because what he said was actually exactly what a traditional English liberal and indeed a conservative would say: what really matters is individual liberty. What Europe in the sense of the European Union has to do with individual liberty is not yet perfectly clear – I think that is a perfectly fair point you made, because one of the problems of the European project is that since it is still in large part an economic project, the freedoms that have been talked about, as you rightly said, are the movement of goods, people, capital and services, whereas individual liberties and

human rights are situated with the Council of Europe and the European Court on Human Rights. And I very much agree that it is a real problem concerning the Open Society Europe project.

One area where I think we could have a conversation is the passing remark about participation being overrated. This is also a very English remark, since the English idea has been representative democracy. But what you may have noticed during the last few weeks is the subtle crisis of the model where participation is overrated. In fact, there is even a huge movement in Britain, which is precisely about participating directly in remaking our politics. Yet I think it is an exceptional condition. It is only an exceptional moment when you have the whole society participating in making national politics. That happened in the velvet revolution and it happened here in the late 1980s and early 1990s, but I cannot imagine that all people will be participating at all times.

Yet what you do have in Britain and in Germany is people participating in local governments, village councils and little local civil communities – in what Edmund Burke called "the little platoons". And I think this is the real sire of the strength of liberal democracy: that of a strong civil society at a very local level.

What Iivi said was absolute music to my ears, particularly that on free speech. Free speech is not just any freedom, it is the oxygen of all other freedoms. And in the society of the country in which I live in Western Europe, it is very seriously under threat, starting with the Salman Rushdie affair 20 years ago, from many quarters. Both from intimidation by extremists whose motto in the case of Islamist extremists is this: acknowledge how peaceful my religion is; otherwise I will kill you. And from appeasement in the name of respect and multiculturalism, which is actually a very thin cloth for a reaction of fear. I would be very interested to know what is the position with free speech in Estonia today. What is it that you cannot say in the public debate in Estonia these days? Is there anything like that?

IIVI ANNA MASSO: I actually cannot think about anything that could not be said today in Estonia. I think Estonia is very liberal in terms of speech. There have been extreme cases like picturing the prime minister and other Es-

tonian politicians as Nazis[4] and that was not considered hate speech enough to be restricted. And also, there has been a case of a Finnish-Estonian man who has been republishing Nazi books[5]. He has been investigated for hate speech but not convicted.

ASH: Can you say anything you want about Russia?

MASSO: Sure. Also, a pro-Russian nationalist, very anti-Estonian book has been published in Estonia last year which Estonians do not like, but no legal consequences followed. And of course, everybody is quite upset about Internet hate speech where anyone can say anything about anyone. So, perhaps there is even too much, if there ever can be too much free speech, rather than too little.

ASH: This is fantastically encouraging! I think we should all become more Estonian in Britain in that respect. But I think you made an important point, which is the vital difference between the right to offend and the duty to offend. You must have the right, but not the duty to offend and we should be able to choose in what way to speak. So one can object very, very strongly up indeed to hateful things being said, but it should not be banned.

AHTO LOBJAKAS: I completely agree that hate speech is not really a problem in Estonia, although it may appear so from the Western perspective. The sensibility and sensitivity are different. But I think an important point about Estonia is our nearly absolute transparency when it comes to politics, for example. I think transparency has developed into an important framework of governance. This is perhaps what our state stands on. It is very difficult to do anything in Estonia without anyone knowing about it. And it acts as a sort of an untraditional check on power.

ASH: Do you, for example, know all your MP's expenses?

[4] An article and a caricature were published in a Russian newspaper Pravo i Pravda (21.12.2006) in Estonia, where the Estonian Prime Minister Andrus Ansip and a high-ranking politician Mart Laar were depicted as Nazis.

[5] Risto Teinonen, a Finnish-origin leader of the scout movement. In 2007 he was suspected of establishing an organisation that was against the independence of the Republic of Estonia, recruiting members and organising military camps. The charges, however, were dropped and no prosecution followed.

LOBJAKAS: The problem here is that no one cares. We have had some pretty serious situations that have been publicized by the press for years here, but it has not made any difference.

