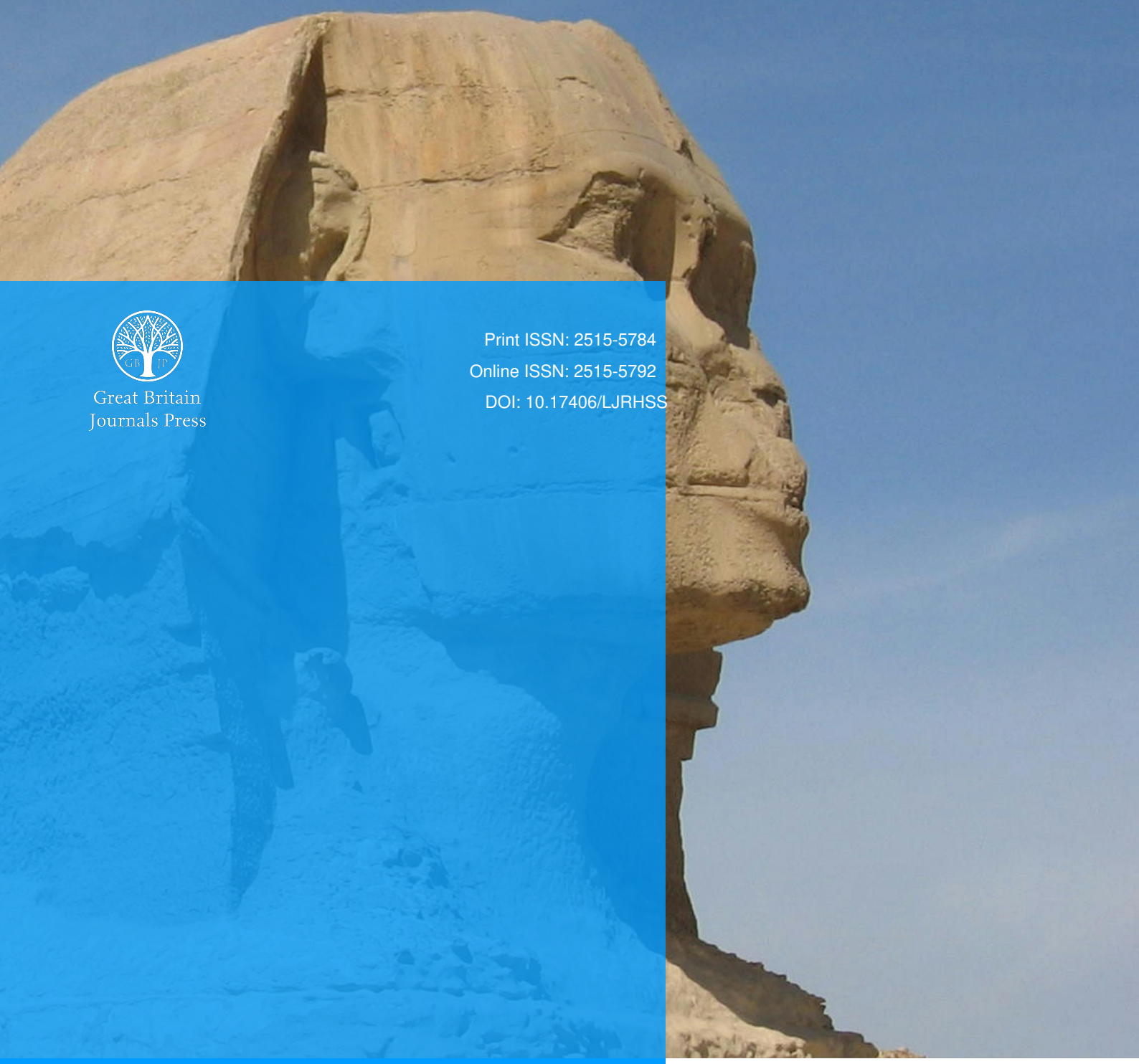


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What Makes Europe strong: Treaties or a Federal Constitution?

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ABSTRACT

European integration is based on a treaty-based model of cooperation between sovereign states. For many decades, this model has promoted peace, economic development and institutional cooperation. At the same time, however, it has left one fundamental constitutional question unanswered: can a federal political order emerge from a system based exclusively on treaties between states? This essay argues that this question must be answered in the negative. A federation is not merely a more intensive form of international cooperation, but a specific constitutional form of state in which powers, responsibilities and democratic legitimacy are directly embedded in a fundamental legal order. The European Union, by contrast, has based its development on successive treaties, thereby remaining a hybrid political construct: stronger than an international organisation, but without the constitutional foundation of a federal state. Drawing on historical, constitutional-law and political-philosophical analyses, the essay examines why earlier attempts at European federalisation have stalled and why the constitutional question is once again becoming central. Particular attention is paid to the European Convention of 2002–2003, the Treaty establishing a Constitution for Europe of 2004, and the subsequent Treaty of Lisbon of 2007/2009. The essay also considers citizens' initiatives aimed at the federalisation of the European Union. It further discusses Polybius's theory of the evolutionary cycle of states and the federal thought of Johannes Althusius as an early example of a political...

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PERSPECTIVE

What Makes Europe strong: Treaties or a Federal Constitution?

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Abstract

European integration is based on a treaty-based model of cooperation between sovereign states. For many decades, this model has promoted peace, economic development and institutional cooperation. At the same time, however, it has left one fundamental constitutional question unanswered: can a federal political order emerge from a system based exclusively on treaties between states? This essay argues that this question must be answered in the negative. A federation is not merely a more intensive form of international cooperation, but a specific constitutional form of state in which powers, responsibilities and democratic legitimacy are directly embedded in a fundamental legal order. The European Union, by contrast, has based its development on successive treaties, thereby remaining a hybrid political construct: stronger than an international organisation, but without the constitutional foundation of a federal state. Drawing on historical, constitutional-law and political-philosophical analyses, the essay examines why earlier attempts at European federalisation have stalled and why the constitutional question is once again becoming central. Particular attention is paid to the European Convention of 2002–2003, the Treaty establishing a Constitution for Europe of 2004, and the subsequent Treaty of Lisbon of 2007/2009. The essay also considers citizens' initiatives aimed at the federalisation of the European Union. It further discusses Polybius's theory of the evolutionary cycle of states and the federal thought of Johannes Althusius as an early example of a political theory in which power is not organised exclusively from the top down but arises from the cooperation of communities. The essay concludes that the future stability of Europe does not depend on further refinement of the existing treaty system, but on the willingness to take the constitutional dimension of federalism seriously.

Keywords: *Constitutionalism, democratic legitimacy, European Integration, European Union, federal constitution, Federalism, Johannes Althusius, Polybius, shared sovereignty, state formation, treaty law*

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PART 1 — ANALYSIS OF THE DEBATE ON EUROPEAN UNIFICATION

1 Introduction and Problem Statement

Since the end of the Second World War, European cooperation has been underpinned by a fundamental conviction: lasting peace on the European continent requires an institutional form of cooperation that prevents European states from once again confronting one another in armed conflict. The political generation that took the first steps towards European integration after 1945 faced the immense task of creating an alternative to centuries of rivalry between sovereign states. The European Coal and Steel Community (1951), followed by the European Economic Community (1957), constituted the first institutional outcome of this endeavour.

From the outset, however, there was a fundamental difference of view as to the ultimate nature of this cooperation. On the one hand were those who sought to develop Europe into a federal political community, based on a democratic constitution in which citizens would ultimately constitute the source of political legitimacy. On the other hand, were those who believed that European cooperation should primarily continue to rest on treaties between sovereign states.

This tension has never been fully resolved. It remains one of the most fundamental constitutional questions facing the European Union.

The debate is not merely about terminology. It concerns the nature of political power, democratic legitimacy and the legal structure upon which a political community is built. According to classical constitutional law, a federation is not simply a form of cooperation between states. It is a distinct political legal order in which the whole and its constituent parts – the federal government and the constituent states – derive their powers from a constitution. That constitution determines the distribution of power, protects the rights of citizens and establishes the boundaries within which political institutions operate.

A treaty system, by contrast, follows a different logic. It comes into being because independent states conclude agreements and voluntarily entrust powers to one another or to common institutions. The states remain the primary holders of sovereignty. Treaties can be amended, extended or withdrawn from by the parties that concluded them. Legitimacy therefore ultimately rests with the states as the parties to the treaties, rather than directly with citizens as the constituent power.

It is precisely here that the constitutional tension of the European Union lies. In the course of its development, the EU has acquired an increasing number of characteristics of a political community: it has a directly elected – but elected on a Member State-by-Member State rather than a trans-European basis – European Parliament, a common legal order, an internal market, a monetary union and policy areas that have a profound impact on the daily lives of citizens. At the same time, its legal foundation remains based on treaties between Member States.

The central question of this essay is therefore: Can a federal political order emerge from a system that, constitutionally speaking, was not designed as a federation?

The answer defended in this essay is that this is not possible without a fundamental constitutional transition. A paradigm shift.

The history of European integration demonstrates that the treaty model has brought significant successes. It has contributed to economic interdependence, institutional cooperation and peace between formerly rival states. An analysis of the European Union' s current problems, however, makes clear that the same structure also has limitations. Whenever conflicts arise concerning migration, internal borders, security, foreign policy, budgetary discipline, the relationship between national and European competences, and its position in the geopolitical order, it becomes clear time and again that the Union possesses limited constitutional instruments with which to resolve these tensions in a lasting manner.

The recurring solution has consistently been sought in new treaties, treaty amendments and institutional adjustments. These measures address symptoms but leave the underlying constitutional question unresolved.

This position is not universally shared. Due to the absence of a commonly accepted understanding of the question 'Which competences belong to the European Union, and which belong to the EU Member States?', certain legal phenomena have emerged within the diffuse treaty-based system that suggest an ongoing process of federalisation of the EU. These federal-like phenomena include: (a) EU law has direct effect within the Member States; (b) it takes precedence over national law; and (c) the Court of Justice has significantly developed the autonomy of the EU legal order. These are phenomena *sui generis*: self-standing entities designed to provide competences where the existing legal framework does not provide for them.

They reflect what I call the 'mouse-elephant syndrome': the mouse that wishes to become an elephant occasionally receives, through treaty amendments and case law, genes from an elephant within its DNA structure, leading some to assume that the mouse will ultimately become an elephant by itself. To characterise this gradual process of phenomena that appear to make the EU susceptible to developing into a federal state, Sacha Garben[1] uses terms such as 'competence creep', 'competence leak', 'legal engineering' and 'constitutionalisation by stealth'. The latter refers to constitutional development taking place without a clear and explicit political decision to that effect. The Court of Justice has played an important role in this process: the judiciary effectively places itself in the position of the political decision-maker.

According to Garben, the EU is situated between two constitutional models. The source of European competences is to a significant extent confederal, whereas the operation and scope of those competences sometimes appear federal. Garben refers to this as the '(con)federal conundrum'. The European Union is therefore neither simply a federation nor a confederation, but a hybrid construct whose constitutional basis has never been fully settled. According to her, this results in a fundamental 'constitutional un-settlement': the constitutional position of the EU has not been definitively resolved.

I would add that, in attempts to resolve this conundrum, these federal-like phenomena function as system errors within the treaty-based legal framework. Rather than strengthening that framework through the introduction of quasi-federal elements, the allocation of competences that are alien to the treaty-based system increases uncertainty—and consequently also the unease—regarding the political and legal credibility of the EU. These purported federal phenomena are essentially hostile to the system, in the sense that they attempt to mitigate deficiencies in the treaty-based framework by introducing phenomena that are not inherent to that framework, thereby disrupting rather than strengthening its order. I return to this issue in Chapter 3, where I discuss 'institutions *sui generis*' and the concept of 'entropy' as disorder and chaos within a system.

The core argument of Garben's book, *The Competence Question in the (Con)Federal European Union*, can be summarised in one proposition: the persistent uncertainty about the competences of the central EU authority vis-à-vis those of the Member States is not an accidental legal problem, but the consequence of a long-standing unresolved constitutional question concerning the very nature of the European Union itself. I would add: treat a treaty-based system as a treaty-based system and a federal system as a federal system. They are fundamentally different political and legal identities, and it does them a great disservice to attempt to merge them and then claim that this constitutes constitutionally grounded democratic progress.

This situation is not unique in history. Earlier attempts to organise international peace and cooperation exclusively through treaty-based mechanisms have likewise revealed structural limitations. The League of Nations after the First World War provides a historical example. The premise was that states could jointly safeguard peace through cooperation and obligations established by treaty. In practice, however, an organisation without sufficient constitutional authority of its own remained dependent on the willingness of individual states to act collectively. The result was a second world war.

The question that Europe must answer once again today is therefore not only political but also constitutional in nature. Is the treaty-based European Union the endpoint of institutional development, or is it a transitional phase towards a different political order?

I defend the latter position. The European Union should not be regarded as a failed project, but as a historical stage of development that has reached its own limits. The task is not to dismantle European cooperation, but to perfect it constitutionally. Not through yet another amendment of the treaties, but through the construction of an entirely new order: a federal state.

In this context, it is important to distinguish between federalisation as a political slogan and federalisation as a constitutional-law process. The word 'federal' is regularly used in the European debate today, but often without making clear what legal consequences the concept entails. A federation is not simply a Union that cooperates more extensively across more policy areas, or that shares more competences. It is a constitutional order in which citizens and constituent territories jointly form the foundation of a new political community.

The historical development of federal states demonstrates that such orders generally emerge at moments when existing structures are unable to provide adequate answers to new challenges. The United States of America emerged from the need to replace the weakness of the Confederation with the strength of a federation. Switzerland transformed in 1848 from a confederation into a federal state in order to overcome internal divisions.

[1]Sacha Garben, *The Competence Question in the (Con)Federal European Union*, Oxford University Press, 2025.

Belgium's federalisation is noteworthy. Alongside Germany and Austria, it is the third country within the European Union that can be considered a federal state. Between 1970 and 2011, through six successive and far-reaching state reforms, Belgium was transformed from a decentralised unitary state into a federal state based on a federal constitution. This transformation was preceded by two hundred years of conflict between French-speaking Wallonia and Dutch-speaking Flanders. As a result of geopolitical shifts in the distribution of power following the Napoleonic period, these two distinct cultures were, as it were, confined within borders that suited neither of them. Wallonia dominated Flanders, particularly in economic terms. For two hundred years, Flemings were unable to obtain management positions, neither in business nor in government. The deaths of many Flemish soldiers in the First World War because they did not understand the orders given by French-speaking officers helped set the process of federalisation in motion after the Second World War. Federalisation, with the constitutionally guaranteed equality of these two parts of the state, finally brought stability.

It is not clear how many federal states currently exist. The number ranges between twenty-five and twenty-eight. This has to do with the question of whether they are constructed in a centripetal manner (from the bottom up) or in a centrifugal manner (from the top down, as a form of decentralisation or devolution). I myself use a figure of twenty-seven federal states.

In a considerable number of federations, the need to manage serious internal divisions and conflicts was the reason for establishing a federal state. This was true not only of the United States (1787) and Switzerland (1848), but also of Bosnia and Herzegovina (1995). The same applies to India, Nigeria and Nepal, reflecting a pattern of federalism as a constitutional and institutional means of making territorial, religious, ethnic, linguistic or national divisions within a single state governable. Australia and Malaysia are federations in which such problems were not, to the same extent, reasons for federalisation.

Federations emerge when politically independent or distinct communities conclude that they can no longer manage certain essential problems on their own or through treaties, while at the same time they do not wish to relinquish their political independence. They therefore find a solution in sharing their sovereignty with that of a federal authority.

The European Union now finds itself at such a historical crossroads. The question is no longer merely how cooperation between states can be improved, but whether the current legal structure remains suitable for the political reality that it has itself brought into being.

From this perspective, the debate on a federal Europe must also be reopened. Not as an abstract ideal, but as a constitutional-law consequence of a process that has been under way for decades. The central proposition of this essay is therefore straightforward: a treaty system can organise cooperation between states, but it cannot give rise to a fully-fledged federal political community. That requires a democratic constitution.

2 The Historical Misunderstanding: Treaties versus Constitution

The constitutional tension that characterises the European Union today is not a recent phenomenon. It arose already in the first years after the Second World War, when European political thinkers and statesmen were confronted with the fundamental question of how the centuries-long cycle of European wars could be broken.

The Second World War had not only caused a military and humanitarian catastrophe but had also exposed a profound political crisis. The traditional system of sovereign nation states, in which states formally existed independently alongside one another and regulated their mutual relations through treaties, had for centuries contributed to an unstable balance of power. That system had failed to prevent Europe from being plunged twice within a single generation into a devastating war.

For a number of European federalists, the conclusion was clear: peace could not be achieved solely through better agreements between states. In their view, the problem lay precisely in the structure of a political system in which states ultimately determined for themselves which obligations they would undertake and when they could depart from them. Lasting European peace therefore required a new political order in which states would share their sovereignty within a constitutional framework.

One of the most influential documents in which this idea was articulated was the Ventotene Manifesto of 1941, written by Altiero Spinelli, Ernesto Rossi and Eugenio Colorni during their exile on the Italian island of Ventotene. The manifesto argued that the traditional conception of absolute national sovereignty was a major cause of European conflicts. The solution was not to be sought in a new balance between nation states, but in a federal European structure based on a democratic constitution.

For Spinelli and his fellow authors, federalism was not a more intensive form of international cooperation, but a fundamental transformation of the political order. A federation meant that citizens would no longer be politically organised exclusively through national states but would become directly part of a new European legal community. The legitimacy of that community would ultimately have to derive from the constituent power of the European people.

After 1945, however, this vision did not become dominant. European political practice chose a different route. Under the influence, among others, of Robert Schuman and Jean Monnet, the Schuman Declaration of 1950 opted for gradual integration through treaties and functional cooperation. The thinking behind this was pragmatic, but also short-sighted. Pragmatic in the sense that political federalisation was not feasible in the short term, but economic cooperation in specific areas could bind countries together to such an extent that further integration in the form of a federal Europe would eventually follow of its own accord. Short-sighted in the sense that the failure of the treaty-based League of Nations (1919–1940) was not taken as a lesson, and the same mistake was made in the period 1945–1950 by once again basing the necessary cooperation on treaties.

The repetition of the choice for a treaty-based strategy became visible in the establishment of the European Coal and Steel Community in 1951. By placing the production of coal and steel – the raw materials essential to warfare – under joint management, an attempt was made to make a new war between France and Germany materially impossible.

Although short-sighted, this choice was historically understandable. After 1945, Europe was in a situation in which national governments were scarcely prepared to transfer their sovereignty directly to a federal authority. The memory of war, occupation and dictatorship made caution necessary. An immediate European constitution based on a federal model proved politically unfeasible. Yet it was precisely here that the fundamental misunderstanding arose which subsequently became increasingly difficult to correct.

The idea that a series of treaties would ultimately and inevitably result in a federal constitution assumed that institutional cooperation would automatically lead to constitutional unification. European history, however, has demonstrated that these are two entirely different processes: a treaty-based system does not automatically evolve into a federal system, however often the treaties are amended in order to intensify and deepen cooperation.

Greater cooperation between states does not necessarily mean the formation of a new political community. States can share competences

for a long period, create common institutions and develop common rules without this automatically resulting in a federal state. What is required for that is a constitutional moment: an explicit decision whereby the political community itself determines the foundation, structure and limits of its authority. That moment has repeatedly been postponed.

This explains why European integration was able to continue expanding without ever taking the constitutional step. As a result, the present system is highly heterogeneous. The European treaties have developed a complex system in which European institutions exercise powers that go beyond those of traditional international organisations. The Court of Justice of the European Union, for example, has developed the principles of the primacy and direct effect of European law. The European Parliament has evolved from an advisory body into an elected political institution, but not into a parliament in the traditional sense. Although directly elected, it is elected on a national rather than a trans-European basis. The European Commission performs functions that partly resemble those of an executive government. And the European Council of twenty-seven heads of government and heads of state, which is not democratically elected, decides on the most important aspects of treaty-based cooperation, with five permanent members possessing a right of veto. This heterogeneity of structures and procedures, responsibilities and competences prevents the transition to a constitutional paradigm.

Thus, the fundamental source of authority remained vested in treaties between Member States. The European Union consequently acquired a hybrid character: according to its principal actors, it resembles a federal structure in certain respects, but lacks the constitutional foundation required for a legitimate federation. It also contains systemic flaws that hollow out the complex EU system from within.

This problem was recognised at an early stage by federalists within European movements. They saw that, although the treaty method made progress possible, it also contained a structural limit. A system that derives its legitimacy from states can scarcely transform itself into a system in which citizens become the primary source of sovereignty.

