

# Threefolding or Global Governance? <sup>[1]</sup>

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## Governance - a New Keyword

How can we meet the challenge of globalisation? – Wherever this question is raised, the concept of 'global governance' tends to come up. Though it has hardly played a role in media dominated public life up to now, it is a key concept for future development. 'Governance' according to the dictionary means to govern or rule, power of government, sway, power, control, form of government. One could therefore think at first of a world-government, which takes that lawless space under its control that has been created by globalisation and cannot be handled by the nation states. Thus an institution or institutional level that creates legal forms, meets international crime through a world domestic policy, confines the profit interests of the global players through a world social policy.

There is no question that there are powers or forces that dream the dream of world government. However, the point is that governance is normally understood to be a policy approach for global or regional problems under conditions where a world government does not exist. A few quotations will make this clearer.

Undersecretary Ischinger from the German State Department explained: "In a certain way the classical nation state has surely lost authority regarding policy – that is, lost power. Today no state in the world, however powerful it may be, not even the US, holds a monopoly of competence in solving global problems. However, the situation does not call for a 'renaissance' of the nation state's monopoly on power, or even for a utopian world government. Much more needed is successful 'global governance', that is, the creation of a new kind of policy or structural framework between all stakeholders in globalisation. A clear example is the search for ways to structure the immensely large sums of mon-

ey transferred daily around the globe so as to avoid regional or even worldwide financial crises." [2]

German Secretary of State Fischer said at a UN assembly: "With the transition to the next millennium, the principle of the nation state will continue to lose relevance. It will no longer be possible to find answers to the large global problems within the framework of the classical nation states but only within strengthened international structures and through a transfer of power to international organisations. With the UN at the top, classical power will need to be transformed into justice, a balance of interests, and a civilized international political system – together with increasing integration of civil society stakeholders and business. . . . The United Nations has to become the core of effective global governance." [3]

In the work programme of the European Commission White Paper on governance one can read: "For a number of years now the term 'governance' has been used in various contexts. An important United Nations' report on 'global governance' has emphasized the need for rules through which consensus can be reached even without the existence of a world government (emphasis added by the author), consensus which then can be effectively applied globally. . . . 'Governance on several levels' means that public stakeholders that are independent of each other cooperate on various geographical levels to realize goals of common interest." "With 'governance' the emphasis is also on cooperation with subordinated and non-governmental stakeholders." These shall be integrated into the decision-making processes of the community. [4]

The term 'governance' is used in these three representative statements with a particular nuance of meaning, as in the concept of 'good governance', which means the application of the rule of law and citizen-friendly administration. The history of global governance encompasses thus not just the emergence of institutions like the UN and the IWF, but also the founding of the Red Cross in 1863, the General Postal Union in 1874 and the International Labour Organisation in 1919.

Even if governance is understood in the way described there remains a broad scope of interpretation. [5] And while the discussion on this question of interpretation is still going on we experience the development of a factual governance by the globally operating corporations at the same time. Of course many supporters of Global Governance understand the concept just as a counter-strategy against global corporate power. But at this point also criticism is beginning. The critics argue that it is true that globalisation processes have to be structured. But the prevailing Governance concepts are, in their opinion, too naïve and ignore the questions of power and power structures in economy, society and international system. [6]

So it seems to be important that we do not speak too much in general about Governance but ask concretely which forms of Governance are making sense and under which conditions they can work. And if we consider the question of the relationship between the concepts of Governance and of Social Threefolding we should also avoid truisms. In the debate on Governance the concept of tri-sectoral partnership is often mentioned. This means that government, busi-

ness and civil society are cooperating to solve social problems. The concept of social threefolding deals with the relations and the cooperation between the cultural, political and economic realm of the society, which should not dominate but recognize each other. But even if there is something comparable in those views it doesn't necessarily mean that prevailing Governance concepts are a contribution to threefolding.

Vice versa the fact that Rudolf Steiner, the originator of the concept of social threefolding, made certain critical remarks about Wilson's League of Nations does not necessarily mean that threefolding is contradicting with any form of Governance. Those critical remarks have to be considered as warnings against endeavours of global dominance and have to be understood and interpreted in their concrete historical context. Threefolding and global governance need not be mutually exclusive.