VITA ANDA TERAUDA: May I provoke the panel with one more question and then open the floor for questions? Mr Ash, you said that a common European foreign policy is the way forward to ensure the future of open society Europe. Given that the big issues of a common European foreign policy are things like Russia and energy, do you imagine that this common foreign policy will acquire the kind of a compromise in sensibility that Iivi was talking about?

ASH: Absolutely not – on the contrary. I think that at the moment, not only Russia, but also China and indeed the United States can simply divide and rule. Europe has a standing invitation to the dividing and ruling, because it is not united. All the three are very different great powers. We started our meeting at the European Council for Foreign Relations in Stockholm two weeks ago by having speakers from Moscow, Beijing and Washington. As I had anticipated, their view of us was very similar: weak, in a state of strategic confusion, divided, hypocritical and so on. But if we got our act together, we would actually be more free to say what we really think about the condition of Russia or China.

LOBJAKAS: This still leaves open the question why are we not doing so. I was thinking about the points you made about the need for the European policy. The recipe for that policy has always been there: We all know the rights and standards the European Union would like everyone to adhere to.

Chris Patten, the former European Commissioner for External Relations, once said that we clearly need to sing from the same songbook. So the recipe is there, but it is clear that the countries are not doing that. To my mind at least, Europe is still seen as a geographic location. In the larger countries of Western Europe, the enlargement was seen as a contingent product of certain historical processes, which have embodied a certain quality of life, ideas and values which the so-called new Europe does not necessarily share and therefore does not have the privileged access to the notion of Europe. I am not saying that this

is discrimination, this is almost in the nature of these things, but perhaps this is the reason why we are not doing what we should do.

ASH: I think that is a good point. Chris Patten, by the way, is the chancellor of my university, so he and I definitely sing from the same songbook.

You pointed the finger rightly to the British, the French and the Germans. The truth is that no British prime minister, French president or German chancellor will allow themselves to be deprived of the chance to fly off and meet the president of China, United States or Russia, or to be seen on prime time television and not tell the public that they have gotten a great deal for their country. And as long as our politics are like that, it is going to be very difficult to get a common European policy on issues that really matter.

Frankly, one of the great problems is that the times are not tough enough. If there was a profound sense of existential crisis in Europe, as there was in the late 1940s and the early 1950's, then Europeans would get their act together. So, perhaps the crisis is not yet bad enough to overcome the obstacles which exist particularly in the larger member states.

MASSO: Well, we can hope that it will not get so bad, but there certainly is an issue of solidarity and I think we need a lot more of it in Europe, also between so-called old and new Europe – a distinction of which I would really like us to get rid of. We can look at particular issues like the much-disputed Nord Stream project which is a good illustration: the Baltic states and Poland are against it and Finland and Germany support it, while former political leaders of these countries are enrolled in the project in economic terms. Mr Ash also spoke about the ethos of capitalists and in connection with the economic crisis, we have been talking a lot about greed and its limits. I think here we also have a political dimension. It is not only about someone getting rich tomorrow, and causing chaos or poverty at the other end of the line. In some cases, the issue of greed also has political consequences.

Q1: Toomas Alatalu, Dean of Faculty of International Relations, Eurouniversity: I want to return to the example of Germany. As we well know, there is now the so-called great coalition in power where there is practically very little

Is Estonia merely a free or also an open society? Ahto Lobjakas (on the left) and Iivi Anna Masso (on the right) demonstrated both disagreement and consent over the issue.

space to speak about democracy. Something similar happened in the European Parliament. The 2004 elections were the first ones in which the new Europe could take part. And we know that for the first time in European history, the two biggest factions decided to share power for five years. And if we now speak about our interest in the European Parliament, then perhaps there is, at least from our point of view, not enough democracy. The position of those who are able to gain a majority is dominant. So what is your opinion of democracy in the European Parliament?

ASH: You may know the old joke which I rather like: if the EU applied to join the EU, it would not be admitted because it is not democratic enough. And there is some truth in that. Even if people underweight the European Parliament, which by now has rather significant power. Nonetheless, people in my mind quite rightly do not feel that the EU is a direct democracy because it is not: it is an indirect democracy. Its fundamental democratic legitimacy comes from the fact that it is a community of liberal democracies and you have to be a liberal democracy to be a member state. And it is in that sense an expression of an aggregation of democratic wills. Therefore I do not believe that tinkering with the institutions trying to give more roles to the European Parliament and beef up the European parties is going to hugely transform popular attitudes towards the European Union or the legitimacy of its institutions. I think it is an indirect democracy and I think its legitimacy and popularity would increase if it demonstrated what it can deliver on the things that matter to people.