This tension resurfaced during the discussions surrounding the European Political Community in the 1950s. Following the failure of the European Defence Community in 1954, the immediate prospect of political federalisation largely receded into the background. European integration shifted definitively towards economic cooperation. A fundamental choice was thereby made: Europe would function practically first and become constitutional only later. Automatically, simply by continuing to amend the treaties.

It cannot be denied that this strategy has produced results. European cooperation has promoted peace and prosperity and has integrated former adversaries into a common political and economic framework. At the same time, however, the original constitutional question remained unanswered. The history of the European Union can therefore be read as a prolonged attempt to create a federal reality without the constitutional act that is necessary to establish it.

Later developments confirm this pattern. Every major European crisis led not to a constitutional revision of the political order, but to a new temporary solution through the treaties. The Single European Act, the Treaty of Rome, the Treaty of Maastricht, the Treaty of Amsterdam, the Treaty of Nice and ultimately the Treaty of Lisbon were each attempts to adapt the existing system to new circumstances. Yet every adjustment remained within the same logic: states negotiate over the extension or limitation of competences. The citizens of Europe did not become the direct founders of a new constitutional order.

It is precisely for this reason that the European Convention of 2002–2003 was of such historical importance. For the first time in a long period, Europe appeared willing to pose the constitutional question explicitly. The question was no longer merely how the existing treaties could be improved, but whether Europe required a constitutional foundation.

The outcome of that Convention, however, once again revealed the tension between treaty-based thinking and constitutional thinking. At the beginning of the twenty-first century, the European Union was faced with a choice that ultimately was never fully made: would it develop into a democratic federation, or would it continue to pursue its development within the existing treaty-based legal framework?

The next phase of this process – the European Convention of 2002–2003, the Constitutional Treaty of 2004 and the Treaty of Lisbon of 2007/2009 – therefore does not constitute a technical chapter in European history, but a constitutional turning point. It was the moment at which it became clear how difficult it is to reconcile a federal ambition with a non-federal legal foundation. I shall develop this argument further below.

3 From the European Convention to the Treaty of Lisbon: The Missed Constitutional Breakthrough

At the beginning of the twenty-first century, a historic opportunity appeared to be emerging within the European Union to place the constitutional question once again at the centre of the debate. The enlargement of the Union to include Central and Eastern European countries, the institutional problems associated with a growing number of Member States, and the need for greater democratic legitimacy made it increasingly clear that further adaptation of the existing treaty system was becoming more difficult.

At the European Council in Laeken in December 2001, the Heads of State or Government therefore decided to convene a European Convention. The Convention was tasked with developing proposals for the future of the European Union. This did not concern institutional reforms alone, but explicitly also the question of how Europe could be brought closer to its citizens and how the democratic legitimacy of the Union could be strengthened.

The Convention was chaired by the former French President Valéry Giscard d'Estaing and consisted of representatives of national parliaments, governments, the European Parliament, the European Commission and representatives of candidate countries. Approximately 105 members took part in the process.

What was distinctive about this Convention was that it did not operate exclusively as a traditional intergovernmental negotiation between governments. For the first time in a long period, an attempt was made to conduct a broader constitutional debate on the nature and future of Europe. The question was raised as to whether the European Union should no longer be regarded solely as an arrangement for cooperation between states, but as a political community with its own constitutional identity.

The result was the draft Treaty establishing a Constitution for Europe, presented by the Convention in July 2003. The document was intended to constitute a fundamental simplification and restructuring of existing European law. It brought together the existing treaties, formulated fundamental rights more explicitly and introduced elements that clearly pointed towards a more constitutional order.

The designation of the document, however, immediately revealed the fundamental tension that had accompanied European integration since 1945. It was designated a 'Constitutional Treaty': a constitutional treaty.

From the perspective of constitutional law, this formulation is problematic. A constitution and a treaty represent two different legal categories. A constitution is the fundamental legal framework of a political community and ultimately derives its legitimacy from the

constituent power of citizens. A treaty, by contrast, is an agreement between existing political entities, led by administrators, which jointly establish arrangements for cooperation. A treaty between two states can be a strong formula because both states have an equal interest in its proper functioning. This is not necessarily the case with a treaty between more than two states, a form of multilateral cooperation. A plurality of interests can then obstruct the operation of treaties. And that is precisely what happens when the outcome of common decision-making harms the interests of one or more states. In such circumstances, the Roman-law maxim *pacta sunt servanda* – agreements must be kept – is disregarded. Even in Roman times, it was understood that within a treaty-based system there can never be certainty that parties will comply with their obligations.

The use of the term 'Constitutional Treaty' attempted to connect these two worlds: on the one hand, the ambition of constitutional development; on the other, the political reality of a Union that was still based on treaties between Member States. It was precisely this hybrid construction that illustrated the fundamental difficulty of the European project. The intention was to introduce the constitutional characteristics of a federal order without taking the constitutional step itself.

Nevertheless, the proposal ultimately remained the product of negotiations between states. European citizens were not directly involved as the constituent power. The text was not drafted by a European constituent assembly that, acting on behalf of citizens, created a new political order, but by a Convention operating within the existing framework of cooperation between Member States.

That distinction proved politically decisive.

On 29 October 2004, the Treaty establishing a Constitution for Europe was signed in Rome by the Member States. The location was symbolic: the same city in which, in 1957, the treaties establishing the European Economic Community had been signed. The intention was clear: Europe was to enter a new constitutional phase. But this attempt failed. In 2005, France and the Netherlands rejected the document in referendums. The reasons for this were diverse and concerned both substantive objections to aspects of the European project and concerns about democratic control, economic consequences and national sovereignty.

To understand this failure, the following must be considered. The dispute over the choice between a constitutional order and a treaty-based order lies deeply embedded in the question: where does primacy lie? In 'law' or in 'politics'? It is politics that chooses to codify legal rules. But once codified, politics is also bound by those rules and is expected to comply with them – both in their substance and in their intended purpose. In this case, the political intention was to allow heads of government to govern with complete freedom as they saw fit; and, whenever circumstances made this inconvenient, to amend the treaties and adjust the rules, but without accepting the constraints of a democratic system of law that does not always facilitate such freedom. By constructing a 'Constitutional Treaty', an appearance was created that these two mutually exclusive options could be reconciled. Legal experts characterised this construction as a *constitutio arbitraria*, an arbitrary or dubious constitution. The response from 'Brussels' was: 'This is a construction *sui generis*, a legal phenomenon that stands on its own.' Law students learn that politicians sometimes resort to such a formula: the creation of a phenomenon that does not fit within generally accepted legal standards, which subsequently survives for some time as an island within those standards but, owing to its lack of genuine integration into the law, sooner or later dies out. In this case, that occurred as early as 2005.

The creation of a *sui generis* phenomenon is a form of the aforementioned 'legal engineering'. When the law obstructs politicians in their desire to make decisions, they devise an ad hoc construct. This not infrequently leads to internal conflicts between politicians and legal experts.

The political consequence was that the purported constitutional project was abandoned. The European Union did not choose to reopen the discussion about its foundations but returned to the familiar method of treaty amendment.

The result was the Treaty of Lisbon.

The Treaty of Lisbon, signed in 2007 and entering into force on 1 December 2009, retained a large part of the substance of the Constitutional Treaty. Many institutional reforms were preserved, but the explicit constitutional symbolism disappeared. References to a European 'Constitution', the designation of European symbols in a constitutional context, and formulations that too strongly evoked state formation were removed. A significant choice was thereby made. The European Union retained the institutional advances of the Constitutional Treaty but had to abandon its constitutional ambition because the irreconcilable could not be reconciled by fiction.

The Treaty of Lisbon can therefore be regarded as a form of deconstitutionalization: the Union acquired greater competences and more refined procedures, but without taking the step towards an explicit constitutional foundation.

This led to a paradoxical situation. Today, the European Union possesses certain characteristics of a federal legal order: an autonomous legal order, supranational institutions, a common currency for a large proportion of the Member States, and legislation that has direct consequences for citizens. At the same time, however, it remains legally based on treaties whose ultimate authority rests with the Member States.

This tension explains many of Europe' s current problems. Whenever fundamental political choices have to be made, the Union returns to negotiations between national governments. The European institutions can act only within the competences conferred upon them by the treaties. This creates a system in which responsibilities are dispersed and in which citizens often find it difficult to determine who actually bears political responsibility.

From a constitutional perspective, this is the core of the European impasse.

The Union has developed into something more than an international organisation, but less than a federal state. It occupies an intermediate form that is historically interesting and institutionally innovative, but which at the same time becomes increasingly vulnerable as the political challenges grow greater.

The experience of the European Convention therefore demonstrates a fundamental lesson. Europe' s problem is not a lack of institutional creativity. On the contrary: for more than seventy years, European integration has built up an extensive body of rules and institutions. The problem lies deeper. It concerns the question of what political authority ultimately rests upon.

A federation cannot arise solely through ever-deeper cooperation between governments. Ultimately, such cooperation requires a constitutional moment in which the political community itself determines how power is to be distributed, what rights citizens possess and which institutions are authorised to act on behalf of the whole.

The European Convention of 2002–2003 came close to that moment but did not reach it. The Treaty of Lisbon subsequently confirmed the choice to continue the treaty model.

The fundamental question of European integration therefore remained unanswered: does Europe ultimately wish to become a federal political community, or will it remain an ever more developed form of cooperation between sovereign states? As long as that question is not answered constitutionally, the European Union will remain trapped

in a structural tension between its political ambitions and its legal foundation.

4 Reform without a Constitutional Breakthrough

The failure of the 'Constitutional Treaty' did not mark the end of the discussion about the institutional future of the European Union. On the contrary, many of the practical problems that had given rise to the European Convention remained. The enlargement of the Union, the need for more efficient decision-making and Europe' s growing role on the world stage made further reforms necessary.

The political solution was found in the Treaty of Lisbon, which was signed in 2007 and entered into force on 1 December 2009. This treaty incorporated a large part of the substantive reforms contained in the 'Constitutional Treaty', while at the same time removing the constitutional terminology that had proved too politically sensitive.

The symbols referring to state formation disappeared. The designation 'Constitution' was replaced by 'Treaty'. References to a European constitution, European symbols with a constitutional-law character, and terminology that suggested a process of federal development were largely removed. An important signal was thereby given: institutional deepening was acceptable, but constitutional transformation remained politically undiscussable.

This choice reflected the fundamental tension within the European project. On the one hand, the European Union was by then operating in areas traditionally belonging to states: it possessed its own legal order, a common market, a monetary union for a large proportion of its members, shared regulation and institutions with a direct impact on citizens. On the other hand, its legal foundation continued to consist of treaties between Member States. The result was a political construct with certain federal characteristics, but without a federal constitution.

From the perspective of classical constitutional law, this constitutes a particular situation. A federal state is not primarily characterised by the amount of competences exercised at central level, but by the constitutional manner in which those competences are organised. The essence of federalism lies in a durable sharing of sovereignty between the whole and its constituent parts, laid down in a constitution that stands above day-to-day political power relations as the embodiment of 'law' standing above 'politics'.

The Treaty of Lisbon once again opted for the treaty-based method. The Member States remained the 'masters of the treaties', thereby placing 'politics' above 'law' as a matter of principle. Every significant amendment to the European legal order requires the consent of national governments and depending on national constitutional rules, national parliaments or referendums.

This arrangement has had advantages for those exercising political authority. It made further cooperation possible without a complete transfer of state power to a European federal authority. At the same time, however, it also generated structural tensions. When common interests conflict with national political priorities, there is no fully developed constitutional mechanism for resolving such conflicts at federal level.

This is precisely where the difference between a federation and a confederation lies. In a federation, both the federal level and the constituent states derive their competences directly from the constitution. In a confederal system, the Member States remain the primary source of authority and act jointly on the basis of arrangements that they themselves can amend.

The European Union therefore occupies a hybrid position. It is more than a conventional international organisation, but less than a federal state. For a long time, this intermediate position was able to function because economic growth, geopolitical stability and political willingness to compromise could absorb the tensions.

The challenges of the present, however, reveal the structural limits of this model. Decision-making on defence, energy, migration, fiscal policy[2], economic strategy and foreign policy is becoming increasingly difficult when fundamental choices remain dependent on negotiations between twenty-seven national governments with different interests and political agendas.

The central question therefore arises once again: can a system designed as cooperation between states ultimately develop into a federal political order?

The answer to this question will partly determine Europe' s future development. If federalisation is understood solely as a further extension of competences within the existing treaty system, the fundamental constitutional question remains unanswered. If, by contrast, federalisation is understood as the creation of a democratically legitimized federal order, this requires a different approach: not the endless amendment of treaties, but the design of a constitution.

The experience of the European Convention and the Treaty of Lisbon therefore reveals an important historical pattern. Europe has repeatedly attempted to achieve federal objectives without taking the constitutional step that federalisation requires. The institutional history of the European Union can thus be read as a continuing attempt to organise the consequences of federal development without fully accepting its legal consequence.

This tension forms the background to the contemporary debate on European federalisation. It also explains why different federalist movements within Europe draw divergent conclusions about the way forward. These will now be considered.

5 The British Federal Union and the Forgotten Constitutional Dimension of European Federalism

The failed attempts at constitutionalizing European cooperation described above cannot be properly understood without knowledge of their background. The debate about a federal Europe is not a recent political issue. It belongs to the oldest and most fundamental debates about the future political ordering of the European continent. From the end of the nineteenth century onwards, but particularly in the wake of the catastrophic experiences of the First and Second World Wars, it became increasingly clear that the traditional system of competing sovereign states did not provide a stable foundation for lasting peace. The question, however, was not merely whether Europe should cooperate, but above all on what legal and political foundation that cooperation should be organised.

It was precisely on this point that a fundamental division emerged which remains unresolved to this day. On the one hand were those who viewed European cooperation as a process based on treaties between independent states. On the other were those who believed that a lasting European political order would ultimately be possible only through the creation of a constitutional federation in which sovereignty is shared between a European whole and its constituent parts.

One of the most important early representatives of the latter school of thought was the British Federal Union, founded in 1938. The organisation emerged at a time when the European political order was visibly disintegrating. The rise of totalitarian regimes, the weakness of the League of Nations and growing international tensions made clear that the existing system of treaties between states provided insufficient protection against new wars.

[2]A federal system allows for the establishment of a Federal Union between the federal authority and the member states. This means that the federal government and the member states share responsibility for taxation and public expenditure. The federal authority levies federal taxes and ensures that this revenue is distributed between wealthier and less wealthy states, particularly in the event of disasters.

The intellectual force behind Federal Union came to a significant extent from Philip Kerr, 11th Marquess of Lothian. As a diplomat and statesman, Kerr had experienced at close quarters how the post-war treaty system functioned after 1919. As secretary to the British Prime Minister David Lloyd George during the negotiations surrounding the Treaty of Versailles, he witnessed not only the difficulties of international cooperation, but also its structural limitations.

Initially, many politicians believed that the establishment of the League of Nations would usher in a new phase in international history. An organisation in which states made agreements through treaties to prevent war appeared to be a logical response to the horrors of the First World War. But Lord Lothian gradually reached a different conclusion. In his view, the problem was not the absence of sufficient agreements between states, but the absence of a higher constitutional authority capable of actually safeguarding common interests.

In doing so, he touched upon a central point of federal constitutional theory: a federation is not simply a more intensive form of international cooperation. It represents a different legal category. Whereas treaties are based on the voluntary consent of sovereign states which retain their ultimate authority, a federation rests upon a constitution that directly establishes the competences, responsibilities and limitations of both the whole and its constituent parts.

Kerr therefore regarded the American federal model as an important example. Following the failure of the Articles of Confederation in 1787, the United States had chosen a constitutional federation. The thirteen individual states, formerly colonies, retained substantial powers, but at the same time accepted a federal authority that was necessary for safeguarding common interests. According to Kerr, the American experience demonstrated that a lasting political community could not be built upon continual negotiations between autonomous states, but upon a shared constitutional foundation.

The establishment of the Federal Union in 1938 was therefore more than a call for European cooperation. It was an attempt to confront the fundamental problem of constitutional law: how can different political communities retain their independence while at the same time creating a common authority that stands above conflicting national interests?

In 1939, Kerr published his influential work The Ending of Armageddon, in which he not only advocated a federal European order, but also explored the possibility of a world federation. His starting point was that humanity had repeatedly attempted to resolve conflicts through a balance of power and treaties, while the underlying structural cause — the absence of a common constitutional authority — remained untouched.

When Kerr was appointed British Ambassador in Washington in 1939, his role within Federal Union changed. One striking detail is that he left for Washington on 1 September 1939, the day on which Hitler invaded Poland. His diplomatic position made active involvement impossible, but his ideas continued to provide direction for the movement. His death in 1940 was a loss to British and European federalist thought, but his analysis remained influential.

Federal Union continued to develop after his departure and played an important role during and immediately after the Second World War in the debate about Europe' s future political order. The organisation regarded the post-war period as a historic moment at which Europe had to make a fundamental choice: return to a system of separate states cooperating through treaties or take the step towards a constitutional federation?

History shows that the first option ultimately prevailed. European integration after 1945 was shaped by treaties: the European Coal and Steel Community, the European Economic Community and, later, the European Union. This treaty structure has unquestionably produced successes. It has contributed to economic cooperation, political stability and an unprecedented period of peace among the participating states.

But the success of a system during a particular historical phase does not automatically mean that the system is also suitable for the next phase. The question that must be asked again today is whether a treaty-based organisation of states possesses sufficient institutional strength to meet the challenges of the twenty-first century.

The debate therefore returns to the central question formulated by Kerr and Federal Union as early as the 1930s: can a political community function sustainably when its ultimate authority remains based on agreements between governments, or does it require a constitutional foundation in which citizens directly constitute the source of legitimacy?

That question provides the bridge to the next development in European federalist thought: the role of Winston Churchill, the revival of Federal Union, and the emergence of the Federal Alliance of European Federalists (FAEF) as further attempts to give European integration a constitutional dimension after all.

6 Winston Churchill and European Federalism: A Vision with an Unresolved Paradox

The Federal Union was not the only British force to reflect, both before and after the Second World War, on a federal ordering of Europe. One of the most influential European statesmen to engage with this question was Winston Churchill. His position was distinctive because, on the one hand, he was one of the most forceful advocates of European cooperation, while, on the other, he remained reticent about its constitutional consequences for the United Kingdom itself.

A first, little-known but historically remarkable moment occurred in June 1940. While the German armies had invaded France and the French government was faced with the dramatic choice between continuing the war or seeking an armistice, Churchill made an exceptional proposal.[3]

On 16 June 1940, shortly before France surrendered to Germany, he offered the French Prime Minister, Paul Reynaud, by telephone to establish a full political union between France and Great Britain. The proposal envisaged the two countries forming a single political entity: the Franco-British Union. The plan went far beyond ordinary military cooperation. It provided for a joint war cabinet, a common foreign policy, joint defence, integrated economic and financial structures and even shared citizenship for Britons and French citizens. The war would be continued jointly from Britain and from French territories outside the European mainland.

From the perspective of constitutional law, this proposal was revolutionary. Had France accepted it, two sovereign states would have been willing to place part of their national sovereignty within a common political structure. The plan thereby displayed the characteristics of what would later be termed a federal arrangement.

The actual circumstances, however, made its implementation impossible. While Reynaud was speaking to Churchill by telephone and his Cabinet was meeting elsewhere, the political situation had already changed dramatically. Marshal Philippe Pétain had already convinced the other ministers that an armistice was necessary. The majority of the French ministers ultimately rejected the British offer. Reynaud resigned and Pétain became the leader of the new Vichy regime.

Although the Franco-British Union disappeared from political reality almost immediately, the moment remains highly significant because it demonstrates that, in an existential crisis, Churchill was prepared to take a step that went far beyond classical cooperation between states.

[3] Bosco, Andrea, *June 1940, Great Britain and the First Attempt to Build a European Union*, Cambridge Scholars Publishing, 2016.

The event illustrates an important point in the history of federalism: political circumstances often determine whether ideas become reality. The absence of a federal solution does not necessarily mean that the idea itself is wrong; sometimes the historical moment in which society and its political leaders are prepared to take the necessary step is simply lacking. The question that may be derived from this is: 'Is it foreseeable that such a historical moment, for example in the form of a third world war, will present itself in the near future?'

After the war, Churchill returned to the theme of European unification. On 19 September 1946, at the University of Zurich, he delivered his famous speech in which he called for the formation of 'A kind of United States of Europe'. The essence of his message was that Europe needed a new political structure in order to prevent a repetition of European wars. In particular, he regarded reconciliation between France and Germany as a necessary condition for a stable European order.