The concept of threefolding should not be taken for granted in seeking a well-grounded answer to the question of the relationship between governance and threefolding. "Something known is not yet something recognized"[7]; anyone who knows threefolding in particular will have to continually try to deepen his or her recognition. Threefolding is not a finished product but the answer to a reality. When the reality changes, it too has to go through transformations. Threefolding is a working approach, not a doctrine. What, then, is the inner core of threefolding?

## **Dissolving the Old Community**

The reality in which we live today is highlighted by the two concepts of 'individualization' and 'globalisation'. Humanity's past was characterized by cultural and social relations that were hierarchical, by the submission of the individual to the community. At the same time economic life was orientated towards self-sufficiency to a large degree. The course of development has led to a reversal of this situation. At a time when everyone feels increasingly that he or she is a unique human being different from all others, we have an economic and communicative network of dependencies between people – based on technology – covering the whole globe. Both are due to the development of consciousness, to the development of the individual spiritual potential of the human being. Technological progress and the proclamation of maturity both come from this one source.

Up until the threshold of our time the great majority of human beings remained in a state of immaturity. Meanwhile, elite groups, irrespective of how they attained their legitimacy, thought and acted for the rest in a way that guided communal life hierarchically from top to bottom. Even though first attempts at independent thinking and preliminary forms of democracy had already developed in antiquity, it was only in modern times, and in the fullest sense only since the French Revolution, that human beings started to shape their own history en masse.

In doing so they still have to face the old thinking that wants to guide them from above, which is still alive within society's institutions, but they also have to face the tendency in themselves to fall back into a state of immaturity out of inner weakness and laziness. In former times communities used to be relatively unified formations enclosed in themselves, a last remnant of which still exists as the uniformity of the nation state. This uniformity is being dissolved in two directions today, leading to totally new questions about, and a need for, shaping society from below.

The individual is emancipating itself from all old bonds, extracting itself from the (old) community, demanding its maturity and freedom, and rejecting top-down interference. Parallel to this we find that economic life, based on modern technology, is overcoming all limitations of territory and the nation state.

Both tendencies result in a third, namely the need for countries to adjust and reshape their legal structures. We shall now look more closely at these three movements, whose effects for social structures are reflected in threefolding.

### **Individualization = Egotism? On Mistrusting the Human Being**

The individual's emancipation (individualization) begins as a negation of community because one cannot become a self-reliant human being if one does not distance oneself and free oneself of one's bonds. 'I-Consciousness' emerges from the rejection of the 'Non-I'. Egotism emerges as self-confidence grows, endangering human communal life and the natural conditions of life.

This brings us to the first fundamental question of shaping society, one which once having emerged will never disappear from human history again – the question of the conditions required for freedom.

Obviously the answer to this question is dependent upon whether one tends to mistrust or trust the human being. This in turn is dependent upon what understanding one can attain about the human being per se. He who mistrusts the human being will see individualization (which for him can only be a synonym for the working of egoism) as nothing but a danger to community. He will therefore, in the interest of the community, put limitations on the principle of the individual and will want to limit it to the private sphere. In societal life he will want to channel that which is individual or, where this is not possible, suppress it through regulations.

This attitude can justify itself by pointing to a whole array of phenomena involving weak judgement, avoidance of responsibility and ego-addiction in the Western-dominated culture of our time. In other cultures such as Asia, however, the reproach is raised that individualization in the West has gone too far, and that one should not pursue this path further but should rather re-orientate toward the still existent traditional community values in those cultures.

As understandable as this point of view is, one can take yet another point of view regarding freedom in society, namely, that development of individual freedom in the West has even not gone far enough. This is a point of view that can be taken by those who have come to realize that liberation from heteronomy is only the first step toward freedom and that freedom only finds its true form where it becomes 'freedom to' (Friedrich Nietzsche) as opposed to just 'freedom from'.

With this second level of freedom we are referring to the capacity within the (independent) human being to set his own goals of actions, through which he becomes responsibly active in social life. The fulfilment of freedom doesn't lie in arbitrariness and lack of commitment but rather in self-commitment through freely accepted responsibility. It is easy to see that such an advanced development of freedom will not lead further away from community but to new constitutional forms of community. This happens where independent human beings form task-orientated communities out of their inner initiative in various fields of life (for instance, education, healthcare, agriculture, etc.). Seen in this way, freedom ceases to be a private concern and becomes a social issue; it becomes the prime source of cultural richness in society. Equally, society will need to remain permeable for this source of initiative.