LOBJAKAS: I would like to make a perhaps slightly offbeat comment. I am reminded of a moment a couple of years ago, when I was driven from Tbilisi, Georgia, to Yerevan in Armenia. It was at the time when Mikheil Saakashvili, the Georgian president was fairly optimistic about the chances of his country joining the EU. I was looking at the countryside and the houses, and thinking what would these people think about the European Parliament elections. That question would be absurd in Estonia and most of the member countries. And that is part of the problem, for the European Parliament is not an elite project. It is not the seat of power, sadly; there is something missing.

Q2: Eduardo Ibáñez López-Dór, Spanish ambassador: Haven't we forgotten the origin of the European Union which was founded to safeguard the

armament industry of two countries that had had three wars in less than a century? We are now speaking about the European Parliament being undemocratic. The European Parliament is a house of representatives and the Council is the senate. So perhaps we should put things in their right places?

My sons, who are now 15, do not remember the founding of the European Union and why it was founded. I think we should remember the origins and adhere to the happy medium. Considering its origins, I think the European Union is democratic.

ASH: Defining the European Union is a difficult task that will definitely take more time than we have here. Some might even say that it is an unidentified flying object, and there is some truth in that. But the important point you made is about the importance of history and memory, which was also mentioned before. The essential argument for the European Union – besides the one I made about our common interest in the wider world – has to do with history, which until quite recently was very different. And if we don't look out, it could again become very different from what we have. So I do worry a lot about the way in which people take it for granted – you can fly anywhere in Europe with a drop of a hat and without getting a visa – and I think therefore that teaching the history of the European Union should be compulsory in all the member countries. One should learn the history of one's own country as well as something about our common European history. That is something we in Britain have terribly turned on about. So I agree with you about the importance of history. But then again, I am an historian, so I would say that anyway.

LOBJAKAS: I am returning to the point made by somebody in Estonia. We see the European curriculum as somewhat lacking in detail. We think it is only halfway there, so we should supply what is missing.

ASH: I am perhaps now going to insult the European commissioners and other representatives, so apologies ahead of time, but what you really do not want to happen is for history books to be written by the European Commission – that is to say, they should not be both bureaucratic in language and a painful compromise of all the countries; rather, history should be written by the historians. What we need, is a history which is empirical, accurate and interesting, which

gives you some sense of the European story in all its diversity and conflicts. Which gives you some sense of a coming together in a single venture. After all, after 60 years we have come together into a single European Union. It did not have to happen, it was not a *telos*[6] , but it has happened and is a rather remarkable thing. So, I think a wonderful historian, perhaps even an Estonian one, should write that textbook.

MASSO: Of course the European Commission should not write history, but there should be some shared guidelines so that we could all know each other's history better. That is also very important for the solidarity we spoke about. The more we know about each other, the more ground we have for solidarity, especially considering the pressure about some aspects of history becoming forbidden. One worrying trend in this recent discussion is that the anti-liberal activists actually use liberal democratic vocabulary. Many provocative actions and sayings have been justified by saying that they are doing it in the name of anti-racism and anti-fascism and so on. That is a vocabulary that sits so deep in the European consciousness. If we do not know each other's history well enough, then that kind of propaganda can't be recognized and solidarity maintained in its face.

ASH: That is an exciting debate, I think. Do you by chance have any memory laws in Estonia?

LOBJAKAS: Not yet.

ASH: There is now a framework decision of the European Union in the name of combating xenophobia, racism and discrimination, which is trying to criminalize Holocaust and genocide denial EU-wide. I think this is a disastrous movement – precisely in the wrong direction. I think we should have the courage to move exactly in the opposite direction. In my personal opinion, we should decriminalize the denial of the Holocaust and genocide across the European Union, because otherwise the message is that we must be free to spit on your most sacred things, i.e. the caricatures of Muhammed, but our own sacred things will be protected by law, and if you deny the existence of Holocaust, you will be sent to jail. This is totally inconsistent; we cannot have such

[6] *Telos* – Ancient Greek term for "purpose" or "end-goal" that is inevitably going to be reached.

double standards. Either we believe in free speech and free speech for all on all subjects, or we do not. No more memory laws, please.