Churchill explicitly used the concept of the United States of Europe. He referred to the American federal model as a source of inspiration and emphasized that Europe needed a political organisation that was greater than separate national interests. At the same time, however, his speech contained an important qualification. Churchill stated: 'We British have our own Commonwealth of Nations.'

By this he made clear that he did not envisage the United Kingdom as a future participant in a European federation. According to Churchill, Britain occupied a distinct historical position within the Commonwealth and would, together with the United States and other allies, support the European construct, but would not necessarily form part of it.

In retrospect, it is precisely this position that constitutes the paradox in Churchill's thinking. He advocated for the European continent a political model whose full implication he was unwilling to draw for his own country. He recognised the necessity of a European federal order but did not extend that federal logic to the constitutional position of the United Kingdom.

The history after 1945 would make this paradox increasingly apparent. The British Empire began to disintegrate rapidly. The independence of India in 1947 marked the beginning of a broader wave of decolonisation. Pakistan followed in the same year, Ceylon (present-day Sri Lanka) in 1948, Ghana in 1957 and Nigeria in 1960. Other former British territories followed later.

This development fundamentally altered the international position of the United Kingdom. The notion that the Commonwealth could provide an equivalent alternative to European political integration became increasingly difficult to sustain. It is also noteworthy that several former British colonies subsequently became federal states themselves. Canada, Australia, India, Pakistan, Nigeria and Malaysia developed federal state structures in which regional diversity was organised constitutionally. This produced a historical irony: parts of the former British Empire adopted a federal form of state, while the United Kingdom itself retained an uncodified constitutional tradition and a unitary state structure with partial decentralization under the name of devolution.

The subsequent accession of the United Kingdom to the European Communities in 1973 and the eventual Brexit in 2020 demonstrate how difficult it was to maintain a sustainable position outside an increasingly integrated Europe.

From the perspective of this essay, Churchill's significance is therefore twofold. On the one hand, he was a visionary who recognised at an early stage that European peace required a new political structure. On the other, he remained constrained by the historical convictions of his own time, in which British sovereignty was still strongly connected with the global empire and the Commonwealth.

The contemporary debate on European federalisation returns to the same fundamental question that Churchill and Federal Union had already posed: how can a political order be formed that safeguards peace and common interests without reverting to the instability of competing sovereign states?

Answering that question requires not only political will, but also constitutional insight. Federalism does not mean eliminating differences between communities but organising those differences within a common legal framework.

7 Federalist Movements after Lisbon: Between Treaty Thinking and Constitutional Federalisation

The history of European federalism after 1945 reveals a remarkable paradox. For more than eighty years, the idea of a federal Europe has played an important role in political and intellectual debate, yet its practical implementation has never resulted in a European federal constitution. On the contrary, European integration has developed along a different path, namely that of successive treaties between states.

This raises the question of how the various federalist movements have assessed this development. Have they remained committed to the original constitutional ideal of a federal European state? Or have they adapted to political reality and opted for a gradual deepening of the existing treaty system?

This question is of considerable importance because it touches upon a fundamental distinction within federalist thought itself. Federalism is not merely a political objective, but also a constitutional-law method. Anyone pursuing a federal state must therefore speak not only of greater European cooperation, but also of the legal architecture upon which that cooperation must ultimately rest.

One of the oldest and best-known organisations in this field is the Union of European Federalists (UEF). This organisation was founded in 1946, shortly after the end of the Second World War, out of the conviction that Europe needed a new political order in order to prevent a repetition of its catastrophic history of warfare.

The UEF played an important role in disseminating federalist ideas during its first decades. It stood in the tradition of the aforementioned Ventotene Manifesto of 1941. That manifesto called for a break with the traditional system of sovereign states which sought to preserve peace through treaties and balances of power. Spinelli and his fellow advocates regarded national sovereignty itself as an important cause of European conflicts. Their conclusion was that peace could be guaranteed sustainably only through a federal European structure in which national states would share their sovereignty to some extent. In this respect, the Ventotene Manifesto was consistent with the classical federal idea: not the abolition of differences between communities, but the creation of a higher political framework within which differences can exist peacefully.

The post-war reality, however, proved more resistant. This way of thinking did not reach the finishing line. The governments of Western Europe were willing to cooperate, but not to establish a federal state immediately. The European Coal and Steel Community of 1951 and the European Economic Community of 1957 were therefore based not on a federal constitution, but on international treaties. This development led the UEF to adopt a strategy of basing the pursuit of a federal Europe on a treaty-based approach. The choice of the gradualist path was expressed in the idea that 'by working with treaties, a federal constitution will eventually emerge — provided that the treaties are amended often enough'.

This choice was politically understandable. After centuries of wars and conflicts over power, it was already a major step for national governments to accept common institutions. An explicit transfer of

sovereignty to a European federal authority remained inconceivable to most states.

Yet this also created a structural tension that continues to this day. European integration employed federal instruments — such as common institutions, shared competences and supranational decision-making — but without the constitutional foundation of a federal state.

Over time, the emphasis within parts of the federalist movement also shifted. The ideal of an immediate constitutional federation gradually gave way to an opportunistic approach: first pursue further integration within the existing treaty framework and possibly take a constitutional step at a later stage.

This strategy was often defended by the argument that political change proceeds incrementally. A federal European constitution could ultimately emerge from increasingly close cooperation between states. Against this stands the constitutional-law criticism that this reasoning contains a fundamental confusion of categories. A federation is not simply the endpoint of increasingly intensive international cooperation. It is a different type of political order. The transition from confederal or intergovernmental cooperation to federalism requires a constitutional decision.

American history illustrates this distinction. The United States did not become a federation because the Articles of Confederation were progressively expanded over a longer period of time. On the contrary: precisely because the confederal system displayed structural problems, it was decided in Philadelphia in 1787 to create a new constitutional order. The question that therefore also arises for Europe is whether the existing treaty system can ever make the transition to federalisation by itself.

Within this debate, the Federal Alliance of European Federalists (FAEF) emerged in 2018. This organisation deliberately adopted a different approach. Its starting point was that a federal Europe cannot be built upon an endless series of treaty amendments but requires a democratic federal constitution. The difference is not merely strategic, but principled. The question is not only how many competences Europe should possess, but who constitutes the ultimate source of authority. A federation of states can easily remain trapped in negotiations between governments. A federation of citizens requires the constitutional order to derive its legitimacy directly from the people.

From this perspective, the FAEF developed various initiatives to place the constitutional dimension of European federalisation at the centre of the debate once again. The focus was not solely on political feasibility, but above all on the legal and institutional conditions necessary for a sustainable federal system.

An important starting point in this regard is that federalism is not the same as centralization. A well-designed federal state precisely establishes a distribution of power. The federal level is granted only those competences necessary to safeguard common interests; the remaining competences remain with the constituent states or lower-level communities. This is consistent with the classical federal principles of subsidiarity, shared sovereignty and the constitutional protection of autonomy.

The debate between the various federalist movements therefore ultimately revolves around a fundamental choice. Is the existing European treaty system a necessary transitional phase on the way towards federalisation? Or is it instead a structural obstacle because it continually postpones the transition to a constitutional order?

This question is not merely theoretical. It also determines how Europe should respond to the major challenges of the twenty-first century: geopolitical uncertainty, security issues, economic competition, climate change and the protection of democratic values.

A political community that wishes to address these challenges collectively ultimately requires a form of common authority that is democratically legitimized and constitutionally constrained. This brings us to the core of the next development: the attempt by the Federal Alliance of European Federalists to do more than speak about a federal Europe, and instead to design a concrete constitutional model.

Before proceeding to discuss the approach chosen by FAEF to resolve the tension between 'treaty' and 'constitution', I will first consider the apparent revival of Federal Union in the United Kingdom.

8 The Revival of the Federal Union

During the years 1939–1945, Federal Union exerted considerable influence on the debate about the post-war European order. From the 1960s onwards, its membership declined. The organisation nevertheless continued to exist and regularly published on federalism, often in cooperation with its sister organisation, the Federal Trust.

In recent years, the Federal Union has once again become more active. It explicitly speaks of 'rebuilding' the organisation, with attention to new activities concerning a federal British constitution — a particularly noteworthy development in a country that still has no written (= codified) constitution — federal European cooperation and world federalism. These are positions it shares with the Federal Alliance of European Federalists (FAEF).

The revived British Federal Union therefore now advocates the codification of a federal constitution for the United Kingdom, under which the regional parts of England, Scotland, Wales and Northern Ireland, which have already undergone devolution, would become more autonomous constituent parts of a federal Great Britain than they are at present.[4] It also advocates a federal Europe and a world federation, but it is not clear whether it takes the position that the federal Europe and the federal world should be based on a constitution rather than on treaties.

This is a crucial point for the decisions that organisations advocating a federal Europe and a World Federation will have to make. Those who continue to regard a treaty-based system as the foundation of federation are making — despite the knowledge available — the same mistake as the political leaders who established the League of Nations in 1919 and, after its failure, learned nothing from it and once again, after 1945, gave European cooperation a treaty-based foundation, which has now evolved into the European Union. The latter is creaking and straining under internal conflicts and geopolitical pressure.

It is not entirely clear where the Federal Union now stands in this dispute. It appears that it has both a *normative* and a *strategic* plan. Normative in the sense of remaining committed to the ultimate objective, namely a genuine federation that is constitutionally sound and therefore based on a constitution. But strategically, it appears for the time being to retain the treaty-based route towards that objective, in the hope that it will eventually lead to a constitutional federal Europe. This naturally raises the question of why such a gradualist approach should not also be adopted for the federalisation of the United Kingdom.

9 FAEF: From the Idea of a Federal Europe to a Constitutional Design

The history of European federalist thought is often characterized by a fundamental difference between expressing a political ideal and designing the institutional conditions under which that ideal can become reality. The aspiration for a federal Europe has existed for two centuries. Numerous thinkers, politicians and social movements have

[4] If this succeeds, the question arises as to how long it will take before Spain and Italy, with their highly autonomous regions (seventeen in Spain and twenty in Italy), follow this example and convert their own devolution/decentralization arrangements into federal status.

pointed to the need for European unity, particularly from the perspective of peace and security. Yet the question of how such a federal order should be structured in legal, constitutional and democratic terms has much less often been worked out systematically.

This is precisely where the distinction lies between a general political aspiration and a constitutionally grounded project. A federation does not emerge merely because states decide to cooperate more closely. It emerges when it is established how the common political community is constituted, how powers are distributed, and which constitutional safeguards govern the relationship between the whole and its constituent parts.

That principle forms the core of the work of the Federal Alliance of European Federalists (FAEF). This organization has not limited itself to restating the traditional call for European federalization but has attempted to take the next step: developing a concrete constitutional model for a federal Europe by working towards the composition of an actual federal constitution for Europe consisting of only ten articles. Only ten articles because the seven articles of the first federal constitution, that of the United States in 1787–1789, with 27 amendments since then, have demonstrated that a concise constitution can underpin the development of the most powerful country in the world. In making that observation, however, a clear distinction must be maintained between having a good constitution on the one hand and the conduct of those who manage to seize control of federal power and use that power to dismantle the legal system on the other. No constitution is capable of resisting such conduct indefinitely. A small number of so-called "failed federations" in Europe, Asia and Africa, which I leave outside the scope of this discussion, have succumbed to this problem.

The reason why a federal constitution consisting of only ten articles can be sufficient to enable even fifty Member States to function is easy to understand once one understands the essence of the legal structure of a federation. That essence lies in the combination of (a) shared sovereignty between the Member States and the federal authority, (b) a prohibition on the federal authority interfering in the internal order of the Member States, and (c) an obligation on the federal authority to concern itself only with a limited and exhaustive range of common interests; these are interests that an individual Member State cannot provide for on its own.

In the case of the federal constitution of the aforementioned Federal Alliance of European Federalists (FAEF), included in *The Making of the Constitution for 'The Federated States of Europe'*, this concerns eight common interests. These constitute the domain of responsibility of the federal authority. The implementation of these responsibilities is regulated through supplementary secondary legislation, which is not suitable for inclusion in a federal constitution.

Where a federal constitution is established in a centripetal manner—that is, from the bottom up, as a movement towards establishing a central authority—this principle is easier to realise than in the case of a centrifugal establishment—that is, from the top down, as a movement towards decentralisation. In the latter case, it may happen that the pre-existing central authority can relinquish only parts of its authority with great difficulty, which manifests itself in more than ten constitutional articles.

The European debate on federalization has remained caught between two extremes since 1789. On the one hand, there is the realistic recognition that national states must deepen their cooperation in order to exercise influence jointly in an increasingly complex world. On the other hand, there is often an unwillingness to confront the constitutional consequences of such deepening. People speak of greater European unity, greater European capacity to act and greater European autonomy, while at the same time maintaining a system in which fundamental powers ultimately remain based on treaties between states.

The question that follows is simple, but constitutionally fundamental: can a federal political order emerge without a federal constitution?

The experience of existing federal states provides a clear answer. Federations are not formed through a collection of permanent negotiations between sovereign constituent parts, but through a constitutionally established distribution of power. The federal constitution forms the legal foundation upon which both the central authority and the constituent states base their legitimacy.

It is important to emphasize that federalization is not the same as centralization. A properly constructed federation is precisely based on a balance between common powers and local autonomy. Its purpose is not to eliminate differences between constituent territories, but to create a political structure in which those differences can be organized peacefully.

This insight is consistent with one of the oldest principles of federal thought: shared sovereignty. In a federal state, the sovereignty of the constituent parts does not disappear, but is reorganized within a larger constitutional framework. The federal level receives only those powers that are necessary to serve common interests; the remaining powers remain with the constituent states or lower communities.

It is precisely this principle that makes federalism particularly suitable for Europe. The continent is characterized by great historical, cultural and linguistic diversity. Unification according to a classical centralized state model would therefore not only be politically unrealistic but would also run counter to the historical development of Europe.

A federal structure, by contrast, offers the possibility of combining unity and diversity. It is a form of government in which differences are not regarded as a threat, but as an element that can be protected within a constitutional framework.

From this perspective, the Federal Alliance of European Federalists (FAEF) has focused on developing a draft European federal constitution. The starting point was not the question of how the existing treaty system could be continued for as long as possible, but a different question: which constitutional principles are necessary for a democratic federal European state to function sustainably?

This approach requires a fundamental shift in thinking about European integration. The central question is no longer which new power the member states can confer upon one another through yet another treaty. The central question becomes: what political community do European citizens wish to create, and which constitutional order is necessary for that purpose?

This shift also concerns the concept of democratic legitimacy. Under a treaty system, citizens ultimately depend on decisions reached through national governments. In a federation, by contrast, the citizen is not merely an inhabitant of a national state but is also directly part of the federal political community. The constitution then forms the direct legal foundation of the relationship between citizens, federal institutions and constituent states.

That distinction is fundamental. It is not merely a question of more efficient government, but of where political power ultimately derives its justification. FAEF has therefore deliberately chosen a constitutional approach that builds on the historical development of earlier federations. Not by simply copying an existing model, but by examining the underlying principles that federal states have in common: democratic legitimacy, separation of powers, checks and balances, protection of rights, and a clear distribution of powers.

This search ultimately led to a concrete initiative: the FAEF "Citizens' Convention", in which citizens and experts, rather than government representatives, jointly considered the content of a possible federal constitution for Europe.

A principled choice was thereby made. If part of Europe's problem stems from a lack of constitutional legitimacy, the solution cannot be sought exclusively in new negotiations between the same political structures that created the existing system. A new constitutional order requires a process in which citizens themselves occupy a central position. The next step in this development was therefore not another treaty conference, but an experiment in constitutional participation: FAEF's own Citizens' Convention of 2021–2022.

The European Convention of 2002–2003 had demonstrated that constitutional reform could be placed on the European agenda, but also that a process led by governments would ultimately be strongly influenced by national interests. FAEF wanted to explore what a constitutional process might look like if citizens and constitutional principles, rather than governments, were placed at its center.

A Citizens' Convention was therefore organized, inspired by the American Philadelphia Convention of 1787, where the foundations were laid for the first modern federal constitution. Over a period of six months, the 70 participants discussed the ten articles of a draft European federal constitution that had previously been included, in 2012–2013, in the European Federalist Papers by Herbert Tombeur and me. The purpose of this peer review by the 70 members of the Convention was to improve that ten-article draft. The aim was not to formulate a political compromise between states, but to examine from a constitutional perspective which minimum elements are necessary for a federal state to function.

The result was published in the book *The Making of the Constitution for "The Federated States of Europe"* (Iustitia Scripta, 2022). The work contains not only the proposed constitution, but also an extensive explanation of the political and legal choices that were made.

The limited size of the draft was deliberate. A federal constitution should provide clarity about the fundamental structure of the state, rather than become a collection of policy rules that must constantly be amended. The experience of existing federal states shows that durable constitutional documents derive their strength precisely from their principled character.

One of the central principles of the draft is that the European federation derives its legitimacy directly from its citizens. This approach therefore differs fundamentally from the current treaty model, in which the member states remain the primary actors in the process.

This does not mean that national states disappear. On the contrary, a federal European order can function only if the position of the constituent states is constitutionally protected. Federalism is not a method for eliminating diversity, but a way of organizing diversity within a common political structure.

The FAEF draft therefore starts from the principle of subsidiarity: decisions should be taken as close to citizens as possible, unless a higher level can demonstrably deal with a common problem more effectively. This prevents both undesirable centralization and a situation in which common interests cannot be adequately addressed.

Another essential component is the system of checks and balances. History demonstrates that no political structure can function sustainably when power is insufficiently controlled. Federalism therefore requires not only a distribution of powers between different levels of government, but also a distribution of power within the federal institutions themselves.

Legislative, executive and supervisory functions must be organized in such a way that no single institution can develop unlimited power. This principle constitutes one of the most important lessons from the development of constitutional democracies. Where democratic states originally degenerate into so-called 'democratic backsliding', these lessons are not being learned.[5]

The significance of the Citizens' Convention therefore lies not solely in the concrete draft it produced. More important, perhaps, is the underlying method: bringing the European debate back to its constitutional core.

For decades, Europe has discussed integration, enlargement, powers and cooperation. Far less often has the fundamental question been asked: which constitutional form is appropriate to the political reality that Europe has by now become? A federation cannot emerge solely through the accumulation of treaties. It requires a moment in which the political community constitutionally defines itself. That moment does not mean the end of national identities, but rather the beginning of a stable relationship between different levels of political organization.

The FAEF Citizens' Convention should therefore be regarded as a contribution to a broader historical debate: not about whether Europe should cooperate, but about which constitutional form is necessary to make that cooperation democratic, effective and sustainable.

10 The Federal Transition: From Treaty Thinking to Constitutional Thinking

The question that arises after this historical and theoretical analysis is therefore no longer merely whether a federal Europe is desirable, but above all how such a transition could be achieved in legal, political and societal terms. History teaches us that fundamental changes in the form of government are never exclusively the result of institutional engineering. They arise when an existing political order reaches the limits of its capacity and when a sufficient number of social and political actors recognize that continuation of the existing model no longer offers a sustainable solution.

This insight brings us back to the core of the European problem. Since 1951, European integration has produced undeniable successes. The establishment of the European Coal and Steel Community, followed by the European Economic Community and later the European Union, has contributed to economic cooperation, mutual interdependence and an unprecedented period of peace among the participating states. The historical significance of these achievements must be fully acknowledged.

But, as already noted, institutional success in a particular historical phase does not automatically mean that the same structure will remain suitable for all future challenges. I repeat: a political organization must be capable of developing when its environment changes. This is precisely where the fundamental question at the heart of this essay arises: can a system originally designed as cooperation between sovereign states ultimately develop into a federal state, or does such a transition require a fundamental constitutional break?

This question touches upon one of the oldest themes in political philosophy: the relationship between authority and legitimacy. Since the emergence of the modern democratic constitutional state, the principle has increasingly prevailed that governmental power cannot be based solely on historical tradition, military power or diplomatic agreements between those in power. Power must be legitimized by the citizens who are subject to it.

It is precisely at this point that the thinking of Johannes Althusius connects with the contemporary debate on European federalization. His central idea that political communities emerge from the bottom up means that a federal order is not primarily a project of governments,

[5]Democratic backsliding is a process in which the democratic foundations of a state deteriorate. It can be recognized by the muzzling of the media, refusal to comply with judicial decisions, and attempts to govern on the basis of emergency powers, that is, by decree outside parliamentary oversight. The purpose is to place the political leadership above the law.

but of citizens and communities that jointly create a higher form of cooperation.