### **Individualisation and Cultural Power**

We speak of culture whenever individual activity and work shapes nature. It begins with agriculture and ends with science, art and religion, the core realm of culture. The source of culture is the creativity of the individual human being: "Every human being is an artist" (Joseph Beuys). This expression points to a potential in each human being, though one which is open to varying degrees and which, through inner or outer circumstances, can be hindered or supported. Each individual holds spiritual forces which flow out into society as working capacities or technical or artistic intelligence, which would otherwise wither away. In the core realm of culture these forces of creativity are acted out or nurtured as an end in themselves, whereas in other places they serve the necessities of outer life.

Today this core realm of culture is governed externally to a large degree by the state and the market. Naturally, people who have already awakened the 'artists within themselves' suffer from this heteronomy. With Paul Ray one can speak of the 'cultural creatives', a qualified minority of initiative-taking, innovative people. He or she who wants to become culturally creative needs autonomy. Autonomy in the sense of self-governance for cultural institutions or initiatives is the structural condition for cultural creativity. Individuality and therefore pluralism are one of the vital conditions for culture today. In the age of individual maturity, the choice of school, therapy, nutrition, can only be left to the judgement and decision of the individual – under the precondition that the same freedom of judgement and action is guaranteed to all people (meaning that this freedom includes solidarity in financing health care and education and forbids commercialisation of the public sector).<sup>[8]</sup>

It should be a central item on civil society's agenda to work or strive for such autonomy of culture, which is something that has to be achieved step by step. This naturally does not mean that self-governed schools should be forced on people who are satisfied with the state-run school system. It rather means that everywhere where a new option is wanted, chances for its realization should be provided. Here, wanting does not mean merely wishing but the readiness and capacity to take on responsibility oneself.

An essential precondition for such processes is that civil society actually works as an independent power and does not let itself be co-opted into the system of either the state or the market. It should not fall into the trap one could call 'the majority trap'. One falls into the majority trap in relation to the state when one does not concentrate on demanding freedom for all people to be able to realize good and creative ideas but instead tries to make all people happy with one's own good and creative ideas. This happens when one looks for majorities who benefit from these good ideas and thereby forgets the minority which must then experience the good ideas as being forced upon them. The best pedagogical insight cannot be forced through by the state in a top-down kind of way. Once decreed, the good thing will become its opposite.

Civil society has to unfold its power but not in order to establish a new centralized power or to be part of such but to take down aspects of power that have become anachronistic. The threefolding of society is not dividing power amongst three groupings but making society receptive for the new things that are wanted. It is for such openness that civil society should use the new balance of powers in society which arise through tri-sectoral partnerships.

## **Globalisation and Modern Economics**

Parallel to individualisation in modern times, economic life developed with a dynamic that burst all guild restrictions of the Middle Ages and finally the limitations of the nation states. The great discoveries are what made the earth into a globe in the consciousness of human beings. During previous centuries, as a member of a world economy based on serving others, the individual became dependent on the services of others for the maintenance of his own life.

This is another process which leads away from the old, limited communities. Anyone who reflects on what comes into play between natural resources, work and know-how to produce just one single commodity in our modern economy cannot help but enter the dimension of all mankind. The original motive of the individual taking part in the economy in order to make a living proves insufficient for shaping an economy in which working for others must be more than an unpleasant duty on the way to one's own income.

The classical doctrine of the market economy has answered the question of motivation with the thesis of egoistic self-interest as the only possible drive for economic progress.<sup>[9]</sup> By necessity this had to result in a highly one-sided and

exclusive emphasis on the principle of competition. Today's neo-liberalism has made this principle a guiding idea underlying the 'elite' form of globalisation which currently prevails through organisations such as the WTO. The dominant guiding principles are permeated by mistrust in the ability of economic partners to communicate – for instance to agree on a fair price.

Maturity as the freedom to act on a microeconomic level is accepted but the possibility for any non-egoistic comprehensive shaping of macroeconomics is rejected. The credo of structural policy is that legal forms are to enforce the framework of competition. One assumes correctly that real laissez-faire would lead to self-regulation of the economy through a network of agreements, and because the mistrustful approach hinders one from thinking such agreements possible (other than through advantage-taking cartels) one fights not the cartels but agreements in general as 'competition hindering'. The effect is that gradually the right to competition has come to stand higher than the right to make contracts.