LOBJAKAS: In Estonia I think we face a rather subtler problem and that is the status of the memories of the Soviet era. We are all products of the Soviet era, and it would lead to an absurd situation if we tried to rewrite our memories. I am not saying that this is already being done, but the way in which our president has dealt with the subject is certainly very instrumental. It has not really been formalized, but a while ago our president announced an initiative of founding a memory institute, which would have been initially in the jurisdiction of the Ministry of Justice, which is enough to give it bad names from that point of view. And this would basically be the place where all the proper memories would be stored for safekeeping and consultation. I am oversimplifying, but that is a certain tendency in our society as well. Perhaps a few parts of our history have been invisible.

ASH: But is that not a slightly different thing? I am actually rather in favour of institutions of public memory as long as they are fearless efforts to understand our past in all its complexity, which has for example not been the case in Poland[7], where it was highly politicized. And I think it is perfectly legitimate for a state and for a people to have a sort of public, symbolic commemoration of important moments in its own history, like we have remembered 23 August and so on. That is for me a slightly different matter.

LOBJAKAS: But this is not about dates, it is about what went on prior to 1989, so that we do not forget how bad it was, for example.

ASH: Is that a bad thing?

LOBJAKAS: I was 19 years of age when the Soviet Union fell apart. I think the earlier times are all part and parcel of the peaceful transformation, because most of the Estonian people were feeling fully independent already by 1988:

[7] In 1998 the National Memory Institute (*Instytut Pamięci Narodowej* – IPN) was created in Poland. In addition to gathering and sustaining memories, also had rather extensive authority for condemning the crimes of Communism and Nazism and even for criminal investigation. IPN has therefore been accused of becoming a sort of ministry of truth.

there is even not enough that is bad to remember. But it seems that there is an attempt to assure us how it was officially, and I object to that.

MASSO: I agree that this is a completely different thing than a memory law. It is not about legalizing some particular version of history and forbidding others, but an organized attempt to collect facts, memories and data from the more than 50 years when history and talking about it was basically banned.

Q3: Ivar Raig, Research Centre Free Europe: I would like to make my previous question more concrete, because I never got an answer. And the question is: how to make the European Union more democratic? To reform or to abolish the Union, or to propose a new organization, for example the North Atlantic Security and Economic Area instead of the European Union? What do you think, how to make the EU more democratic and stop what you have termed the *dolce declino*[8] in your articles?

ASH: I think I now understand, as I say, that it is America where you are obviously coming from. I do not think you would make the European Union more democratic by abolishing it, that would be a rather dialectical position. We have actually talked about this quite a bit already. And I actually do not think that the biggest problem in the European Union is the so-called democratic deficit. The European Union is a strange mixture of the supernational within the European Parliament, but fundamentally, it is still the national governments who make the key decisions. And these national governments are democratically elected. So I personally am happy enough for that indirect democracy.

I have another beef with the European Union. I think it does too much of what it should not be doing and too little of things it should be doing. For example, I personally do not think that the European Union should have a very large role in cultural policy beyond certain very limited areas.

Il declino dolce, the soft, delightful decline – which was a headline in an Italian newspaper – I think that this is a really important problem. And since this is a by and large Swiss thought, let me say that, if I had to guess as a kind of an

[8] *Dolce declino* – Italian for a sweet, subtle decline; Andrea Bonanni "Il declino dolce, dell'Europa", *La Repubblica* 09.07.2008.

historian of the present – where we are going to be in 10 years' time – then I am afraid to have to say that it is in more of *il dolce declino*. I do not see the forces in our societies which would really concentrate their minds on what needs to be done and the fundamental reforms that need to be made to create that meaningful work, to create the European foreign policy; to create the ethos of civic integration. I do not see the forces of a scale of urgency that were there in the early 1940's and 1950's. So I am intellectually in a rather pessimistic position, but also very much in a position to hope to be proved wrong.