This perspective differs fundamentally from the classical intergovernmental approach, in which states remain the primary actors and jointly attempt to resolve problems through treaties. Althusius reverses this logic: it is not the central authority that distributes powers downward, but communities that voluntarily unite and thereby create a common authority for those interests that they cannot adequately pursue separately.

From this perspective, a federal Europe would therefore not mean that European states disappear. On the contrary, the strength of federalism lies precisely in combining unity and diversity. National, regional and local identities can be preserved while certain common interests are organized at the European level.

This principle is summarized by the concept of 'shared sovereignty'. In contrast to the classical conception in which sovereignty rests exclusively with a single supreme ruler or a single nation-state, multiple levels share political power. No single level possesses absolute power; each level has constitutionally protected powers.

Federalism thus provides an alternative to two extremes that have historically characterized Europe: on the one hand, the fragmentation of fully sovereign states that continually compete with one another; on the other, the centralist notion that all power must be exercised from a single center.

European history demonstrates that both models have serious limitations. The period of competing nation-states between 1648 and 1945 was characterized by recurring power struggles and wars. But highly centralized state models also carry their own risks when mechanisms of control are lacking.

The federal model seeks precisely to establish a constitutional balance between autonomy and cooperation, between national distinctiveness and common action. This balance is not self-evident and requires continuous democratic development. It does, however, provide an institutional framework in which conflicts can be resolved through constitutional procedures rather than through struggles for power.

Europe therefore finds itself at a historical crossroads. The current treaty model has brought Europe a long way, but it now faces the challenge of enabling the next stage of development. The question is whether the European political community is prepared to make the transition from cooperation between states to a constitutional community of citizens. This does not mean copying existing federations. The United States, Germany, Switzerland, Belgium, Austria and other federal states have each followed their own historical paths. Europe will have to develop its own federal form, one that takes account of its cultural, historical and political diversity. But the fundamental principles of federalism are universal: a democratic constitution, the sharing of sovereignty with a clear distribution of powers, the protection of rights, an independent judiciary, and mechanisms of checks and balances.

This is precisely where the significance of the work of the Federal Alliance of European Federalists and its Citizens' Convention lies. The starting point is not that federalization should remain merely a political slogan, but that it must be translated into concrete constitutional designs. The debate therefore shifts from abstract desirability to practical constitution-making.

The next step in this analysis therefore concerns the question of what such a constitutional federal order might look like, and which lessons can be drawn from previous experiences of federal state formation. Not from the assumption that any one model can simply be adopted, but from the conviction that knowledge about the construction of federations is now available and that Europe can no longer afford to ignore it.

PART II — THE MOMENT OF EUROPEAN FEDERALISATION IS APPROACHING

11 Introduction

I may be mistaken, but developments in recent years increasingly suggest that a federal Europe, based on a democratic federal constitution, is no longer merely a theoretical ideal. It is becoming an option that can seriously be considered as a response to the structural challenges facing Europe.

The question is therefore not simply whether Europe should cooperate more closely. There is now broad agreement on that point. The fundamental question is rather on what legal and political foundation such cooperation should be organised. Should Europe continue to function as a system of treaties between sovereign states, or should it develop into a constitutional federation in which citizens are directly the source of democratic legitimacy?

This second part of the essay starts from the premise that this choice can no longer be regarded merely as a matter of political preference. It concerns the fundamental conditions under which complex political systems can function in a sustainable manner.

To understand this development more clearly, it is necessary to assess the European Union not only in the light of current political events, but also from a broader historical and theoretical perspective. Political systems, like other complex systems, have a life cycle. They emerge under particular circumstances, develop institutional patterns, reach a phase of stability, and may subsequently encounter tensions that can no longer be resolved within the existing system.

From this perspective, the current problems of the European Union are not merely a collection of separate crises. The question is whether these crises are symptoms of a deeper institutional tension: a system originally designed for cooperation between states that now carries responsibilities characteristic of a political community with federal ambitions. This has resulted in a structural imbalance within the system, accompanied by the sound of it beginning to creak under the strain. To examine this in greater depth, I wrote the book '*From the darkness of treaty-based cooperation to the Light of a Federal Europe*' (U2pi, 2026). The analysis developed in that book provides the background to the second part of this essay.

The central idea is that political systems are determined not only by their formal institutions, but also by the extent to which their structure corresponds to the problems they are expected to solve. When a system is confronted structurally with problems for which it does not possess the necessary instruments, tension arises between the expectations placed upon the system and the capacities it actually possesses.

This tension is clearly visible in the European Union today. The Union is increasingly expected to act as a geopolitical actor, a security organisation, an economic power and a defender of democratic values. At the same time, its institutional foundation remains largely based on treaties between states that formally retain their sovereignty. This creates a fundamental asymmetry: political expectations are growing faster than the constitutional capacity of the system. This requires more energy than the system can store if it is to survive and renew itself.

The next chapter examines this problem in greater detail, beginning with an outline of three forms of 'anarchy' on the European scale.

12 European Development as a Succession of Forms of Government

To place the present European situation in historical perspective, the development of Europe can be understood as a succession of different forms of political organisation.

The first European state system, from the beginning of the Common Era until the Peace of Westphalia in 1648, can be characterised as a period in which political power was closely connected with dynastic and feudal structures. Power was dispersed among different centers of authority, and the political order lacked a clear overarching authority capable of regulating conflicts in a lasting manner. I refer to this as 'aristocratic or feudal anarchy'. It should be emphasized that "anarchy" is used here to mean the absence of an authority that has a binding function and is capable of preventing or resolving conflicts.

With the Peace of Westphalia, the modern system of sovereign nation-states emerged. States came to be regarded as independent political entities that entered into relations with one another on the basis of treaties. This model determined the international order for several centuries, but it also had a fundamental limitation: when states were unable to reconcile their interests peacefully, there was no higher authority capable of preventing or resolving their conflicts. I refer to this phase as "nation-state anarchy". The nineteenth century and the first half of the twentieth century demonstrate its consequences. European states developed strongly in economic and cultural terms, but competition for power between them ultimately resulted in two world wars.

After 1945, a third phase of European political organisation emerged: a system of cooperation based on treaties. European integration was a historic attempt to overcome the negative consequences of the classical balance of power between sovereign states without immediately creating a federal state. This experiment has had considerable merits. It created cooperation where rivalry had previously prevailed. But the question that must now be asked again is whether this third phase — in my terminology, 'treaty-law anarchy' — has fulfilled its historical function and whether a new stage of development has become necessary.

According to the analysis developed in this essay, that fourth phase will be a constitutional federal Europe: a political order in which the common interests of Europe are protected by institutions that derive their legitimacy directly from its citizens. Without an underlying order of anarchy.

13 Polybius, Systems Theory and the Dynamics of Political Change

For a proper understanding of the approaching fourth phase of the European state system, the thinking of Polybius is relevant. The development of political systems is not a random process. Throughout the centuries, political philosophers, historians and legal scholars have attempted to identify patterns in the way states emerge, develop, stabilize and ultimately change. One of the earliest and most influential analyses of this process can be found in the work of the Greek historian Polybius.

Polybius lived in the second century BC and, in his work *Histories*, described the development of political systems through the concept of *Anakyklosis*: recurrence or cyclical change. By this he meant the cyclical movement through which forms of government develop: they emerge, reach a phase of stability, subsequently lose their original strength and eventually give way to a new political order.

His analysis was not a simple historical prediction, but an examination of the vulnerability of political institutions. Polybius recognised that every form of government depends upon certain conditions: the moral responsibility of those who govern, institutional limitations on power, the prevention of corruption and a sufficiently strong commitment to the common good.

When these conditions disappear, decline sets in. Not necessarily because the original ideas underlying a system were wrong, but because institutions can, over time, be used in ways that undermine their original purpose. A number of statistically based monitors of increasing autocratisation around the world, including on the European continent, have identified the emergence of the previously mentioned phenomenon of 'democratic backsliding': an increasing number of originally democratic states are becoming autocratic as political leaders place themselves above the law. Symptoms include the dismantling of judicial independence, the muzzling of the media and widespread corruption.

In Polybius' s view, such states sooner or later reach a state of decline so profound that they collapse. But he also made clear that after the collapse of a political system, a new political order emerges that is better than the previous one. In this sense, his *Anakyklosis* describes an evolutionary cycle: a cycle that continually contains the seeds of improvement and renewal.

This insight is also relevant to the contemporary European debate. The European Union is, of course, not a classical state and cannot simply be compared with the political systems analysed by Polybius. Yet the same principle applies to any system, including an institutional system: its survival depends on the extent to which its structure provides an adequate response to the problems for which it is responsible. In essence, the life cycle of every system depends on whether it is capable of storing more energy than it consumes in maintaining itself and renewing itself. If it cannot do so, an identity crisis emerges. The system then collapses. Those who do not know, understand, recognise or take this principle seriously may be unpleasantly surprised by a crisis that reveals that they have been asleep at the wheel.

A political organisation can function successfully for a long time as long as its environment remains relatively stable and the demands placed upon it remain compatible with its original design. Problems arise when reality changes while the institutional structure is insufficiently adapted.

From this perspective, the present European situation can be interpreted as a tension between the original purpose of European integration and the tasks that are now expected of the European Union.

European cooperation was designed after 1945 to solve a specific historical problem: preventing new wars between European states through economic and political interdependence. That objective has been achieved to a significant extent. But the world in which the EU operates today places different demands upon it. Europe faces geopolitical shifts in power, military uncertainty, technological competition, climate challenges, migration and the need to protect democratic values.

These challenges require long-term strategy, rapid decision-making and clear political responsibility. It is precisely here that the tension with the existing system becomes apparent. Important decisions often depend on complex negotiations between national governments with divergent interests. This does not mean that cooperation between states is impossible or undesirable. It does mean, however, that there may be limits to a model in which an increasing number of common tasks are undertaken without a corresponding constitutional structure.

This is also where systems theory becomes relevant. Complex systems remain functional when they possess mechanisms capable of absorbing disturbances, correcting errors and adapting to changing circumstances. When such mechanisms are insufficient, tensions accumulate.

In political systems, this can lead to a situation in which increasingly more energy is required simply to maintain existing operations, while the capacity to solve fundamental problems declines. In the natural sciences, such a process is associated with the concept of 'entropy' under the Second Law of Thermodynamics: an increasing degree of disorder within a system when energy is no longer used effectively to maintain structure and coherence.

Although 'entropy' is a phenomenon originating in physics, its applicability to social systems has been endorsed by systems expert David

Easton and sociologist Niklas Luhmann, also known as the founder of radical general systems theory. In his 1957 article *An Approach to the Analysis of Political Systems*, Easton explicitly writes about a political system that may enter a 'state of entropy'. A system requires continuous inputs (energy) in order to continue functioning. Without inputs such as supports, demands, feedback and stress, the system cannot perform 'work'. These inputs must ensure that the system, whether physical or social, stores more energy than it consumes. A system must continue to absorb energy, information and resources in order to maintain its existence and functioning. When consumption exceeds what has been stored, deterioration occurs. After a subsequent identity crisis, a single incident may be sufficient to cause its collapse.

Luhmann does not use entropy as a synonym for deterioration, ageing or physical decay of a social system. His theory is much more focused on: complexity; uncertainty; contingency; communication; self-reference; and the continuous reproduction of the system. Ultimately, a social system does not consist of people in Luhmann's view, but of communication that produces further communication. A social system therefore maintains itself by continuously reproducing its own operations. Luhmann calls this *autopoiesis*. Where these aspects weaken, the system enters a state of decline.

In short, a social system continues to exist by continuously absorbing, processing and reinvesting resources/energy in its own maintenance and renewal. When this reproduction becomes insufficient, deterioration occurs.

Schematically: environment → inputs → processing → maintenance/renewal → survival versus: insufficient input/processing → increasing entropy → loss of organisation → deterioration.

In a number of my writings, including my latest book, *From the Darkness of Treaty-Based Cooperation to the Light of a Federal Europe* (2026), I explain:

- that every system has weak components that are susceptible to entropic deterioration;
- that the political and legal system of the European Union is full of systemic errors caused by the mixing of two systems, which, as a so-called positive feedback mechanism, further reinforce these systemic errors;
- that, as a result, the EU system is being hollowed out from within and has entered a state of decline—the approaching end of its political life cycle;
- that this decline becomes apparent through an identity crisis within the EU;
- after which an incident or a system war causes the EU to collapse.

According to this analysis, the European Union displays characteristics of such a process of increasing disorder. The number of rules, procedures and exceptions has grown considerably. At the same time, it remains difficult to reach common decisions on crucial issues. The result is that an increasing amount of institutional energy is devoted to maintaining and modifying the existing system, while less energy remains available for fundamental renewal.

There is also a democratic dimension to this problem. When citizens experience that important decisions are taken at European level, while the lines of political accountability are complex and difficult to understand, a distance develops between political institutions and society.

Democratic legitimacy requires not only formal elections, but also comprehensible structures in which citizens can see who is responsible, which powers exist and how those powers can be controlled. A federal constitution seeks precisely to create such clarity. It makes visible where powers are located, which institutions are responsible and how the relationship between different levels of government is organised.

Federalism, therefore, is not a solution to every political problem. Federal states can also experience conflict, division and institutional dysfunction. The history of existing federations makes this clear. But a well-designed federal structure possesses institutional mechanisms for dealing with conflicts within a constitutional framework, provided that political leadership does not succumb to 'democratic backsliding'. This is the fundamental difference from a system in which conflicts ultimately have to be resolved again and again through negotiations between sovereign states.

The central question for Europe is therefore becoming increasingly clear: should the European Union continue to modify its existing treaty structure in the hope that it will eventually be able to perform the same functions as a federation, or should Europe recognise that a new constitutional phase has become necessary? And there is another question: who is capable of convincing the political leadership of the EU to begin preparing the constitutional transition now, before the citizens of Europe are unpleasantly surprised by the familiar expression: "When the shit hits the fan"?

From the perspective of Polybius, fundamental change is not an exception, but a component of political development. Systems that are no longer capable of adapting ultimately lose their stability. Yet a crisis can also be the moment in which new forms of organisation emerge. The present European challenge should therefore not be viewed solely as a threat, but also as an opportunity. The question is not only how the existing system can be preserved, but also which political order would be better suited to the future.

The debate therefore shifts from crisis management to state formation. The central question is no longer how Europe can repeatedly repair the existing model, but what institutional form is required to organise the European political community on a sustainable basis.

This brings us to the next part of the analysis: the role of democracy, constitutionalism and shared sovereignty in a future federal Europe.

14 Democratic Legitimacy and Shared Sovereignty as the Foundation of Federalism

The evolutionary character of the emergence, flourishing and decline of political systems must be recognised now that the European Union has unmistakably entered a period of decline. The end of its political life cycle is approaching. The transition towards a constitutionally founded federal Europe fits entirely within the evolutionary process whose characteristics were already identified by Polybius two hundred years BCE.

The preceding analysis of the historical development of political systems and of the tensions within complex organisations brings us to the core of the federal question: the relationship between power, legitimacy and responsibility. A political community cannot be assessed solely on the basis of its practical results. The question of what its authority is based upon is equally essential. Who exercises power? Where does that power come from? Who controls those who exercise it? And how can citizens influence decisions that directly affect their lives?

These questions lie at the heart of constitutional thinking. Their answer forms the foundation of the next evolutionary step.

Modern constitutionalism is based on the premise that political power cannot be unlimited. Power must be organised, distributed and controlled. Not because government would be impossible without power, but precisely because a sustainable political order can exist only when power is linked to responsibility.

A constitution therefore represents more than a legal document. It is the foundation upon which a political community organises its authority. A constitution does not merely define the powers of institutions; it also establishes the relationship between government and citizens.

In a democratic constitutional state, this means that institutions and office-holders are not ultimately the source of political legitimacy. The citizens are. This distinction is of fundamental importance for the future of Europe. The European Union possesses many characteristics of a political organisation: a parliament, a judicial structure, a common market, common policies and institutions with considerable powers. Yet its fundamental legal basis remains rooted in treaties between states.

This creates a particular situation. The EU exercises public powers that directly affect citizens, while its constitutional foundation differs from that of a federal state. A federation does not arise merely because states pool or combine powers. It arises when a new political community is constituted in which both the whole and its constituent parts derive their powers from the same constitutional source. This does not mean that existing states disappear. On the contrary: the federal principle is precisely based on preserving diversity within a common political order. Federalism is therefore not an opposition between unity and autonomy. It is a method of making both possible.

The United States provide a historical example. The American Constitution of 1787 emerged because the original Confederation proved insufficiently capable of addressing common problems. The thirteen former colonies retained their identities but recognised that certain interests could be protected only collectively.

Switzerland likewise developed in 1848 from a confederation into a federal state after it became apparent that the existing structure provided insufficient stability. The various cantons retained substantial autonomy but accepted a common constitutional order.

These examples demonstrate that federalisation is not necessarily a process of centralization. It is a process of constitutional organisation.

The central idea of federalism is shared sovereignty. This concept differs from the classical Westphalian idea that sovereignty is indivisible and exclusively connected to the nation-state.

Within a federal structure, sovereignty is distributed across different levels. Some powers belong to the federal level, while others belong to the constituent states or regions. This distribution is not based on political arbitrariness, but on constitutional arrangements that are legally protected.

The result is a system in which both the whole and its constituent parts retain autonomous authority.

This principle is closely connected to the thinking of Johannes Althusius, according to which political communities arise from below. People first organise themselves in smaller associations and subsequently create larger associations for interests that they cannot adequately pursue on their own. From this perspective, a federation is not an imposed form of government, but a form of organised cooperation in which different communities voluntarily create a higher level of common authority.

This particular aspect makes federalism highly relevant to Europe. European history is characterised by profound cultural, linguistic and historical diversity. A federal structure does not have to diminish these differences. On the contrary, it can provide a framework in which they are constitutionally protected.

Federalism therefore differs fundamentally from both nationalism and centralism. Nationalism often emphasizes the exclusivity of a single political community. Centralism seeks to manage differences by concentrating powers as far as possible at a single level.

Federalism, by contrast, seeks a constitutional balance: unity where common action is necessary, and autonomy where diversity remains valuable and desirable. For Europe, this means that federal development should not be understood as the abolition of national identities, but as the creation of an additional political level through which common challenges can be addressed.

The question is therefore not whether Europe must choose between nation-states and a federation. The real question is whether nation-states can better protect their own interests within a common constitutional framework than by continuing to act separately in a world in which power relations are increasingly determined on a continental scale.

This also brings the importance of democratic participation into view. A federal European constitution would not merely have to regulate the relationship between European institutions and the member states; above all, it would have to strengthen the position of European citizens. Citizens would no longer participate in European decision-making solely through national governments but would become direct members of a constitutional European political community.

That requires more than institutional reform. It requires a change in political thinking. As long as federalisation is understood as a technical expansion of powers within the existing treaty framework, the fundamental question remains unanswered. Federalisation does not merely mean more cooperation; it means a different legal and democratic foundation for cooperation.

The transition to a federal Europe is therefore ultimately a constitutional task. It is not about creating a larger European bureaucracy, but about designing a political order in which power is limited, responsibility is visible and citizens constitute the ultimate source of authority.

From this perspective, the work of the Federal Alliance of European Federalists (FAEF) acquires particular significance. Its objective is not merely to advocate federalism as an ideal, but to address the concrete question of what a European federal constitution could look like. It is driven by a deeper question: can a continent that seeks to safeguard peace, security and shared prosperity continue to rely indefinitely on a system of treaties between states, or does the next stage of European development require a democratic constitutional federation? FAEF' s answer is that monitoring organisations measuring public confidence in the EU system are finding that this confidence is declining; that it is therefore time to consider a new and better political system: a federal Europe. Federations do not create unity by denying differences, but by organising those differences constitutionally and therefore more effectively.

The debate therefore shifts from desirability to design. The central question is no longer merely, 'Should Europe federalise?', but also, and more importantly, 'How can Europe federalise in a democratically responsible manner?'

That makes it necessary to engage with the political and constitutional thought of Johannes Althusius.

15 The Thought of Johannes Althusius: The Foundation of Federal State Formation

The federal theory of Johannes Althusius (1563–1638) can be understood as a logical continuation of the evolutionary cyclical process of successive political systems recorded by Polybius. Evolutionary in the sense of: emergence > flourishing > decline > loss of identity > collapse > crisis > a new and improved system > and so forth. The emergence of a federal Europe fits perfectly within this centuries-old process of continuous improvement.