Paradoxically, today's laws aim to enforce a certain kind of economy, yet these laws themselves are being marginalized and harassed by the same enforced economy. It is a form of economy that has spread through the production factors of land, labour, money and capital to the extent that their rules no longer serve to provide a legal framework for the production of goods but are an integral part of market life. The term 'pseudo market economy' has been introduced because of this. 'Pseudo markets' increasingly determine the global economy, which is shaped most of all by the untamed financial streams that are roving all over the globe – separated from the real economy to a large degree but at the same time affecting it in a harmful way. Not for nothing is possible control of the financial markets a decisive question in civil society's discussion of governance.

That the state should not bureaucratically regiment the economy is hardly to be questioned after the experiences of the last century. However, the economy is not an extraterritorial area of society but an integral part of the society it should serve. An economy that treats human beings only as cost factors is perverse. Legal communities have to escape the trap of globalisation by finding structures that allow for the re-establishment of societal supremacy over the economy.

The creation of wealth is an economic question; social structures for sharing this wealth are questions of justice. Where progress in production development leads to increasing elimination of human labour and thereby makes more and more people dependent on redistribution and social welfare, the marginalisation of the democratic state is a catastrophe.

All these problems result solely from the paradigm of the Homo economicus who is only interested in himself. To state this does not mean to deny the power and the importance of self-interest. But it has to be clearly said that one-sided orientation on self-centred motives will lead to a situation in which self-centeredness cannot ever again be regulated through cooperation and meeting. He who appeals only to egoists breeds them!

Such a one-sided concept of the economy has to be challenged by a different approach, namely that the economy is a sector of society serving the mutual support of human beings. To serve this task, appropriate forms of cooperation between the business partners have to be able to emerge. The 'world-economy' must not become an abstract worldwide market in which profit interests rule, disregarding the living conditions of human beings. Rather, these forms of cooperation have to supply the context in which the cooperation of all enables each single economic region to prosper. Economic regions should be understood as regions of life, as sociological biotopes worthy of protection!

## **The Question of the New Role of the State**

Everything is changing, only the states act as if everything has stayed the same, remarked an observant current affairs journalist a couple of years ago. Indeed the states tend to be change-resistant. Dynamic change comes from individualization and economic globalisation.

The task of legal communities or any global legal structure would be to bring about the permeability of society for initiatives, thus facilitating the development of the principle of individualization toward the principle of responsibility, which would bring with it new capacities for building community.

However, instead of consequently granting such spaces of autonomy, society gets stuck within the framework of New Public Management which is at best only a partial autonomy, and which only too often consists in dividing control between the state and the market. One tries artificially to create market-like conditions in cultural life, which in turn supports tendencies toward standardization (because standards should facilitate comparison between the competing "products"). Again, what lies behind these tendencies is the problem of mistrust already described.

While the state does not truly grant freedom to culture, it has moved increasingly into the defensive regarding the economy, the very element which needs to be set social and ecological boundaries. It thereby misses the point of the modern democratic constitutional state, which of course should be lean but in no way weak. Modern and post-modern development lead to the necessity of finding a new understanding of the role of the State, which is laid out in the two central ideas of modern political science: democracy and human rights.

Human rights place the individual in the centre of the government system. Respecting and defending the full human potential of the individual (as it is laid out in the German constitution) becomes the highest duty of all State authority. After the emergence of the demand for democratic equality, the discourse shifted to egalitarianism, while in truth the principle concerns the same freedom for all. In acknowledging human rights the community recognizes that these basic rights are not given to the individual by the community but belong to him as a human being. The guarantee to safeguard the essence of each human right is more than merely a legal idea. Here, the idea of the irrevocability of human rights and thus the negation of legal positivism has become a

positive right. The democratic majority is not the new supremacy to which the individual would now have to turn as a petitioner in the same way as to the aristocratic supremacy of former times. It is much more – at least in an idealistic sense. It is a community of the free, who now tacitly agree to negotiate agreements amongst themselves in a democratic way, while recognizing general freedom of action for the individual as the basis. Because this legal condition finds its concentrated expression in legislation but cannot be reduced to legislation alone, human rights remain more than a sheer legal idea, even if laws contradicting human rights are forced through. Clearly they have to be anchored as deeply and as solidly as possible in the legal awareness of the people and they have to be made factually irreversible through the democratic participation of people and constitutions. On the one side human rights demand freedom of culture, on the other side (if freedom and dignity are to be more than just words on paper) they demand an economic life shaped in a way which enables people to mutually supply each other economically, so that freedom is not just an empty word. And they demand democratic participation in all decisions that apply to all people in a polity.