LOBJAKAS: I completely agree with what you just said – in ten years' time when we think back to this day, we might be thinking about how we did not realize how many good things we had. Perhaps what we should have is a day to commemorate Schengen, a day when we stop and marvel at the immensity of that achievement what actually gives us the freedom to travel from one end of Europe to the other. This is amazing, even historically speaking.

MASSO: I agree that the democratic deficit is not the worst problem we are facing in Europe. We have to accept that not everyone can have a say about every issue and therefore it is even more important that we have settled the rules very clearly about where and by which procedure the rules are decided upon.

About how to avoid il dolce declino – I would say that we have to stick to the rule of law and not stretch it too much, and we do need solidarity. There is a lot of talk about the weakness of the open society. I think that together we are not weak. Despite the crisis, we are still an economically strong area, both when we talk about Europe or the West at large. So, if we stick together and stick to our values and do not sell out, I do not think that we are in such a great declino after all.

TERAUDA: Thank you. Are enemies of open society transforming the future of Europe – there are both pessimistic and optimistic views about that. I myself am probably in a similar situation to Mr Ash, since my daily life is full of pessimistic signals, but my long-term vision is still hopeful. If the singing revolution could make so much change, I am sure we can do it again.

SPEAKERS' BIOGRAPHIES

TIMOTHY GARTON ASH – British historian and political scientist

Timothy Garton Ash is Professor of European Studies in the University of Oxford, Isaiah Berlin Professorial Fellow at St Antony's College, Oxford, and a Senior Fellow at the Hoover Institution, Stanford University. After reading Modern History at Oxford, his research into the German resistance to Hitler took him to Berlin, where he lived, in both the western and eastern halves of the divided city, for several years. From there, he started to travel widely behind the iron curtain and throughout the nineteen eighties, reported and analyzed the emancipation of Central Europe from communism. His essays appear regularly in the *New York Times*, the *Wall Street Journal* and in the *Guardian*, just to name a few. He is also the author of eight books of political writing which have charted the transformation of Europe over the last quarter-century. His latest book, *Facts are Subversive – Political Writing from a Decade without a Name* was published by Atlantic Books in July, 2009. In 2005, he featured in a list of 100 top global public intellectuals chosen by the journals *Prospect* and *Foreign Policy*, and in *Time* magazine's list of the world's 100 most influential people.

IIVI ANNA MASSO – Estonian-Finnish political scientist and journalist

Iivi Anna Masso holds a PhD in Political Science from the University of Helsinki and has also spent time in Budapest and New York as a post-graduate student and visiting scholar. Masso worked in 2002-2008 as a research scholar and lecturer at the University of Helsinki, studying contemporary political theories with a focus on liberalism, models of democracy and totalitarianism, and teaching political philosophy, democratic theories and human rights. She now works as a freelance writer and independent political analyst and shares her time between Helsinki and Tallinn.

AHTO LOBJAKAS – Estonian columnist and political analyst

Ahto Lobjakas is Radio Free Europe/Radio Liberty's Brussels correspondent and writes weekly columns for the largest Estonian daily, Postimees. He graduated from the University of Lund and then spent a few years at the University of Oxford writing a PhD thesis in political philosophy which he did not finish. Lobjakas has written extensively on the European Union and NATO and often comments on themes dealing with philosophy and social criticism. In 2008 Lobjakas was the recipient of the Open Estonia Foundation's Concord Award for advancing intercultural dialogue and Estonia's integration into the EU and the world.

VITA ANDA TERAUDA – Head of Centre for Public Policy PROVIDUS, Latvia

With long-term expertise in public administration and non-governmental organizations, Vita Anda Terauda has since graduating International Economics and Soviet Studies from Johns Hopkins University worked in all sectors of society. The one-time journalist for Voice of America also served as the Minister of State Reform in Latvia in the mid 1990s where her responsibilities included designing and implementing the civil service system and the legislation on access to information and conflicts of interest. For almost a decade she was responsible for managing Latvia's largest private grant-making institution, Soros Foundation – Latvia, designing and operating major programs in NGO development, education reform, prison and police reform and anti-corruption. In 2003 Ms. Terauda was one of the establishers of the currently leading policy think-tank in Latvia, Centre for Public Policy PROVIDUS and continues to serve as the Director of the Centre.