Althusius was a German jurist, political philosopher and administrator who is today regarded as one of the most important early thinkers on federalism, popular sovereignty and constitutional state formation. He lived in a period marked by religious conflicts, struggles for power

between princes and cities, the Dutch revolt against the tyranny of the Spanish ruler Philip II, and the rise of absolute monarchies.

The question, however, is whether Europe is sufficiently aware of the importance of the didactic triad: Learning > Understanding > Applying. Has Europe by now learned from the wisdom of Polybius and from the enormous number of misguided political decisions which, if understood in time, might have prevented or delayed the decline of political systems and the wars that followed? Does Europe now understand which constitutional and institutional mistakes must not be repeated? Will it finally apply what it has learned and should now understand? Is Europe genuinely seeking support in studying and applying the standards for federalization that are by now known?

In response to the political chaos, decay and decline of his time, Althusius developed a political theory that did not begin with the state or the ruler, but with human communities. This theory is known under its Latin title: *Politica methodice digesta, atque exemplis sacris et profanis illustrata.* Translated: *Politics, Methodically Set Forth and Illustrated with Sacred and Profane Examples.*[6]

According to Althusius, a political order does not arise because a ruler exercises power over subjects, but because people voluntarily associate with one another in different forms of cooperation: families, professional groups, cities, provinces and, ultimately, larger political communities. In contrast to the prevailing way of thinking, he reasoned not from the top down (centrifugal = from ruler to people), but in the opposite direction, from the people towards central authority (= centripetal). He therefore regarded the state as a system that emerges from a community of communities. Power does not, in his view, belong to rulers; it belongs to the organized community. Rulers merely receive a mandate to serve the common good.

The centripetal character of this approach incorporates the concept of hermeneutics and the so-called hermeneutic circle: the whole (the federal authority) is more than the sum of its parts (the member states of the federation). By contrast, centrifugal organization assumes that a whole already exists and that the central authority subsequently seeks to create or empower constituent parts through decentralization, while retaining the central power itself.

Althusius' *Politica* was first published in 1603 and expanded in 1614. In this work he developed ideas that would later become highly significant for federalism, subsidiarity, constitutional government and checks and balances. He also defended the principle that resistance to tyrannical government could, under certain constitutional conditions, be justified. For the Netherlands and Spain this has considerable political and historical significance. The revolt led by William of Orange, the ancestor of the present Dutch Royal House of Orange, against the Spanish ruler Philip II is legitimized in Althusius' *Politica* as justified resistance to tyranny.

Although Althusius remained relatively unknown for a long time, he is today regarded as a remarkably modern thinker, particularly because of his ideas about 'shared sovereignty' as a cornerstone of federal state formation — ideas that are of great importance in discussions about the future of Europe.

He was born in 1563 in Diedenshausen, in the then County of Nassau, in what is now Germany. He grew up in a Protestant-Calvinist environment during the turbulent period of the Reformation. His education began with studies in philosophy, theology and law. Among other institutions, he studied at the universities of Cologne and Basel, where he specialized in law and political theory. In Basel he received his doctorate in Roman law.

His academic career began at the Protestant Academy of Herborn, which at the time was an important centre of Calvinist and political thought. There he became professor of law and later rector of the academy. During this period, he developed his political theories, which would eventually culminate in his principal work, the *Politica*.

Althusius, however, was not exclusively an academic thinker. An important part of his career was spent in practical government. In 1604 he was appointed *Syndicus* — the chief legal and administrative adviser — of the East Frisian city of Emden, Germany. He held that position for more than thirty years, until his death in 1638.

His responsibilities as *Syndicus* were exceptionally broad:

- legal adviser to the city government and city council;
- defender of urban rights and privileges;
- diplomatic representative;
- drafter of legal documents;
- mediator in conflicts between the city and higher authorities.

In Emden he became involved in an ongoing struggle between urban autonomy on the one hand and the claims of princely authority on the other. This practical experience strengthened his conviction that political power must not be concentrated without limits. His career therefore represents a remarkable combination: scholar → rector → administrator → constitutional thinker.

He did not write his political theory merely as a philosopher working from abstract ideas, but also as someone who had spent decades dealing with concrete problems of government. This probably explains why his work remains so recognizable in a period of increasing political unrest and dissatisfaction.

Althusius sought to answer questions such as: "What is a just state?" and "How can a political community be constructed without falling into anarchy or absolutism?" But above all: "How do you organize a state in such a way that power remains controlled, and communities can live together sustainably?"

This was a revolutionary way of thinking, derived from a combination of theory and practice: society does not derive its form from the state; rather, society forms the state. Until that point in history, the ruler and his sovereignty had been regarded as primary and largely beyond criticism. His theory therefore represented a direct challenge to that of his contemporary, the philosopher Jean Bodin, who regarded the sovereignty of ruler and state as one and indivisible.

This makes Althusius particularly relevant to contemporary discussions about federalism and constitutional government. Let us examine this more closely.

The central concept in his theory is 'consociatio.' A federal system is built from the bottom upwards on layers of *consociationes* which, at the top of the system, encompass the central authority. But what is a *consociatio*? The element *con* refers to something done 'together', while *sociatio* conveys the idea of the social. Something like 'social togetherness.' It can be described as a group of people who exist together in a relationship of mutual dependence.

A *consociatio* can therefore be understood as a 'community' of smaller as well as larger groups of people. Althusius gives as examples the family, the profession or guild, religious and other cultural groups, the municipality, the province, the state and the confederation of states. The term *consociatio* could therefore be translated as 'community' at different levels of scale. In his view, a political system is constructed from the bottom upwards, in layers of communities operating at increasingly larger levels of scale.

[6]Althusius, Johannes, *Politica Methodice Digesta*, Liberty Fund, Indianapolis, 1995, Chapter XVIII and especially Chapter XXXVIII, §§67–90. More specifically: XXXVIII.70–72 (the duty of the Ephors); XXXVIII.81–86 (the removal of a tyrant); XVIII.108–117 (the position of the Ephors).

In short, Althusius sees the construction of a political order as follows: family as a sub-community → municipality as a sub-community → province as a sub-community → state as a federal community.

This is the hermeneutic circle of a political order in which the whole is more than the sum of its parts. The higher levels supplement what the lower levels cannot provide themselves and leave them otherwise undisturbed. They do not interfere with their internal autonomy but support it. In constitutional and institutional terms, this is reflected in concepts such as:

- *Subsidiarity*: allow those parts that are best placed to perform a task to perform it themselves.
- *Shared sovereignty*: the constituent parts do not transfer their powers to a higher level, but leave certain powers dormant so that the higher level can fulfil its responsibility to care for and support the lower level.
- *Autonomy at each level*: around 1900, the Dutch Prime Minister Abraham Kuyper, who was familiar with the teachings of Althusius, developed the concept of 'sovereignty in its own sphere.' This means that each level has and retains its own autonomy and sovereignty. It is not taken away from a lower level by a higher one.

This results in a conception of government in which the government understands that it is not the owner of power, but merely its custodian. This is a fundamental distinction. Political officeholders do not possess autonomous power; they receive a mandate from the people to protect and serve those people, uphold the law, and provide peace, security and prosperity.

In his attack on the concept of 'sovereignty as one and indivisible, vested in the person of the ruler', Althusius went even further in his unorthodox approach to sovereignty. If a ruler violates the law, harms the common good and exceeds his mandate, the people are entitled to resist. Not through armed revolt, but through institutional resistance.

To hold the state accountable under circumstances of non-violent conflict with tyranny, Althusius advocated the appointment of 'Ephors': representatives of the people charged with supervising, correcting and, if necessary, removing the leaders of the state. This can be understood as an early recognition that without concepts such as dualism, checks and balances and countervailing powers, the leadership of a state will tend to concentrate power, become oligarchic and corrupt, and ultimately lead the state towards collapse through a popular revolt — the very theme identified by Polybius.

Althusius thereby laid the foundations for the concept of a 'pluralistic constitutional community.'

The principal characteristics of Althusius' doctrine are therefore: communities as the foundation; shared sovereignty between the communities (the parts) and the federal authority (the whole); institutional control of power; the right to organized resistance; and the federal construction of political authority from the bottom upwards.

16 Conclusion: A New European Enlightenment

The development of political systems is not a static process. States and other political communities emerge, grow, reach a phase of stability, but may subsequently be confronted with tensions arising from their own institutional structure. History shows that political orders do not disappear solely because of external enemies or accidental events. Often, crisis arises from within, because a system is no longer capable of solving the problems for which it has itself become responsible.

The European Union finds itself at such a historical crossroads. This does not mean that European cooperation has failed. On the contrary. European integration has made an exceptional contribution to peace, economic development and political reconciliation after centuries of conflict. It is precisely because of this historical success that the next question is so important: what institutional form is needed to protect these achievements in the future?

The central argument of this essay is that Europe ultimately faces a constitutional choice. A system of multilateral treaties has brought Europe a long way, but it also has structural limitations. It remains dependent on agreement between governments that ultimately place their own national interests above the common interests of EU citizens and, as a result, do not represent those citizens. When common challenges become greater and mutual interdependence increases, tension arises between the need for joint action and the institutional capacity to legitimize that action democratically.

A federal constitution offers a different approach. It does not create a new form of domination, but a constitutional ordering of shared sovereignty. It makes clear which powers are exercised jointly and which powers remain with the constituent parts. It combines political effectiveness with democratic control. That is the essence of federalism.

Federalism is therefore not primarily a geographical or administrative construct. It is a way of thinking about politics. It begins with the insight that people and communities need both autonomy and connectedness. Individuals belong to families, families to local communities, and local communities to larger political associations. Each level has its own significance and responsibility.

In this respect, modern federalism is closely connected to the insights of Johannes Althusius, who more than four centuries ago already argued that political order is not imposed exclusively from above, but built from below by interconnected communities. His thinking contains an enduring warning to every political order in which power becomes detached from society. A sustainable state is not merely an administrative apparatus. It is a constitutional relationship between citizens, communities and those who exercise public office.

The lessons of Polybius also remain relevant. His theory of the evolutionary political cycle demonstrates that no form of government automatically continues to function forever. Every political order contains the possibility of decline when its original principles are forgotten, and its institutions no longer correspond to the reality for which they were designed. Yet within inevitable decline lies the seed of a new and better order.

The task facing Europe is therefore not merely institutional, but also intellectual and moral. A new European phase requires leadership willing to think beyond existing categories. No longer merely to operate within the framework of treaties, procedures and national interests, but to ask what political order is necessary for future generations.

This calls for a new period of Enlightenment. Not an Enlightenment in the historical sense of the eighteenth century, in which religious and scientific authorities in particular were subjected to critical examination, but a new constitutional Enlightenment in which societies once again learn to reflect on the foundations of their political organization.

The central questions can be formulated simply:

- Who is the source of political power?
- How is power constrained?
- How are citizens protected?
- How are common interests served without destroying the freedom and distinctiveness of communities?

A democratic federation provides a different answer to these questions than a treaty-based organization. It places citizens, rather

than governments, at the centre. It regards states not as competitors, but as constituent parts of a larger constitutional order. It understands sovereignty not as property belonging exclusively to individual states, but as a responsibility that can be exercised at different levels — the concept of shared sovereignty.

This does not mean that the path towards a federal Europe will be easy. Every fundamental political transformation generates uncertainty and resistance. Interests connected to existing structures will defend themselves. Political leaders will have to recognize that change is not merely a technical question, but also a question of vision, knowledge, understanding and responsibility.

But postponement does nothing to alter the underlying development. Europe is confronted with circumstances in which the limits of national solutions are becoming increasingly clear. Security, the economy, technology, energy, climate, migration and international power relations transcend national borders. The world in which Europe operates requires a political capacity that goes beyond separate agreements between states. Europe must take account of the insight: 'Where there is a will, there is no border.'

The choice, therefore, is ultimately not between preservation and change. The real choice is between a controlled constitutional transformation and a chaotic adaptation under the pressure of crises.

History gives Europe the opportunity to learn from earlier examples. The United States, Switzerland, Germany, Austria and other federal states did not emerge because all problems had disappeared, but because political communities decided to create a new institutional solution for problems that existing structures were no longer capable of solving.

Europe today possesses more knowledge about federalism than ever before. The constitutional principles are known. The historical examples are available. The institutional models exist. The question is therefore not whether a federal order can be conceived. The question is whether Europe is willing to take the step.

Such a step begins not with centralist power politics, but with understanding. Not with centralization, but with constitutional clarity. Not with reducing diversity, but with organizing it.

But the latest proposal to that effect has already been put forward. On 23 January 2026, Chancellor Friedrich Merz and Prime Minister Giorgia Meloni signed an extensive cooperation plan in Rome during German-Italian intergovernmental consultations, covering defence, security, migration and economic competitiveness. At the joint press conference, Merz spoke of a 'united Europe' and of the need to make Europe more capable of acting decisively.

On 12 February 2026, Germany and Italy presented joint proposals in Brussels, during the EU summit on competitiveness, aimed at strengthening European competitiveness through regulatory simplification, reinforcement of the internal market and more intensive cooperation.

Here too, the emphasis was on practical reforms within the treaty framework, rather than on a formal call for a federal European state. Once again, the approach was to rearrange shared competences where necessary, followed only afterwards by possible institutional deepening.

The media described these two initiatives by Germany and Italy as proposals for a more pragmatic form of cooperation between the member states. To be achieved through yet another far-reaching amendment of the treaties. Well, attempting to pragmatically modify an already highly complex political system will, by requiring energy that has already been exhausted, only accelerate the further erosion of the EU's capacity to act.

That is why I return once again to the three words: Learn > Understand > Apply.

Learn from history that political systems have a life cycle and that every generation has a responsibility to respond in time to structural change.

Understand that a political community seeking to address common challenges ultimately requires a form of common authority that is democratically legitimized and constitutionally constrained.

Apply what science, history, political philosophy and legal philosophy teach us: that a sustainable Europe cannot be built on endless adjustments to treaties, but on a democratic constitution whose legitimacy derives from the citizens of Europe.

The future of Europe therefore lies neither in the past of conflicting states nor in the present of an increasingly complex treaty system. It lies in the capacity to create a new political order. An order in which peace, security and prosperity do not depend exclusively on temporary agreements between governments but are supported by a constitutional foundation. A federal Europe. Not as the end of European diversity, but as its political fulfilment. Not as a replacement for national communities, but as their common future. Not as a project of governments for citizens, but as a constitutional community of citizens, for citizens and by citizens.

Well, as of 2026, thousands of European citizens are members of private organisations that all strive for a federal Europe. Some remain committed to the multilateral, treaty-based system, believing that amendments to the treaties will ultimately lead to a constitutionally based federation; others pursue a federal Europe based on a democratic federal constitution.

If these organisations understand the sense of urgency, they need to take just one step: to upgrade their individual entities by jointly—centripetally—establishing a private federal organisation, with at least the following as members: the Federal Alliance of European Federalists (FAEF), the Union of European Federalists (UEF), Young European Federalists (JEF), Federal Union (FU), VOLT Europa, Più Europa, DiEM25, and Red Tulips for the United States of Europe.

As is the case in a well-constructed federation, each member organisation remains sovereign in its own domain. The new federation, resulting from the upgrading of these organisations, would be sovereign with regard to one common interest: working together towards a constitutional federal Europe.

Such a citizens' initiative would be a unique step in the evolution of federalism since the federal doctrine of Johannes Althusius in 1603, its first application through the establishment of the United States in 1787, and the creation of a citizen-driven federal Switzerland in 1848.

If the aforementioned private organisations understand the need for this upgrading, their federal expertise, together with the determination of their thousands of individual members, could serve as the driving force behind the ratification of a democratic federal Europe of, by, and for its citizens.

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Defining Language: Usage, Texts, Utterances, the Language Faculty, Competence and Languages

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ABSTRACT

The purpose of the article is to delimit and relate the entities mentioned in the title. Each of them is discussed, with a focus on languages or linguistic systems. Languages should be distinguished from their conventional use (usage) and its product: texts and the utterances they consist of, as well as from the users' language faculty and competence. Especially the relation between languages and usage, utterances, and competence is discussed. The author argues for a consistently usage-based view of languages, which is incompatible with Mentalism, as usage and texts consist of physical units like sounds or letters. The conclusion is that languages are social products: institutions, more precisely sign systems comprising the units of expression. The article discusses if languages are «multimodal» or independent of expression, and concludes that they are not. Spoken, written and gestural languages are different types of sign systems. Utterances are the maximal sign and define the actual language.

Index Terms: competence • conventions • faculty of language • languages • texts • usage • utterances

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RESEARCH ARTICLE

Defining Language: Usage, Texts, Utterances, the Language Faculty, Competence and Languages

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Abstract

The purpose of the article is to delimit and relate the entities mentioned in the title. Each of them is discussed, with a focus on languages or linguistic systems. Languages should be distinguished from their conventional use (usage) and its product: texts and the utterances they consist of, as well as from the users' language faculty and competence. Especially the relation between languages and usage, utterances, and competence is discussed. The author argues for a consistently usage-based view of languages, which is incompatible with Mentalism, as usage and texts consist of physical units like sounds or letters. The conclusion is that languages are social products: institutions, more precisely sign systems comprising the units of expression. The article discusses if languages are «multimodal» or independent of expression, and concludes that they are not. Spoken, written and gestural languages are different types of sign systems. Utterances are the maximal sign and define the actual language.

Keywords: *competence, conventions, faculty of language, languages, texts, usage, utterances*

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1 Introduction

In most sciences there is agreement about what the object is and what kind of science the actual science is. Linguistics has not yet reached this goal, although it is one of the oldest sciences, but then we have a specially diverse and complex object. According to Bickerton (2009: 4) language is «the greatest problem in science». Linguists have not been able to agree on whether language is *mental* or *social*, *cultural* or *natural*, an *action* or a *product*, an innate *faculty* or an acquired *knowledge*. Is linguistics a *psychological* science, a *biological/natural* one or a *cultural* one?

The question that has been most debated, is what kind of object language is and where it exists. There are three views on the question:

(1) that it is something *mental* in the *mind* of each language user – *competence*, i.e. the *knowledge* of the user's language. This view, usually called *mentalism*, is the dominant view in both generative and cognitive linguistics, and one of the few things on which the two theories agree. In that case linguistics belongs to *psychology*, and according to generative grammar, which thinks that competence is partially *innate* in the form of a universal grammar, also *biology*, making linguistics a *natural* science (Åfarli 2000: 138–139). According to Sinha (2009: 290) language is «intrinsic to human *biology*», and Johansson (2005: 5) identifies language with «the innate language endowments of children», i.e. the *language faculty*.

(2) that it is something *social*, namely *institutions* consisting of *conventions* or *norms* in a *language community*. It is especially Saussure and European structuralism that represent this view. It implies that language is a *cultural product* and linguistics a *cultural science* belonging to the Humanities, where it has traditionally been placed.

(3) since it's difficult to disregard both conventions and competence, some linguists have a third view, namely that language is *both* social *and* mental (Kofoed 1971: 13, Langacker 2016: 467).

In addition to definition as a competence, a faculty and a conventional linguistic system, language is also described as a *behaviour* (e.g. Bybee 2010: 6) or an *activity* (e.g. Langacker 2010: 130), i.e. *usage*. Croft (2009) describes «language» as no less than three things: a «cognitive *ability*» (p. 397), «joint *action*» (p. 398) and «a (largely) conventional coordination *device*» (p. 403, my emphasis in all quotes). Language is even used about «...the language people actually produce and understand» (Kemmer & Barlow 2000: XV), i.e. *texts*. Calling all these things *language* can only lead to confusion and is far from satisfactory in a linguistic theory. One reason for the ambiguous use of *language* may be the word itself – that everybody speaks of *language* without articles, which makes the referent a rather abstract uncountable substance and can refer to anything linguistic. However, we are not dealing with a substance, but with *individual languages* or *linguistic systems*, e.g. English or a variety of English, e.g. Standard English or an «accent» of it, like Australian English. So I prefer to speak mostly of *languages* and *a/the* language in the singular. In my opinion, these linguistic systems, what Saussure named *langue* (i.e. language), are the only entities that deserve the name *language* or more precisely *languages*.

In everyday speech *languages* usually refer to the *national* languages used by ethnic groups (and often named after them): English, Norwegian, Finnish etc., which are usually counted as the «languages» of the world. This a *sociolinguistic* concept, defined by political criteria as well as linguistic ones. If Scandinavia had been one nation instead of three, the Scandinavian languages would just have been dialect groups. Dialects and sociolects are only *varieties* of a «language» in this sense, but they are of course languages in the basic sense of 'linguistic system'. Here

language(s) is used only in this sense, and the purpose of the article is to delimit linguistic systems and the other entities mentioned in the title and discuss their place in a theory of language. They should all be described and related – just distinguishing between *langue* and *parole* (Saussure) or *competence* and *performance* (Chomsky) is far from sufficient.