### **The Archetypal Phenomena of Threefolding**

Summing up we can say that the fact of maturity leads to a reversal in the relationship between the individual and the community. In earlier times it had been the community around which everything revolved. Now the development of the individual and the individual's capacity for responsibility becomes the focus and task of the community. We find a certain analogy to this historical process in the biographies of individuals as they move towards legal maturity (which normally takes place at the age of eighteen). Everything which had been a precondition for the development of the young human being up to this point (which of course was prepared over a long period of time), that is, care, guidance, integration into the family community, would now signify a reversal, a hindrance to development. It is a wise provision of the law, that it withholds decisions about legal maturity from parents who, seeing what capacities are still lacking, would be much rather inclined to assert ongoing guardianship over their young. Nevertheless, the point is that when the individual comes of age, developing responsibility becomes a task. For this purpose the individual must have self-determination over his or her own life. [\[10\]](#)

A consequence of self-determination is that social relationships become differentiated: the young person now searches for the cultural environment in which he wants to be. As a citizen of the state he now enters the life of polity bearing the same democratic rights of participation. Further, in carrying responsibility for his own life, sooner or later he has to integrate himself into the global network economy based on division of labour. This means that he has to embrace a work task in which he achieves something needed not by himself but by other people. Here we have an archetypal phenomenon of social threefolding. Social maturity both demands and creates threefolding.

## Conditions for a Culture of Trust

From this it is not hard to see where one has to look for a way out of mistrust in human beings to a culture of trust. After all that we know from history it cannot be a matter of simply considering the human being good (only corrupted by the environment). Blind trust only leads to abuse which again provokes control from above and outside. In the same way one must not view existing incapacities as non-changeable constants in the human being. One has to take seriously the human being as a developing being, which means applying to others something which everybody can observe in themselves, namely that we are able to develop and grow beyond ourselves.

Development can only take place where it is given space. If we would allow a child to walk only after it had already perfected walking, it would never learn to walk upright. If we waited until the young person made perfect use of his freedom before we granted him maturity, he would have no chance to become free.

One learns responsibility where conditions allow responsibility to be taken. Anyone who does not grant parents free choice among schools, and then laments their lack of judgement to make this choice, does not realize that he is lamenting a situation which he himself has helped bring about. Mistrust in maturity is a self-fulfilling prophecy, as Kant already remarked.

The question of how freedom can live in society can thus be reshaped into the question of how one can bring about conditions that support responsible action. The answer to this question will be different in each case depending on which parts of societal life are involved. Economic questions demand a different style of treatment than cultural questions and these again a different style from political questions. However, in each case it will be a matter of addressing people in their capacity for responsibility, in a way that enables all solutions, to the furthest extent possible, to be brought about through the direct participation of those involved – through their ‘communicative action’ (Jürgen Habermas) or through ‘self-administration’. Autonomous self-administration ultimately means that those who are active are also the ones administering. In contrast, a culture of mistrust leads to bureaucratic manipulation, and to conditions based on anonymity. It results in ‘systems’ in which people should function without causing problems. A system, however – even the most ‘complex’ – remains a dead machine, it cannot become a living – organic – network of relationships between individuals.

Self-administration, as a form of lived responsibility, relies on people. It leads to the shaping of relationships through meeting as partners and through the strength of the meeting itself. By shaping their relationships, the people involved enter a path of human and social development. In the cultural sector, self-governance will grow out of the networking and independent status of individual institutions. The economy will have to start with networking as a given fact at the outset, a basic fact of the division of labour. This means that instruments for action have to be allowed to emerge in which the exchange of interests between the business partners – from production to consumption –

can be directed holistically from below. Where the conditions themselves do not allow alternatives to fixed regulative structures for a larger community (to drive on the left or right side of the road can not be a matter of individual choice) maturity means having the same chance to introduce initiatives into the majority decision-finding process and participating directly on the grass-roots level (three-step legislative proceedings organised by the citizens themselves, as a complement to representative democracy). Without becoming an integral part of the state and without giving up its independence in relation to the state, civil society will have to take this up and put it into action, producing freedom-orientated solutions (which are part of its own agenda) and bringing them into legally binding implementation. Initiatives of this kind have been proposed by IG EuroVision and Initiative Network Threefolding, for example, in relation to developing the European Constitution.<sup>[11]</sup>