According to Langacker (1987: 18), these oppositions (and most other binary oppositions) are «false dichotomies». But both competence and performance are real and important linguistic entities, and so are texts, utterances, the language faculty and languages. Languages must be distinguished from what Saussure called *parole* and Chomsky *performance*, i.e. *usage*. But usage, an *action*, should be distinguished from *texts*, the *product* of the sender's action, and the *utterances* (including sentences) that texts consist of, which are the basic units of grammar (Section 2). And languages must also be distinguished from the users' language *faculty* (Section 3) and their linguistic *knowledge and skill*, i.e. *competence* (Section 4). Section 5 tries to delimit languages, especially from usage, utterances and competence, since languages are often equated with usage or competence and sometimes said to consist of utterances or sentences. The conclusion is that languages must be *collective* to function in communication and are *institutions* in language communities, more precisely *sign systems*, and these two entities are discussed.

My point of departure is a *usage-based* view of languages: that languages and usage are very close and that an account of languages, which are abstract and not directly observable, must be based on usage, texts and utterances. These are the only linguistic entities that are *observable* and therefore constitute the *data* of linguistics. I will also show that a consistent usage-based view is incompatible with mentalism, as usage consists of *physical* units like sounds or letters. If languages are usage-based, these units must also belong to the language that is used. This view does not preclude that *parts* of language are mental, namely meanings, but the units of expression are physical and cannot exist in the users' minds.

2 The use of Languages: Usage, Texts and Utterances

2.1. Usage and Texts

Usage (latin *usus*) is the traditional or conventional use of a language (Langacker 1987: 65–66), i.e. use that is governed by *conventions*. It must be *wellformed* or *grammatical*, formed according to the conventions of the actual community, and varies between communities: What is right in one community, is wrong in another. Using something is an *action*, here the *sender's* action: the production of «a symbolic expression assembled by a speaker» (Langacker 1987: 66). Like other actions, it has a *purpose*: to express a communicative act (speech act), e.g. make a statement or tell a story. In communication there is also a *receiver*, who in linguistic communication uses his/her knowledge of the conventions to *understand* the sender's usage, with a little help from the situation and the previous context.[1] But one can hardly say that receivers *use* the actual language, only their *knowledge of it* (and of the world in general). The sender is normally one person, the receiver can also be everybody – the public (as in this article).

When using spoken or written language the sender's action consists in producing a *physical product*: «a symbolic expression» or more precisely the conventional *expressions* of the «symbols» or signs of the language – a *text*, either *speech* consisting of speech sounds or *writing* consisting of letters and other characters.[2] Neither Saussure nor Chomsky nor Langacker distinguish clearly between the production and the product, what is produced, but focus on the production and hardly mention the product. For example, Saussure (1967: 30) describes *parole* as «an individual action which requires will and intelligence» – and purpose, one might add (my translation, here and in other quotes from other languages than English). And Langacker (1987: 65) describes usage as «a problem-solving activity» and does not mention the product (text is not in the index). So texts have no place in their theories. But in everyday life texts play a crucial role. We are ever more surrounded by texts on paper or screen, and many texts have had an enormous historical significance, e.g. the Bible, the Declaration of Human Rights, the Constitution or *On the Origin of Species*. Therefore texts should have a central place in linguistic theory.

The sender's usage and the resulting text are closely connected, namely as *cause and effect* – formal or obscure usage results in a formal or obscure text. Still it is important to distinguish them (Lyons 1995: 18, 22), since one is a transient *psycho-physical action* and the other a more or less durable *physical product*. Compare Lamb's (2000: 88) distinction between «The PROCESSES by which linguistic products are produced and/or interpreted» and «Actual PRODUCTIONS of speakers», or the distinction between *speak* and *speech* in English: Speech is the product of speaking. Texts can be lasting if speech is recorded or writing is hewn in stone, and can survive both usage, the user and even the language, e.g. a runic inscription or the Rosetta stone. They can therefore inform us of languages that no longer exist. If there are many texts in the actual language, the language can be at least partially *reconstructed*, as has been done with old Norse or Latin. So what we can preserve and study in practice, is texts, in speech recordings or transcriptions of them. For dead languages written texts are our only data. So in practice, therefore, it is texts rather than usage that are the data of linguistics. «Corpus linguistics», which studies languages based on large electronic collections of texts, is therefore a better basis for linguistic analysis than the traditional method: to generalise on the basis of a few, accidental examples, selfmade or literary.

Texts consist of *the expressions of signs* chosen from the language that is used. This text consists of the expressions of some signs of written English – letters and other characters, like punctuation marks. They express and are understood as *signs* of diverse types: morphemes, word forms[3] (separated by spaces), sentences (marked by punctuation marks) etc. But this is something the *receivers* contribute when they hear or read the text and try to understand it. It's when we hear or see a text in an *unknown* language that the text appears as what it objectively is: a stream of strange sounds or characters.

Also texts have a purpose and can be divided in many text types accordingly. This text is an example of *public* writing, but there are also *personal* written texts like letters or e-mail. After the invention of writing we got a series of new text types, like letters, novels and dissertations, with e-mail, cell phone messages and discussions on the internet as the newest. In speech texts are mostly *conversations*, which is the original type of texts, and still the basic one in everyday life. But there are also

[1] Receiver is not what Dixon (2010: 189) and others call *addressee*, the person(s) addressed, but the ones that actually perceive and understand usage and texts. We often hear or read utterances that were not meant for us, and in public writing the sender does not address anyone in particular, but everybody, as many as possible. Written texts get ever more receivers, long after they were produced, like the Bible or the sagas.

[2] The distinction usage/text is useful in speech and writing, but we can hardly speak of any product of the sender's actions in *gestural («sign») languages* and the few gestures we all use instead of or in addition to speech. Here we just have meaningful actions – gestures and facial expressions.

[3] Following Lyons (1981: 101), I distinguish between *words* (lexemes), which are abstract *lexical* units in the *language* (the lexicon), and *word forms*, which are the concrete *grammatical* units that occur in usage and texts, in writing separated by spaces. Inflected words have *inflectional* forms, and some words have special *unstressed* forms, often connected to other word forms, like English *it's, isn't, I'm*. Word forms are the *largest* units (the subject) of morphology and the *smallest* units (ultimate constituents) of syntax, so they are a central type of sign.

public and formal spoken texts, like speeches, lectures, poems, fairy tales, riddles etc.

Spoken texts are normally *improvised* and therefore usually quite messy, with unfinished utterances, corrections and other imperfections. Written texts are normally *edited* and mark *word forms* (with spaces) and *utterances* and their type (with capitals and punctuation marks). And they can be *divided* according to their content in paragraphs, marked by indentation, and chapters, sections and subsections with headings that suggest the content. This makes written texts far more structured than spoken ones, and makes it possible to structure large texts hierarchically, which is especially useful in science. A spoken dissertation would hardly be possible. This, in addition to permanence, is the greatest advantage of writing.

2.2. Utterances and Sentences

Grammatically, texts consist of one or many *utterances*: the smallest part of a text that is *grammatically independent* in the sense of not being a constituent in a syntagm and having a *communicative purpose* like expressing a statement, a question, an answer to a question, an exclamation, a greeting, a curse etc. Therefore an utterance can constitute a text by itself – a *minimal text* (Lyons 1995: 35) – e.g. on signposts and posters: *Don't walk on the lawn* (a prohibition), *Exit* or *Fresh tomatoes* (information). But most texts consist of many utterances which are semantically connected, making the text *coherent*. Although there are *semantic* relations between them, potentially expressed by words like *but, however, therefore*, they are *grammatically* «…in a relation of H[jelmslev] constellation only: none of them presupposes another, since each is potentially at least a self-contained unit» (Garvin 1954: 85).

In writing utterances are usually marked by capitals and «big» punctuation marks (excluding comma), which Faarlund et al. (1997: 923) use as a *definition*. Therefore they consider the sequence *Ja, det stemmer* (Yes, that's right) as one utterance. This corresponds to the definition of utterances in speech by intonation and pauses, as in Crookes (1990: 186 f). But neither intonation and pauses nor punctuation are very consistent. In speech people often make pauses in the middle of a sentence while they are planning how to finish it or searching for the right word, and in writing utterances can also be marked by comma and a corresponding intonation in speech if they are short and closely connected semantically, as in Faarlund et al.'s example. Here *Ja* is not grammatically integrated in the following sentence and functions as an utterance by itself – a confirming answer. The sequence therefore consists of *two* utterances with the same semantic function (confirming), and the last one *repeats* the content of the first. The defining quality must therefore be grammatical independence, not punctuation or intonation. At most, the *possibility* of using big punctuation marks can be used as an indicator of utterance status: The possibility of writing the example as *Ja! Det stemmer* (and pronounce it with a pause) shows that we have two utterances.

Most utterances are *sentences*, which is why sentences are such an important category in grammar. Most linguists distinguish between utterances and sentences, but in different ways. There seems to be agreement that utterances are *the largest unit of grammar* (Lyons 1968: 172), and the same goes for sentences (Garvin 1954: 84). There is also agreement that both utterances and sentences are *grammatically independent*, compare Bloomfield's (1933: 170) definition of sentences as «…an independent linguistic form, not included by virtue of any grammatical construction in any larger linguistic form». But according to Lyons (1968: 52) sentences are «units of *langue*», utterances «units of *parole*». However, also individual sentences like this one are part of *parole*, i.e. usage and texts. They are *both* utterances *and* sentences, and neither of them are part of the actual language (see Section 5.2).

Others regard sentences as *products*, utterances as *actions*, e.g. Hurford & Heasley (1983: 15): «An utterance is the USE by a particular speaker, on a particular occasion, of a piece of language…». And according to Dyvik (1998: 15) the Norwegian sentence *Det har snedd i natt* (It has been snowing tonight) uttered on two different occasions are two different utterances (but the same sentence). But as many utterances are sentences and both occur in texts, also utterances should be regarded as products, «a piece of language». Like sentences they have a certain *structure* – e.g. they can be interjections or sentences, consist of so and so many words etc. In that case Dyvik's sentence is *the same utterance* (and sentence) every time one utters it, and one can use a certain utterance many times, as we do with utterances like *Hello!* or *How are you?*

Bloomfield's sentence definition above would include units like *Hello, Yes, Wow* or *You fool*, which are usually not regarded as sentences. However, they are *utterances* – a wider category that *includes* sentences, which have a certain structure: They must contain certain *constituents*, at least a finite *verbal*, usually also a *subject* and other sentence constituents, alternatively a *subject* (NP) and a *predicate* (VP). They normally *function* as utterances and express a speech act. We have *sentence types* for the most important speech acts, such as informing, asking for information or requesting actions. However, they may be *elliptical*, especially in speech. In the sequence *What's your name? – John Smith*, the answer can be regarded as an elliptical sentence with only the new information mentioned, short for *My name is John Smith.*

Also utterances have a structure. Most of them are sentences, but they may also consist of syntagms like *You fool, Good morning, Down with X* or single words, either interjections or *yes/no* – words that function as complete utterances by themselves and cannot be used as constituents. There are «rules» or conventions also for such utterances. So utterances are the largest units of grammar, as Croft & Cruse (2004: 291) point out when they say that grammatical knowledge represents utterances. That's why we mark them in writing.

3 The Faculty of Language

3.1. Faculties, Knowledge and Skills

Language is sometimes described a knowledge and sometimes as a faculty, capacity or ability, but faculties, knowledge and abilities or skills are different things. Faculties or capacities are *innate* and *universal*, a quality of the *species*, e.g. man. The reason is that they depend on our *organs* and are *functions* of them: We have the capacity to *walk and run* because we have *legs*, but not the capacity to *fly* because we don't have *wings*. And we have all the same organs and therefore the same faculties, although in different *degrees* – som are better runners or communicators than others. Knowledge and skills are *acquired or learnt* from experience and *individual* – we don't have the same experience with and knowledge of languages and other objects. Some people have no knowledge of e.g. English while others have an almost perfect knowledge of it and are skilled users of it. But everybody has the *capacity* to speak English.

The faculty of language is the capacity to *make, learn and use languages*. Using a language requires certain organs, both the speech organs or the hands for writing and signing and a well developed brain to govern them. We must produce and perceive complex sound sequences at great speed, combine word forms hierarchically to complex utterances and interpret such utterances on the spot, as they are produced. Only man has these capacities in a sufficiently high degree, and is the only species with an *open* or *unlimited* sign system with a large lexicon, grammar and an expression system like sound systems or alphabets, making it possible to express any message. Other animals have at most small, *closed* systems of signs without grammar which can only express certain messages, e.g. a set of warning cries for different predators among vervet monkeys (Seyfarth et al. 1980).

But we must of course distinguish our faculties from the *products* of these faculties, from languages to atomic bombs. When Bouchard (2013: 333) says that «…language is a biologically determined, species-specific, genetically transmitted capacity», he describes the language *faculty*, not languages. A language, e.g. English, is not a capacity, but a *product* of our language capacity. Unlike faculties, languages are transmitted not genetically, but *culturally*, by learning. Therefore we must distinguish, like Fitch (2010: 381), between «glossogeny» or the evolution of *languages* and «phylogeny», the evolution of *the language faculty*, which must have evolved in parallel, under mutual influence: A more complex language required a better language faculty, and a better faculty resulted in a more complex and better language, which resulted in better survival for those with the best language and language ability.

That we make, learn and use languages, shows that we have the ability to do so. What one can discuss, is what this ability consists of, and especially if it is a specifically *linguistic* ability or more *general* abilities like high intelligence and a good memory. Most likely, it is both (Lieberman 1984: 1). Using a language obviously requires high intelligence and a good memory. We must be able to *generalize* and establish *categories*, and we need both a good long time memory and a good working memory: We must remember tens of thousands of words a whole lifetime, and the beginning of a sentence until we have heard the end of it. But within certain limits the language faculty is relatively independent of general intelligence (Lenneberg 1967: 229, Bybee 1996: 38 f), and the organs we use for speech are adapted to speech (Lieberman 1984: 271). Furthermore, there is a *critical period* for language acquisition and *language centers* in the brain, usually in the left hemisphere.

This shows that using language also requires specifically linguistic faculties, e.g. for articulation and for constructing and understanding sentences. Also that our nearest relatives among the animals, the chimpanzees, have a limited language ability and hardly any speech ability at all, shows that we have developed language abilities, at least speech abilities, since we parted from them. According to Fromkin et al. (2019: 453) «…language is a separate cognitive module», but many parts of the brain contribute to the use of language, also the right hemisphere (Fromkin et al. 2019: 454, Lobben 2023: 112, 153). And according to Lieberman (2006: 374), the parts of the brain that govern language, also govern other activities, like cognition and movement. So there is no specific «language organ». But we have used speech for such a long time that we are *adapted* to speech, both physically and mentally, and therefore spoken language is the only *universal* sign system, used by all normal individuals in all communities. In addition, we use some gestural signs, like pointing or nodding, and such gestures probably always have been used in certain settings, like hunting or communicating with people with other languages. But speech evolved into a system of great complexity and expressive power. Comparable gestural languages with a grammar are a new invention. So speech most probably was our first open or general language, and the only one for a long time.

However, today we also have sign systems with others expressions, first and foremost *writing* and *gestures*. The ability to communicate by sounds can obviously be *transferred* to signs with other expressions, so we have a *general* language faculty, not limited to speech. Although Saussure himself equates language and speech, he declares (1967: 26) that Whitney is right to say that the nature of the sign is inessential and that what is specific to man is «…the ability to create a language, i.e. a system of distinct signs corresponding to distinct concepts». And Whitney *is* right. According to Fromkin et al. (2019: 453), all «modalities» are controlled by the left hemisphere and organized in the brain in the same way. Different sign systems require different abilities, but they have basic common qualities, as they all consist of signs, both minimal signs (morphemes) and complex signs like sentences, and have both a lexicon and a grammar. So we have both an innate and general *faculty* to use sign systems and special *abilities* or *skills* to use *specific* sign systems. Ability to speak doesn't entail ability to write or use gestural languages, and people may have a reduced ability to read and write (dyslexia) without effects on the ability to speak. This shows that these are distinct linguistic abilities or competences, which must be *learnt*.

4 Competence

4.1. Knowledge and Skill

That we have the *capacity* to use any language, doesn't mean that we have the *ability* (are able) to use any language. To be able to use *specific* languages, we must be *competent* in using them. We need both a theoretical *knowledge* of the language (knowing *that*) and a practical *skill* (knowing *how*) in using it rightly as sender, which requires *practice*. For example, it is not enough to know what case German prepositions govern and the case forms of all case-inflected words – one must also be able to put any noun or pronoun with potential modifiers in the right case on the spot, without reflection. So competence is partly a knowledge: a more or less complete mental model of the actual language in both senders and receivers, and partly a skill: the ability to use that knowledge to make and understand utterances in the language. And we must know both the *structural* conventions – lexical, grammatical, phonological and graphological – and the *functional*, i.e. pragmatic or communicative, conventions (see Section 5.4.3), e.g. how to speak to strangers or children, ask people to do things, tell a joke or write an article.

Some linguists, e.g. Saussure (1967: 112) and Hockett (1958: 137), describe languages as *habits*. But habits are relevant for *skills*, not languages. A convention, e.g. the English *do* construction in questions and negative statements, is not a habit, but to *use* the convention becomes a habit when one has done it a sufficient number of times. Skills are acquired by practice and must be *entrenched* – a habit. Linguistic skill is partly *automatic* – according to Lieberman (1984: 59) automatization is «one of the essential elements of human language». A clear example is *articulation*, which involves rapid, coordinated movements of several organs without any reflection or conscious effort whatever.[4]

Linguists sometimes call competence «internalized norms», e.g. Vikør (2007: 72). But competence cannot be norms because it is *individual* and governs only the usage of the actual user, not of a language community. Norms or conventions are *collective*. Competence is *knowledge* of norms, and like all other knowledge, it *varies*. It may be *incomplete*, especially in users like children or foreigners. And it may *wrong*; like all knowledge, linguistic knowledge is fallible and may not be accordance with usage, resulting in faulty use. If the sender's competence is imperfect, e.g. a word is not spelled like the sender thinks it is, his/her use of it will also be imperfect.

4.2. Active and Passive Competence

Since competence is used both to produce and to understand utterances, we have to distinguish between the *sender's* and the *receiver's* competence, or *active* and *passive* competence. It seems that active competence is more demanding than passive competence. People usually have a larger passive than active vocabulary (Lamb 2000: 112), i.e. they can understand more than they can say themselves, and one may be able to hear a phonetic difference without being able to produce it. And in language acquisition comprehension comes before production (Burling 2000: 27, Johansson 2005: 181). Even many animals, like dogs and horses,

[4] According to a phonetician quoted by Bybee (1996: 84) a simple monosyllable requires coordination of more than 70 muscles in 8–10 organs.

can understand quite a few words and utterances without being able to produce them.[5]

The reason for this imbalance must be that the sender has to *plan and produce* utterances, which requires skill and practice, while the receiver merely has to *understand* them, which only requires intelligence and knowledge of the language. We learn language primarily as receivers, by observing and gradually understanding the utterances of others. Therefore, active competence *presupposes* passive competence: First one must understand what other people say, e.g. the words they use, and then one can use the words oneself, after some practice. According to Lamb (2000: 112) we should «...impart some degree of primacy to the receptive side of the linguistic system».[6] In addition, the sender goes *from meaning to expression* while the receiver goes the opposite way, and, as Lamb points out, the first is more difficult than the second. It is harder to remember how a certain meaning is expressed, i.e. to «find» or activate the expression, than to remember what an expression means. This is especially wellknown for proper names: Sometimes, we cannot remember the name of a known person, but as soon as we hear the name, we recognize it and know who it refers to. According to Jackendoff (2002: 213, note 9) the reason is that receiving just requires «recognition memory» while sending requires «the much more difficult recall memory».

4.3. Innate Competence and Universal Grammar?

According to Fromkin et al. (2019: 367) spoken and sign languages, unlike writing, are «biologically innate and need not be purposefully learned». If they are innate, why do they vary? Why can't everybody sign, and why must language acquisition «…be triggered by input from the environment» (Fromkin et al. 2019: 462)? Purposefully or not, they must all be *learnt*. The language *faculty* is innate, but not *languages* and *competence*. Conventions are man-made and must be learnt by ordinary cognitive processes like abstraction and generalization, and linguistic conventions are learnt the same way as other conventions: by observing and imitating *others* who know them and follow them, i.e. others' usage and utterances.

As we learn our first language without systematic instruction, competence in our native language is to a large degree *unconscious* or *intuitive* and inaccessible for introspection – with the exception of linguists. Every day we use words whose meaning we cannot define and follow grammatical rules that few of us can describe. This largely unconscious knowledge also makes us able to hear whether a sentence is grammatical or ungrammatical, usually without being able to explain why, which presupposes grammatical terms and concepts.

Structural conventions are learnt by observing *regularities* in the utterances, factors that *recur*. According to Langacker (2000: 30) language acquisition «...in essence [...] reduces to reinforcement of the commonalities inherent in expressions that actually occur», and Ono & Thompson (1995: 219) say that spoken utterances show that we use conventional «constructional schemas» which are «…distilled from large numbers of speech events». In other words, we construct *hypotheses* about the language on the basis of the utterances that we hear, which we *test* in our own utterances. Generalization (induction) is fallible because the data base, in this case observed utterances in the language, is small in the beginning – but it increases every day, and hypotheses that are not confirmed, can be *revised*. The method is called *trial and error*, which is the standard method of learning. It consists of both induction and deduction: One goes from incidences (tokens) to a general rule (types), and from the rule to new incidences – an inference that can give a wrong result, e.g. analogical forms like *gived* for *gave*, from the wrong hypothesis that *give* is a regular verb. This hypothesis is falsified when one has heard *gave* a sufficient number of times. But forms like *gived* show that the user has induced the rule for the past of regular verbs, even if the deduction to *gived* is wrong because the rule was applied to a verb where it doesn't apply according to the conventions of English.

Such analogical forms show that *grammar* is learnt like the rest of language. According to Fromkin et al. (2019: 385), children "…know that sentences are organized hierarchically, and this is not information that is provided in the input". But it *is* provided. As ordinary syntactic analysis show, most sentences are hierarchical, with constituents within constituents, and one cannot understand them without realizing this. To understand who went home in *The old man went home*, one must analyse *The old man* as one constituent (subject), referring to the agent.

Fromkin et al. also point out (2019: 385) that "children are not provided with information about structure dependency, constituent structure or indeed any abstract property of grammar". No, but they are provided with *intelligence* and the ability to *analyse* utterances in constituents and *discover* their structure. The authors admit (p. 386) that word (or constituent) *order* is learnt from the input, so according to them grammar is partly innate and partly learnt. But if children can learn *constituent order*, they must be able to analyse sentences in *constituents*. The authors also admit (p. 422) that children "…extract the rules [...] from the language(s) spoken around them" and (p. 439 f) that listeners must determine the syntactic relations between constituents and solve syntactic ambiguities. When people can understand the difference between *They have seen you* and *You have seen them*, they must intuitively have analysed the sentences grammatically and understood that the pronouns have different syntactic functions in the sentences and different semantic functions in the propositions they express. That "the human brain is specially equipped for acquisition of human language grammars" (Fromkin et al. 2019: 386) doesn't mean that we are *born* with a grammar, just with the ability to "extract" it from utterances.

So grammar is just as conventional as the lexicon. Like words, grammar varies from language to language and must be labouriously learnt. Even closely related languages like English, German and Scandinavian have quite different grammars. There is no universal grammar, no more than a universal lexicon. Grammar and lexicon are closely related and are learnt together in the same way. Without words there would be no grammar. Grammar and lexicon overlap since there are grammatical words and word classes are regarded as grammatical organization and treated in morphology. And there are fixed expressions with a syntactic structure but a holistic meaning, e.g. *figure out* or *put up with*, which must be regarded as both grammatical and lexical units. If languages are usage-based (see Section 5.1), grammar can be induced from grammatical utterances, and there is no innate knowledge of grammar. And we hear hundreds of mostly grammatical utterances every day, so there is no «poverty of stimulus».

5 Languages

5.1. Languages and Usage

100 years after Saussure, many linguist still do not distinguish consistently between languages and the use of them, but call both language. Bickerton (1995: 11) rightly complains about «…the persistent confusion between a thing and the uses of a thing». Bybee describes «language» both as «…one of the most systematic and complex forms of human *behaviour*» (2010: 6) and as «a conventional cultural *object*» (2010: 119, my emphasis). Langacker (1987: 18) rejects the whole distinction, and in Langacker (2010: 130) «language» is described both as «a structured *inventory* of conventional linguistic units» and as «a processing *activity*»

[5]According to Lieberman (2006: 36–37) a German border collie could understand more than 200 words and follow «simple verbal instructions», i.e. understand simple sentences.

[6]It's part of *competence*, not the linguistic system. The linguistic system is neutral between sending and receiving.

(my emphasis). Also Kemmer & Barlow (2000) reject the distinction «...since performance is itself part of a speaker's competence» (p. XI) and «...the primary object of study is the language people actually produce and understand» (p. XV). But performance cannot be a part of competence since performance is an *action* while competence is *knowledge* of the system used and the *ability* to perform the action. And what people produce and understand is *texts and utterances*, which are *not* the primary object of linguistics. The primary object of *linguistics* cannot be anything else than *languages*, which are not actions but *systems* that may be *used* to produce texts and utterances in the actual language.

However, languages and usage are closely related. Cognitive linguistics is *usage-based*, which means that languages and usage are supposed to be entities of *the same kind* and influence each other: «…structure [...] is not independent of usage or radically different in nature. Rather, structure emerges from usage, is immanent in usage, and is influenced by usage on an ongoing basis» (Langacker 2010: 109). According to Bybee «…linguistic structure emerges through language use» (2010: 204), and «Usage feeds into the creation of grammar just as much as grammar determines the shape of usage» (2006: 730). Kemmer & Barlow (2000: IX) say that usage events «...both *result from*, and also *shape*, the linguistic system itself in a kind of feedback loop» (my emphasis). Saussure (1967: 37) makes the same point when he says that languages (*langue*) and usage (*parole*) *presuppose* each other and calls languages both the *instrument* in and the *product* of usage. Newmeyer (2003: 682) calls usage-based theories «anti-Saussurean», but they are definitely not. One could even call Saussure implicitly usage-based. That languages are usage-based does not mean that usage of a language *is* the language, even if some reject a sharp distinction between the two. The present author is not among them.

Usage-based means that usage *creates and defines* a language, something linguists acknowledged long ago by the proverb *Usus (est) tyrannus*, usage decides (what is right). According to Langacker (1998: 35),

> ...all structures ascribed to a linguistic system must either be directly encountered as parts of occurring expressions, or else capable of emerging from them through the basic processes of abstraction and categorization.

Compare Langacker's (1987: 53–54) «content requirement»: that the only linguistic units are «phonological, semantic, and symbolic structures that actually occur in linguistic expressions». Langacker (1991: 289–290) underlines that this excludes «arbitrary descriptive devices» that lack expression and content, and Kemmer & Barlow (2000: IX) point out that units that don't occur in usage, simply don't exist. The units of usage are the same as the units of the language: sounds or letters, morphemes, word forms, suffixes, phrases, clauses, sentences, etc., and there are no «underlying» structures and «transformations» (movements).

The only difference between a language and usage, texts and utterances in the language is that the units of a language are abstract *types* (classes) while the units of usage, texts and utterances are concrete, physical *tokens* (exemplars) or *occurrences* of those types, used for a communicative purpose. In English usage and texts there is an unlimited number of the article *the*, but they count as one in the English language. In languages the units are *potential* – possiblities that one can choose and use – in usage, texts and utterances they are *actual*, chosen or used possibilities. Therefore we can *observe* usage, texts and utterances while languages are abstract. For example, in languages sentence constituents like subjects and objects have a certain *distribution* or possible positions, in usage they have an actual *position*, one of the possible ones. And we can only know the distribution of the subject in a language from its positions in usage and texts in that language.

So the grammar of the language can only be known through the grammar of usage and texts in the language. To «characterize grammar independently of usage» (Newmeyer 2003: 702) is impossible. If we want to know how interrogative sentences are made in English, we must examine the interrogative sentences of English usage and texts to see what they have *in common* that distinguishes them from other sentence types. There is no other way, as Hjelmslev (1973: 127) points out: «…it is only through the analysis of the text that we learn to know the language». Usage, texts and utterances show what the units of the actual language are, the linguistic *system* or the *language* that is used. That's why we can *learn* a language from usage, texts and utterances, by generalizing from tokens to types. And that is why a runic inscription can tell us something about Proto-nordic, and why grammarians support their rules with *examples*. We demand examples of a category, preferably several, before we accept it. This makes linguistics an *empirical* science with an observable basis that can falsify any theory.

5.2. Languages and Utterances

Since utterances are the largest unit of grammar, some linguists regard languages as collections of utterances or sentences. Chomsky (1957: 13) defines a language as *a set of sentences*, and Croft (2000: 26) defines it as «a population of utterances in a speech community». Dyvik (1998: 14–16) rejects that a language can be a collection of *actual* utterances – that would be a *text* or a *corpus* – but accepts that it is a collection of *potential* utterances. Compare Bloomfield's (1926: 155) definition of a language as «The totality of utterances that *can be made* in a speech-community...» (my emphasis).

But as the number of possible utterances and sentences is *unlimited*, this would imply that a language is unlimited and therefore cannot be described or learnt completely, and that using a language consists of choosing suitable utterances (which then become actual). But Atkinson et al. (1991: 38) point out that it is «...conclusively demonstrated that the number of English sentences is infinite and, therefore, that English cannot be equated with any corpus no matter how large». A language is something *limited* that can be described and learnt almost completely, and most utterances are not chosen but *constructed*. It is not difficult to construct utterances which are original, like Chomsky's famous *Colorless green ideas sleep furiously*. You just have to say something sufficiently strange or silly. Exceptions are fixed phrases that are used every day, like *Good morning!* or *How do you do?* Here we can speak of choosing from a collection. As Croft (2010: 328) points out: «Clearly, some utterances are computed, because they are novel. Equally clearly, many utterances, or large chunks of structure in those utterances, are simply retrieved, chiefly because they occur frequently enough to be stored autonomously». In addition, utterances are *individual* products consisting of *concrete* units (tokens) like individual sounds while languages are *collective* and consist of general *types* of units like sound types. It is exactly because languages consist of types that they are limited and can be described and learnt, in theory completely.

So a language is more abstract than a collection of potential utterances, namely the *system* or the *conventions* that the utterances realize or follow. Dyvik (1998: 16) concedes that «All sentences [that are possible in Norwegian] must be structured according to certain principles or norms for how a Norwegian sentence is composed, and there must be a limited number of such principles or norms». And the principles we know from previous utterances that we have observed and unconsciously analysed. We don't learn utterances, but *their general*

structure, i.e. *utterance types*, mostly *sentence types*, e.g. interrogative, passive or relative sentences. Interrogative sentences *in general*, as a sentence type or *construction*, are a part of English, but not the *individual* interrogative sentences in usage and texts. We have to learn grammatical units like question words and rules like *inversion* (finite verbal + subject), e.g. *(Why)* ***have you*** *done it?* and the use of *do as auxiliary* when there is no other auxiliary, e.g. *(Why)* ***did*** *you* ***do*** *it?*, with exceptions like *(Why)* ***are*** *you sick?*, but fortunately not the unlimited number of individual interrogative sentences like these examples. They are not part of English, but their structure is.

5.3. Languages and Competence

5.3.1 Individual Languages?

Mentalism equates languages and competence, which means that languages exist as linguistic *knowledge and skill* in the *brains or minds* of each user of the language: The brain is «where human language resides» (Fromkin et al. 2019: 447), «Language is an integral part of human cognition» (Langacker 1987: 12), the goal of cognitive linguistics is «to model linguistic knowledge correctly» (Langacker 2009: 251), and «...symbolic relationships between form and meaning are not to be found 'out there', but are only established in the minds of speakers» (Langacker 2010: 128). However, Langacker also underlines that languages are *conventional*: He calls language «a structured inventory of conventional linguistic units» (2013: 222) and bases linguistics on *usage*, the conventional use of languages. So cognitive linguists must be counted among those who think that languages are *both* mental *and* social.

But what exists in the brain, must be *individual*, since there are only individual brains. This way languages are reduced to individual systems or *idiolects*: «The only scientifically genuine entities are individual grammars situated in the heads of individual speakers» (Pinker and Bloom 1990: 721). As Faarlund (1990: 32) points out, this means that there are as many «languages» as there are speakers, and one cannot speak of language *varieties* like *national* languages (e.g. English), *standard* languages (e.g. Standard English), *dialects* and *sociolects*, which all are *collective* entities. Such varieties are what linguists usually are interested in and are described in dictionaries and grammars, and it is generally estimated that there are about 6 thousand (national) languages on Earth, not 8 billion. And we usually think that languages are *passed down* between generations and have a *history* of thousands of years, as Bybee (2010: 119) underlines: «...language is a conventional cultural object that has evolved over time and continues to evolve». Faarlund (1990: 32) points out that this is incompatible with a view of languages as individual knowledge, because such knowledge dies with the user and lasts only a lifetime.

To be «internalized» or «established in the minds of speakers», linguistic units must exist «out there», outside their minds. One can only «internalize» or learn something that exists *externally*, by making a mental copy of it, i.e. *knowledge*. Namely in *society* – partly as individual *tokens* (occurrences) in usage and texts and partly as the general *types* of units that usage represents. The article *the* definitely exists also in the outer world, partly as occurrences that can be observed in speech and on paper or screen, and partly as a type in the English language. It is only the expression – three letters – that the readers can see, but if they know the conventions of English writing which connect these letters to their meaning and use, they recognize the letters as the definite article. This text consists of the expressions of the signs of English writing – morphemes, word forms, sentences etc. – and readers who know English writing, will know the meanings of the signs and can hopefully infer what I mean by these expressions.

Nor can a mentalistic view of language explain *grammaticality* – that some utterances are grammatical or conventional while others are not. According to Dyvik (1998: 21) it's competence that decides what is correct usage. But competence is individual and governs only the actual user's *own* usage, not the usage of others, and it may be *incomplete* or simply *wrong*. If someone should believe that *might* in English is spelled *mite*, this does not make it right. The convention and usage of English writing is the spelling *might*, and that is an *objective fact* which is independent of what individuals think and know. The large majority of users of English have agreed on this spelling and show it by using it and accepting it in others' usage while condemning other spellings. Langacker (2000: 10) underlines that *wellformed* means the same as *conventional*, i.e. in accordance with the *collective* norms of usage, not individual competences.

If languages are *conventional*, they cannot be *individual*. There is agreement that conventions are *collective* and exist in a *group* (Itkonen 1978: 111, Dyvik 1995: 24). *Convention* means 'agreement', and one cannot agree with onseself. And nothing can be both individual and collective, so here one has to choose. The contradiction comes out clearly when Dabrowska (2015: 222) says that «...although languages live in the mind, they belong to communities, not to individuals». If languages live in the mind, they cannot belong to communities, which have no mind. What exists in the mind and what exists in society must be two different things, and only one of them can be a language. Sinha (2009: 306) underlines that «Language as a social institution has its own proper structure which necessitates, but is irreducible to, the intentionality of its users», and Geeraerts (2016: 529) says that «Language as a communicative instrument transcends the individual».

Harder (2003: 67) points out that meaning is not «private property, but something shared with others». A private language would be useless, because it could not be used for communication. To be used for communication a language must be known and used by *a group*, as Saussure pointed out (1967: 112).[7] That's why nobody can decide over a language (if you are not a dictator), but everybody have to accept it as it is, as Saussure also pointed out (1967: 101, 104), if they want to communicate. At best, one can try to change it by one's own usage. If one is wellknown and respected, one might succeed.

Especially *standard* languages pose a problem for mentalistic linguists. According to Leech (1981: 205) «...culturally institutionalized languages such as English acquire what might be called a 'corporate lexical competence', greater than the lexical competence of any one of its users». But a *language* cannot have (e.g. lexical) *competence* – that is for *language users* only. Instead it can have a greater *lexicon* than any single user of the language, and that is what we usually find in a dictionary. Hudson (1984: 31–32) thinks that language is «...a property of the *individual*», but still accepts that standard languages are collective because they are *regulated* and *codified* in dictionaries and grammars. But not all standard languages are formally regulated by a language academy, e.g. standard English. They are just accepted as they are used, with an enormous authority and prestige, and everybody try to write and even speak «correctly», according to standard usage. As to codification, all languages can be codified or described in dictionaries and grammars, and also many dialects are exhaustively described. The greater need for regulation and codification of standard languages is simply due to the fact that they are used in writing and taught in schools.

[7] The group can be quite small, however. Many families have some special words, often inspired by the children's early utterances, and families with a deaf child of hearing parents who don't know a sign language, often develop «home signs» used in the family. Raanes (2024) describes such a home sign system developed in a farm in Norway.

5.3.2 Mentalism and Usage-based

Kemmer & Barlow (2000: VIII) think that a usage-based theory is compatible with a view of language both as «...structures derived by the analyst from observation of linguistic data...» («the 'external' linguistic system») and as «...structures posited by the analyst as a claim about mental structure and operation» («the 'internal' linguistic system»), even if the last view is the usual one. But usage consists of *physical* units like sounds or letters, and if usage and language are not «radically different in nature», these units must also belong to the language that is used. If languages were mental while usage is physical, they would be radically different in nature, and usage could not be the *use* of a language. A tool does not change nature when it is used. So languages cannot be purely mental, but include the physical units of usage as types. Spoken languages include *sound types*, and they are certainly not mental objects. That is probably why phonetics often is not regarded as part of linguistics (Matthews 2001: 41).

Of course we need a mental model or representation of a sign's expression as well as its meaning (Saussure's *image acoustique*), but that is *competence*, not language. A sound picture cannot explain communication, because nobody can *hear* it. An expression must be *physical* to communicate and be learnt (Papazian 2025 b: 68). Atkinson et al. (1991: 59) rightly point out that "…if language is to have public status it must be encoded in a medium accessible to the senses". Signs and languages are *partly physical* (the expression) and *partly mental* (the meaning). The whole point of a sign must be to connect by convention ideas, which cannot be observed, to something physical, which *can* be observed. So usage-based is incompatible with mentalism, and implies that languages are *institutions*.

5.3.3 Knowledge and its Object

Harder (2015: 239) mentions «a basic theoretical lacuna in mainstream thinking about language [...]: the absence of an account of the relation between language in the mind and language in society». In his own contribution to the filling of this lacuna (Harder 2003), the conclusion (p. 66) seems to be that «…language straddles the internal/external divide», i.e. that languages are *both* internal (mental) *and* external (social), which is impossible: The same object cannot be both internal and external, so there must be *two* objects, one internal and one external. The lacuna should be filled simply by distinguishing between internal *knowledge* (in the mind) and its external *object* (in society) – what one knows, which may be a language. Knowledge always has an object and is knowledge *of* something, e.g. a language. There must be *something* to know. As Jackendoff (2002: 298, note 4) points out, the expression *knowledge of language* implies «an external entity, 'language', that is known».

When Bybee (2001: 7) says that «Mental representations of linguistic objects have the same properties as mental representations of other objects», she implies that we have to do with two things: «linguistic (and other) objects» and «mental representations» of these objects. The history of England and someone's knowledge of the history of England are two different things, and so is English and someone's knowledge of English. The first is something social, collective and objective, the second something mental, individual and subjective. When Langacker (1991: 286) says that the goal of linguistics is to describe «…those structures and abilities that constitute *a speaker's grasp* of linguistic convention» and Atkinson et al. (1991: 40) that it is to describe «...*the native speaker's knowledge* of his language» (my emphasis in both quotes), one could ask if it's not rather to describe «linguistic *convention*» and «his *language*», preferably more completely and precisely than an ordinary speaker's knowledge of these objects.

If languages are knowledge, we must ask *whose* knowledge it is, because knowledge is individual and variable. Chomsky's answer to the question (1965: 3) is that it is the competence of an "ideal" language user with "perfect" knowledge of the actual language. But no one knows a language perfectly, e.g. all the words that are used in the actual speech community. And how would we know that a user's knowledge is perfect? This presupposes a *standard* to compare the user's knowledge with, and that cannot be anything else than *usage* and the *language* itself, the object of knowledge. Knowledge is considered perfect or right if it *agrees* completely with its object and imperfect or false if it doesn't. In other words, knowledge is *true belief* of the object.[8] That it is meaningful to speak of knowledge of languages, shows that languages cannot be knowledge, but, as Dyvik (1998: 21), points out, something we can have knowledge *of* (and be right or wrong about), a possible *object* of knowledge. Namely *institutions*, more precisely *sign systems* created by our forebears that we recreate ourselves today.