### **What Kind of Governance Do We Need?<sup>[12]</sup>**

Individualization and globalisation are driving apart old uniformities in society. At the same time new tendencies of uniformity are arising all over the globe through the way in which globalisation acts today. The economy is slipping out of human control and setting itself up as a hegemony of human society. When layers of problems are increasingly determined by global interdependencies, they can be influenced less and less by instruments of the old nation state, which contradict the conditions required for culture.

All this leads to the question of new forms in which societies can live, forms that are governed on the one side by dependencies requiring solidarity and interdependencies and on the other side has freedom as their axis, whose provisions affect everyone. Such new forms can only arise in a healthy way when the organisation of culture, political structures and the economy by the people involved is not hindered through centralism and concentration of power.

The new paradigm is self-organization in the sense that the people who are involved have the responsibility to shape themselves. Only this basic principle can lead to future-orientated solutions for the governance problem.

Without such an idea, which leads to structured societal relationships, people will eventually be caught in the suction of a new mania of uniformity. People will dream the dream of world government – and will only be satisfied with structures below this level because they think world-government – for the time being – is utopian.

That instruments for a global life of rights have to be developed, that the UN has to play an important role, and that progress has been made in the life of rights when crimes against humanity can be brought to international courts – none of this need be argued against. However it cannot be a question of transferring the principle of the nation state (which, facing individualization and globalisation, has proven to be a deeply problematic structure) to the level of whole regions or even the entire globe. Enlarging the dimension of the state would only enlarge the dimension of state problems already existing today!

There are other possibilities for restoring societal supremacy over the economy. An important approach lies in using the tax-system as the meeting point between the economy and the constitutional state.[13]

The new world situation demands a new understanding of individuality and thus of diversity, otherwise globalisation will lead to cultural levelling-out, to the destruction of everything original, creative and spiritual. The wealth of the world we are heading towards consists of exactly this cultural diversity.

Democratic equality in relation to the education system, for instance, does not consist in uniformity of pedagogical content but in allowing the same participation for everyone in a diversely shaped educational system, which lives through the initiatives of teachers, professors, parents etc. The mental image of a standardized curriculum which would globally guarantee what students of a certain age are to do would be a nightmare. Such standardizing solutions are also utopian because individualisation of necessity brings with it a diversity of educational ideas and approaches. It is no accident that in many countries in recent years fixed ideas of uniformity concerning what is to be taught at schools has led to repeated conflicts (in Germany for instance, there was a discussion about whether a provincial government could pass a law requiring crucifixes to be displayed in classrooms). As in education, similar conflicts arise in other areas.

### **Threefolding - a Promising Approach to Governance for the Future?**

What is the relationship between governance and threefolding? Rudolf Steiner's approach to threefolding directly before and after World War I can in fact also be understood as an attempt to deal with the governance problem, even to formulate his own approach to governance, at a time when most people in responsible positions understood globalism to be only categories of international relationships between states.

In the final chapter of his well-received book 'Towards Social Renewal'[14]Steiner dealt with the 'international relationships' of social organisms. If one follows the argumentation of this chapter, a global structure will arise when each of three spheres – culture, the economic life and politics or the life of rights – has its own independent relation to the corresponding spheres of the other social organisms. In this way cultural, economic and inter-state networks could emerge and develop relatively independent of each other. Meaningful forms of co-operation could arise, as apposed to before, when economic interests or cultural questions were instrumentalised for political ends. Human rights would become the axis for international life, and state supremacy would no longer have primacy in international relations.

As an example, the idea of a worldwide school association was articulated in the context of this approach. Through this it becomes clear which direction can be used in creating global organs within the framework of future-orientated governance. It is not a matter of having only organs in which states co-operate. General, self-governing organs have to emerge in which the shapers

of educational systems and other areas of society are co-operating responsibly in matters that are their common concern.

Only cultural autonomy guarantees that each ethnic, religious or other group can foster its own culture without hindrance. On the other hand this principle of autonomy rules out the possibility of imposing on others through state egalitarianism. Only in this way can conditions for peaceful co-existence, and even active tolerance between cultures, slowly arise. The 'clash of civilisations' can be avoided.

One can see how modern this approach is and how capable of development. Steiner's sceptical and critical attitude towards Wilson's ideas of the League of Nations resulted from the insight that the 'right of self-determination of nations' as propagated by Wilson can all too easily become a 'barbarian instrument' (as it was characterised in the 1980s by Ralf Dahrendorf). The axis of international life that Wilson proposes is not the individual right of each human being to live within his or her polity in freedom and equality, under humane material conditions of existence. It is the right of each nation to have its own state. This has to lead to irresolvable conflicts, especially where different ethnic groups live on the same territory, as we have just recently seen again in the Balkans and in other places. Through social threefolding – according Steiner in his day - "diverse relations are established between peoples, states and economic bodies which join each part of mankind with the rest in a way that allows each, in its own interest, to be sensitive to the life of the others. A league of nations arises from fundamental impulses appropriate to reality. It will not have to be 'installed' out of one-sided political considerations."[15]

Where societal areas of life develop with ever greater independence, and meaningful shape is given to the whole based on their inherent characteristics, there the form of co-operation cannot be mediated centrally, it has to be a 'tri-sectoral partnership' among representatives of the three spheres. For the cultural realm in our present time, organised civil society can and must play a key role.

Today the need for 'tri-sectoral partnership' is so obvious that even representatives of standardized thinking – whether more from the economic or from the political perspective – are forced to adopt this approach at least partially (though not without attempting to convert it). They attempt to achieve the same economic interests and political intentions as before, only in a more flexible way by integrating and co-opting civil society. One can speak of an integrational approach, but this would not be capable of future development, as shown above.

The new constellation poses difficult questions for civil society. The current stronger integration of non-state stakeholders in political networks of various kinds is opening up new possibilities, but there is also the danger of losing sight of one's original intentions. Civil society would also fall into a trap if it forgot that its power emerges from its basis – the movement for democracy, local agendas, the coalition for freedom in education, consumer initiatives and initiatives for new economic forms, etc. In the end we will not be able to avoid the question of whether the role of civil society activists at the round table of

tri-sectoral partnerships only serves the representatives of the establishment as an early warning system for neuralgic points threatening the realisation of their own goals, or whether conditions can be created in which those involved can engage themselves as carriers of responsibility through open and shaping dialogue.

## **In Search of New Political Forms and Structures**

Tri-sectoral partnership as such does not inherently solve the problem of how to create new political forms in an age of individualisation and globalisation. We have looked at many important aspects of this problem but these thoughts must be developed further in a variety of directions. Decisive for participatory democracy is the process through which a juridical form comes about.

It is especially for this reason that debate focuses so much on things like media presentations as a precondition for real public discourse. Public discourse lives from the fact that decisions are taken as close to the basis as possible. New problems arise through globalisation's enlarged dimensions of democratic legitimacy. As Berthold Brecht once remarked, all state authority comes from the people, but where it goes is decisive. The higher the level at which decisions are taken, the less the possibility for taking into consideration the special characteristics of a certain region. From this point of view the idea of grass-roots democracy leads to the idea of federalism and subsidiarity.

At present a new concept is emerging in political life, the concept of 'soft law'. 'Soft law' comes about through agreements, through informal settlements, etc. amongst societal stakeholders. A justification for this phenomenon is seen in the increasing ineffectiveness of the traditional way of arriving at structures and policies especially on the global level, where up until now this has been done through treaties between states. The need for finding new structures and policies is so virulent that it leads to the creation of 'soft law'. This development is truly dubious. Where well-founded and therefore clear laws are lacking, particular interest groups can attempt to fish in muddy waters. However, the creation of 'soft law' to complement traditional structural forms of international law contains a seed for future development because those actually involved are at the centre of the process to shape new political relations. They, out of their own free will, are creating legal bonds by means of arrangements, agreements, contracts and commitments. Such agreements are one possible approach to shaping the legal side of global relationships in which the sovereignty of participating groups and their specific interests and impulses can be maintained. Through agreements between partners, laws can also be created within the framework of tri-sectoral partnerships. However, this can happen only under the precondition that the partners themselves are given legitimisation by their own basis, that state stakeholders for instance have a democratic mandate.

When we accept general freedom of action for individuals as being substantial for a modern understanding of rights and politics, and if we understand this freedom to act as being freedom to unite on the one hand, and freedom to

make contracts on the other, then this will enlighten the central position of the principle of contract in the political sphere. It is not for nothing that modern state philosophy starts with the deduction of supreme power from the original, free, contractual relationships amongst the members of a community (theory of social contract). The shaping of contracts is indeed archetypal for the legal forms of maturity.[16]

Political structures of the future will consist of a combination of elements. Any legal forms democratically legitimised through the citizens themselves will have to form a framework in which various elements of a new type of 'soft law' can develop.

## **The Threefolding Movement - Tasks and Chances**

The ongoing debate on governance is a symptom of the accumulated need for social change. The present situation offers new opportunities for threefolding but also makes higher demands on us, which we can only meet by repeatedly testing the methodological fruitfulness of threefolding and finding the right answers for each situation. One of the higher requirements is that, more than before, we need a capacity to find solutions in dialogue with partners and in coalitions and to play an active role in the struggle of civil society for a better world. The word 'social' originates from 'socius', which can be translated as 'companion'.

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[1] This is an elaboration of a talk given on 11 March 2001 during a conference with Nicanor Perlas and Michael Baumann in forum 3, Stuttgart/Germany.

[2] "Globalisation and German Foreign Policy". A contribution to a panel discussion at the EXPO on 17 October 2000. Published as pdf-file in the Internet Archive of the German State Department ([www.auswaertiges-amt.de](http://www.auswaertiges-amt.de)).

[3] Speech of German Foreign Minister Joschka Fischer to the 54th general assembly of the United Nations on 22 September 1999 in New York. Source: Internet Archive of the German State Department ([www.auswaertiges-amt.de](http://www.auswaertiges-amt.de)).

[4] Commission of the European Community. A white paper or handbook on 'Governance' for the European Union. "To deepen Democracy in Europe". Work programme. Work document of the departments of the Commission. Brussels, 11 October 2000, SEK (2000) 1547/7. Available on the Internet.

[5] Global Governance has the chance to "become a star at the firmament of those 'great concepts' which obtain their attractiveness for the discourse just from the fact that they can be interpreted in completely different directions and that they can be used for very different aims and interests". (Ulrich Brand, Achim Brunnengräber, Lutz Schrader, Peter Wahl: Global Governance. Alterna-

tive to neoliberal globalisation? A study of Heinrich-Böll foundation and WEED. Münster 2000, p. 14, German language)

[6] See Brand, Brunnengräber, Schrader, Wahl, p. 47.

[7] Georg Friedrich Wilhelm Hegel, foreword to the second edition of "Science of Logic".

[8] See article by the author, "GATS - Service to Whom" ([www.threefolding.net/GATS.htm](http://www.threefolding.net/GATS.htm))

[9] This thesis is initially softened by looking at human moral sentiments; however, they play only a secondary role.

[10] Udo Hermannstorfer has repeatedly emphasised this genesis of threefolding out of maturity along with its analogies in the individual biography in his descriptions of social renewal.

[11] See "Fundamental rights in Europe and Global Civil Society", [www.threefolding.net/Europe.htm](http://www.threefolding.net/Europe.htm)

[12] See my article on "Trisectoral Partnerships, Civil Society and Threefolding" in "Rundbrief Dreigliederung des sozialen Organismus", first edition/March 2001.

[13] Compare suggestions for safeguarding the social systems by restructuring the financing from non-wage labour costs to a consumption-related social rate, by U. Herrmannstorfer, H. Spehl and the author, [www.threefolding.net/textshtml/Social\\_Security.htm](http://www.threefolding.net/textshtml/Social_Security.htm).

[14] Rudolf Steiner "Towards Social Renewal", Rudolf Steiner Press, London 1977.

[15] "Towards Social Renewal" see note 11, pg. 129. However, one has to say that even the League of Nations did not always act in accordance with Wilson's basic principles; for instance in 1921 when Finland's supremacy over the Swedish-speaking Aland Islands was confirmed in view of the far-reaching autonomy that Finland had granted them.

[16] There are many contracts which hide inequality and lack of freedom behind formal equality and freedom, but this is another topic and does not contradict the principle of contracts.