5.4. Languages as Institutions

5.4.1 Conventions

Institutions exist as *conventions* in communities, in this case those that govern the usage of a language. This view has been advocated mainly by Saussure, who calls language (*langue*) «a social product of the language faculty and a collection of necessary conventions» (1967: 25), «an institution» (p. 33) and «a kind of contract between the members of society» which is «outside the individual» (p. 31), «exists completely only in the collective» (p. 30) and presupposes «a speaking group» (p. 112).[9] This means that languages are creations or *cultural products*. According to Bickerton (2009: 92), «…no serious scholars nowadays doubt that language is, at bottom, biological rather than cultural, and therefore was not created, but somehow evolved». But creation is not opposed to evolution – also cultural products and society itself evolve. Linguistic units like sounds, words and constructions don't just pop up by themselves, they must have been *created or invented* by someone who needed them. That languages are created, is especially obvious in «artificial» languages like Esperanto or Nynorsk (New Norwegian), which have been created by a single, known person. «Natural» languages have been created gradually by their users, not deliberately and consciously, but in the same way as they are *altered* or *recreated* in language change: through *usage*. We continue to create new sounds, words and constructions, i.e. new languages. So all languages are artifacts.

Conventions or norms, in everyday speech «traditions», «customs» or «rules», are *agreements* between people in an organized group. They are agreements *in practice*, manifested by *the same behaviour* or «a regularity in behavior» (Croft 2009: 401), e.g. the custom of calling a cat a *cat*. We are speaking of *collective* and not *individual* behaviour – that one person drives on the right side of the road might be a coincidence and shows nothing. But if all or most people drive on the right side, they must have agreed to do so, at least *tacitly*: People just do *like others do*, and nothing needs to be said about it. Speakers of English have agreed to call a cat a *cat* by doing so regularly.

The purpose of conventions is to *coordinate behaviour* in a certain type of situations (Lewis 1974: 5, Bartsch 1987: 174) by deciding what is *right behaviour* in these situations and making people behave in the same way. For example, it is practical to agree on driving on either the right or the left side of the road, instead of having to negotiate every time you meet somebody. Or on what a certain word means and how

[8] We can also speak of *collective* knowledge, formulated in *texts*, i.e. *science*, e.g. what is collectively known about a language, expressed in dictionaries and grammars. But even science is seldom perfect knowledge of its object. Even the largest dictionary cannot include all words that are used in the actual language community.

[9] However, Saussure is not consistent – he sometimes places language in the brains of the language users (e.g. 1967: 30, 38, 44), and the description of the sign is wholly mentalistic. He underlines (1967: 32, 98, 99) that both parts of the sign are mental, namely a *concept* and a *sound image* (*image acoustique*), and that the sound image is not the sound itself, but «the mental imprint of it».

it is pronounced and spelled. Communication is obviously a situation that calls for coordination and agreement: «...there must, of course, be agreement between producers and receivers if people are to understand each other» (Corballis 2002: 112). To communicate well we have to use the *same* linguistic units, e.g. the same words. The more similar our usage is, the better we understand each other.

Conventions may be *formulated*, usually in writing, in *laws and regulations* like the constitution, the ten commandments or traffic regulations, and there may be fixed penalties for not observing them. Regulations for language by authorities or academies usually regulate only parts of *written language*, especially the spelling of *word forms* and thereby *the inflectional system*. Spoken languages are regulated only tacitly by *the users*.[10] Such regulations are sometimes called «established norms», e.g. by Vikør (2007: 74), but if norms are regularities in behaviour, they cannot be norms, but are just *prescriptions*, trying to *establish* (or change) norms. There is agreement that norms must be *followed* and *govern usage* to be valid (Haas 1982: 5, Bartsch 1987: 177, Gullvåg 1991: 18). They must be what Dyvik (1998: 21) calls «operative» and exist «…by virtue of regulating people's usage». Prescriptions are not always followed in usage, so we can get a contrast between a language as it *should be* and as it *is*. This is often the case in a regulated standard language like Norwegian Bokmål.

So linguistic conventions exist just as usage, and languages are simply the units and rules that are *used regularly* – once or twice does not make a convention. As Bybee (2010: 214) points out, «...high frequency of usage leads to conventionalization». Croft & Cruse (2004: 292) explain this by pointing out that use of a unit *activates* connections in the brain, and frequent activation leads to «...its ultimate storage as a conventional grammatical unit». That's why frequency is important both in languages: Frequent grammatical words are usually short, often also irregular, and in language acquisition and change: Frequent words are learnt earlier and are more resistant to change. That is also why usage is important: Every time we use a language or a linguistic unit we *strengthen* not only our own competence, but also that of others, and thereby the actual language or linguistic unit. Reduced use of a language will eventually lead to its death, so usage is a question of life and death for languages.

5.4.2 Linguistic Variation

As conventions are valid in a certain community, linguistic conventions may *vary*, and usually do vary, between language communities that have little or no contact and communication. But even in the same language community there is variation and varieties. Most communities consist of local or social *subgroups* with somewhat varying languages, e.g. between older and younger members. And even in the same subgroup there is variation. We often disagree on what words mean, and we don't have exactly the same lexicon: There are technical words that only some users know, like *fricative* or *modifier*. There may even be *competing* conventions for words or grammar. An example is the many alternative word forms in the Norwegian written standards, sometimes between whole grammatical categories, such as Bokmål having either female gender with special articles (***ei*** *bok, bok-**a***, a/the book) or common gender with the same articles in feminines as in masculines (***en*** *bok, bok-**en***).[11] So collective does not mean that all members of a language community agree *completely* and that their usage is *exactly* the same, only that most of it is common. Linguistic communication can tolerate quite a bit of variation. Scandinavians can communicate fairly well by using their own languages, at least with some training.

As conventions have to be *passed on* through generations and different language communities and languages *influence* one another, conventions can be *broken* and *changed*. So we also have variation in *time* or language change if sufficiently many users break them in the same way. Boye & Harder (2012: 8) point out that linguistic conventions are «dependent on usage» and «can remain stable only if they continue to be reflected in actual usage», and may «change as a result of changes in usage». And conventions that go out of usage, also go out of the actual language: We have a «dead» convention or even a whole «dead» language. So linguistic conventions are «a plural and multiple entity» (Harder 2010: 278) and «…a natural reservoir of variation, with some features becoming less diverse and others becoming more diverse over time» (Deacon 1997: 114). This makes it difficult to *delimit* languages and e.g. say how many dialects there are in Norway or how many national languages in the world. Are Serbian and Croatian one language or two? It is social and political rather than linguistic facts that determine such questions.

5.4.3 Structural and Functional Conventions

Searle (1969: 33 f) and Dyvik (1993: 168 f) point out that there are two kinds of linguistic conventions: *constitutive or structural*, which constitute the language and are *mandatory*, and *regulative or functional*, which govern *usage* and are *optional*. Compare Vikør's (2007: 72) distinction between *grammatical norms* and *usage norms* and Dik's (1997: 3) between rules that govern «the constitution of linguistic expressions» and those that govern «the patterns of verbal interaction in which these linguistic expressions are used». We have the same distinction in chess and other games: Some rules constitute the game and must be followed, e.g. how the chess pieces can move. But where you put them, how you open the game, whether you play defensively or offensively etc., is up to you, as long as you follow the constitutive rules. One thing is to play chess *correctly*, another is to play chess *well*. The same goes for language. Some are better communicators than others, and most communities appreciate *eloquence*.

The structural conventions are the lexical, grammatical and phonological or graphological conventions that govern *utterances* in the language. They are *unmotivated* and may therefore *vary* between languages. The functional conventions concern how to *communicate well* in different situations, e.g. how to tell a joke, make a speech or write a scientific article. They are *motivated* by communicative considerations like Grice's principles, and more or less *universal*, since usage has the same goal everywhere: to be understood and listened to. One has to express oneself clearly, unambiguously and truthfully, assess the receivers' knowledge and not tell them something they know or use words they won't understand, follow politeness conventions etc.

According to Dixon (2012: 442) all languages have conventions for addressing different types of receivers – strangers, superiors, small children etc., which may require special pronouns like the German and French plurals *Sie* and *vous* to adress one person. In conversation *turntaking* is essential and it's considered impolite to interrupt others, in scientific texts one is expected to use *references* and list them at the end. There are norms for *ellipsis*, e.g. that we usually don't repeat the subject in successive sentences with the same subject: *I came, saw and won*. We are supposed to be truthful, but there are «white lies» to spare the receiver for unpleasant truths. We can be *ironic* and say the opposite of what we mean, and hope the receiver will understand. One can break every one of these conventions and still speak or write grammatically, but perhaps not very comprehensibly, sensibly or politely.

[10] An exception is «the new way of counting» in Norwegian, officially introduced in 1951, with tens before units (*femti-fem*, fifty-five), as in English and Swedish, instead of units + *og* (and) + tens (*fem og femti*), as in German and Danish (which has its own way of counting tens). It still has not succeeded completely, although it is obviously superior to the old way, so now Norwegians have two ways of pronouncing such numbers.

[11] The background is the heritage from Danish, with common gender, and the Norwegianizing of the written standard in the previous century, with female gender.

5.5. Languages as Sign Systems

5.5.1 The Primary Function of Languages

We have institutions for a reason. If languages are institutions, what is their *purpose*? That it is meaningful to speak of *use* of languages, shows that languages are *tools*, something that we use for a certain purpose. This implies a *functionalistic* view – that a language like other tools is «...determined by the functions that it is intended to perform» (Croft 1991: 1). Compare Halliday (1974: 13): «...we try to explain the nature of language, its internal organization and patterning, in terms of the functions that it has evolved to serve». The primary function of languages must be what we normally use them for: *communication*, more precisely *linguistic* communication, communication by *signs* (we also have non-linguistic communication, by both animals and people). And we communicate for many different *purposes*, compare the different «speech acts» of Austen and different uses of written language, from personal letters to scientific treatises.

This doesn't mean that communication can explain everything in languages. It can only explain *universal* traits, like sounds, morphemes, words, grammar etc., but not *which* sounds, morphemes etc. languages consist of. That is decided by convention and history, e.g. that English was influenced by French after the Norman invasion. Nor does it preclude *secondary* functions. When we speak to ourselves or swear, we don't communicate, but concentrate or give vent to feelings. Writing is indispensable as a *memory support*, as when preparing a speech, taking notes from lectures or making shopping lists. We can also *think* in language, e.g. in «imaginary conversations», and also have to think linguistically when we *plan utterances*. Language can also be used to «...store information or carry out thought processes» (Bickerton 1995: 11) and «...serves both to organize and to communicate thoughts» (Chafe 1998: 96).

Some linguists hold that language is primarily for thinking and that communication is «just one use to which language can be put» (Bickerton 1995: 40). However, we don't need languages to think, as animals and small children show. But we need them for *advanced* or *systematic* communication, as anyone knows who has been in a strange country and tried to ask people the way to the airport. Communication is clearly the *primary* purpose, but signs can also help us concentrate and clear our thoughts because they have an *expression*. For example, it is easier to remember a large number if you say it, or even think its expression.

For *systematic* or *linguistic* communication we need *signs*: conventional combinations of a mental *content* or *meaning* – conceptions or ideas – and a physical *expression* like speech sounds, written characters or gestures. We need both *minimal* signs or *morphemes* like *bird* to express single ideas and a *grammar* to make *complex* signs expressing complex ideas by combining morphemes into complex words like *blackbird* and word forms like *birds* (morphology), and word forms into syntagms like *a/the bird* (syntax). And as signs need an expression, we also need an *expression system* that may be independent of the sign system, e.g. a sound system or an alphabet – *double articulation* (Martinet 1965: 2) or *duality* of patterning (Hockett 1960: 90). However, there is no independent meaning system – meanings are just *part of signs*, from morphemes to sentences (Papazian 2025 a: 13). So languages are *sign systems* consisting of subsystems: a lexicon, a grammar and a sound or writing or gestural system.

5.5.2 One or Several Sign Systems?

One of Saussures bestknown claims is that language is «form» (1967: 157), i.e. *relations or functions*, not «substance» or *objects with qualities*, and that in language «there are only differences without positive terms» (1967: 166). The expression is «not constituted by its material substance, but only by the difference between it and other sound images» (1967: 164). None the less he insisted that languages are *spoken* and described the expression of signs as a «*sound* image» (*image acoustique*). So signs have (phonic) qualities after all. As Vachek (1989: 106) points out, there is a contradiction here.

But Hjelmslev (1966: 93) took the consequence of Saussure's claim by saying that the expression is neither phonic nor graphic (nor has any other material substance), but may be realized in any substance. Also Uldall (1995: 214) sees speech and writing as «expressions of one and the same language». This view seems to be quite widespread today, and many include gestural languages. According to Bickerton (2009: 3), «Speech is simply one vehicle for language. Another is manual sign». Also Bolhuis et al. (2014) regard speech and gesture as different «externalizations» of «language». According to Bouchard (2013: 146), the sign is «modality-independent», and Hurford (2014: 106) says that «...underlying the medium in which language is expressed, whether signed or spoken, is a system which is independent of the medium».

Here spoken, written and gestural usage are just «modalities» or expressions of the *same* language, which is neither spoken nor written nor gestural. In other words we have an *abstract* language, consisting of signs with an abstract expression. However, the claim that languages consist of differences and do not have any qualities, is untenable. Nothing can consist of functions or relations without qualities – there must be *something*, with specific qualities, that *has* a function and relations *between entities* with specific qualities. *Differences* can only mean 'different *qualities*', and relations presuppose entities with qualities, as Harder (1996: 26) points out (Hjelmslev's view is critized also in Garvin 1954: 91 f, Eco 1984: 23 and Vachek 1989: 109).

The multimodal view also implies a favouring of the *content*: It is the content which is constant and defines the sign and the language, while the expression varies. According to Uldall (1995: 215), the fact that the pronunciation and the spelling of a word have the same meaning «...proves that they are expressions of the same language». But the same meaning does not imply the same sign: There are *synonymous* expressions, either in different languages, like German *Ochs* and French *bœuf*, or in the same language, like English *ox* and *bull*. Synonyms are different words though they have the same meaning, and signs are defined by *both* expression *and* content. They have a *specific* expression as well as a specific content – not any expression.

If so, also signs with different *types* of expression, like speech, writing or gestures, must be different signs. That gestural languages are sign systems of their own, may be obvious, but «verbal», i.e. spoken and written, languages, are *parallel* systems and therefore more easily seen as the same system. Lexico-grammatically, standard, orthographic writing and standard speech are close to identical, and grapho-phonologically they *correspond* more or less closely. The reason is that speech has been the *model* for writing, lexico-grammatically and in alphabetic writing also grapho-phonologically, with alphabets copying sound systems. And speech and writing have *influenced* each other, especially in *standard* speech and writing.

However, there are written signs that have no correspondence in speech and cannot be pronounced, like parentheses or quotes, and signs that are independent of speech and can be pronounced in any spoken language, like *%, 9* or *1984*. The alternative to Hjelmslev's view, which especially Vachek (1989) has argued for (see also Coulmas 2003: 16–18), is to regard spoken and written languages as different sign systems. This means that to read aloud a written text or write down a spoken one is a *translation*, as Haas (1970) underlines. Although we have a general *language faculty*, there is no general *language*, only *specific* languages with different types of expression.

5.5.3 Utterances as the Maximal Sign and Data for Linguistics and Language Acquisition

Utterances, including sentences, must be regarded as *the maximal sign* of language because there are mandatory (constitutive) conventions for their structure: They must have a certain structure and may be *(un)grammatical*, (not) in accordance with the structural conventions of the language. According to Trager (1974: 84), «…linguistic analysis in the strict sense stops at the sentence boundary», and Crystal (2007: 249) defines *sentence* as «...the largest unit to which syntactic rules apply». Knowing a language means knowing how to make grammatical utterances in the language. For *larger* texts there are no constitutive norms; they are governed only by *functional* – pragmatic and rhetorical – norms. Compare Matthews (2001: 28): «Within sentences relations are part of the language system. Across sentences they are not». Such texts cannot be ungrammatical, but only *semantically* inadequate – incoherent, incomprehensible, boring, silly, false etc., and are not conventional signs.

The structural conventions govern utterances by defining the structure of utterance *types* or *constructions*, e.g. interrogative sentences. Thereby they make an unlimited number of utterances – examples of the constructions – possible or grammatical. When we know them, we can decide if an utterance is grammatical, in accordance with the conventions, i.e. if it is a possible utterance in the actual language. Therefore, utterances are the decisive *data* of linguistics, showing what the constitutive norms of the actual language are: «Any sound linguistic theory must be based on concrete utterances of speech» (Vachek 1989: 2). They are also data for those who are trying to *learn* the language. In addition, there are dictionaries and grammars, and teaching of language in schools. But when we learn our first language, we have no other data than others' utterances, and have to generalize from them to the structural conventions that the utterances follow and the constructions they are examples of.

But as individual products utterances may be *ungrammatical*, either because the sender has made a slip or because (s)he has imperfect competence in the actual language. This is especially the case in speech, which is usually improvised and full of unfinished utterances, repetitions, corrections or plain mistakes, e.g. by foreigners or children. Therefore we must restrict ourselves to grammatical utterances: «The corpus […] must be 'cleaned up'» (Atkinson et al. 1991: 35). The use of languages must be restricted to the *conventional* use, i.e. usage, exactly to avoid individual deviations from the structural norms.

According to Atkinson et al. (1991: 38), this means that *intuitions* are data. But intuitions are unobservable and cannot be data for others. Dyvik (1995: 26) says that data for linguists are *the informants' report* of their intuitions. But intuitions are «tacit» or *unconscious* knowledge (Atkinson et al. 1991: 43), and such reports may be wrong and deviate from the informants' *usage*, as Dyvik admits (1995: 27). In that case, we trust usage and think that the informant reported what (s)he *wants to use* or has learnt is «correct». So there is reason to be sceptical to informants' report of their own usage, and grammatical utterances are the only reliable data for a language.

But how do we know that an utterance is grammatical? *Here* we depend on informants' judgements. Dyvik (1995: 27) points out that even if informants seldom have trustworthy intuitions about the norms themselves, they usually have more trustworthy intuitions about «the norms' consequences for individual sentences», i.e. they can intuitively decide if *an utterance* «sounds right» or is in accordance with the norms or not, usually without being able to explain why. *That* requires *conscious* knowledge and is the linguist's task. A grammatical utterance must be an utterance which (a selection of) the language users accept as *right or possible* in the actual language. So informants' judgements can delimit *valid data* – grammatical utterances which follow the structural conventions. And they govern only *the structure* of utterances, both the *units* that occur in them (like words or morphemes) and how they can be *combined* in the utterance types of the language. When we know these units and rules, we know which utterances are grammatical in the actual language and can make an unlimited amount of grammatical utterances.

6 Summary

Usage is the conventional use of a language as a sender. Using a spoken or written language results in a *text*, either *speech* consisting of speech sounds or *writing* consisting of written characters. These units express the signs of the language, most importantly *utterances*, chiefly *sentences*, that are grammatically independent and have a communicative purpose or express a certain speech act.

We have a general *language faculty*, not limited to speech: the capacity to make, learn and use sign systems. It has evolved to use spoken languages, but can be transferred to sign systems with other expressions, like writing and gestures. But to use *specific* languages we also need *competence* in the language: knowledge of its structure and skill in using it properly and purposefully, which must be *learnt*. We need both *active* competence to produce grammatical utterances and *passive* competence to understand them.

A usage-based approach to language means that languages cannot be mental, as usage is physical. Nor can they be individual. Expressions have to be *physical* and signs have to be *collective* to function in communication, which is their purpose. So languages are cultural products: institutions consisting of *conventions*, both *constitutive* or structural and *regulative* or functional. More precisely, they are open sign systems with a grammar for making complex signs. Signs are partly physical (the expression) and partly mental (the content) and have a specific expression. So there is no multimodal language, just different sign systems with different expressions. Utterances are the maximal sign, and grammatical utterances are the decisive data for the actual language.

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Unio Mystica: Experience of a Rosicrucian Poet

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ABSTRACT

Everyone seeks to experience a more loving and authentic Life, as if it were something that, through poetry, allows us to open the doors of a sacred temple, where a mystical celebration is about to begin. It may be a mystery to be experienced, the unio mystica or enlightenment through "experiences, listening, and poetic encounters." Can alternative poetic work inspire the search for enlightenment? Can it bring elements that help us cast a different gaze upon Life? Challenging poetic-philosophical reflections lead us to suggest that we can experience a more loving and authentic Life. Alternative poetic art can help us enter the gates of a sacred temple, where a mystical poetic celebration can take place and where, without realizing it, we can experience the mystery of mystical poetic union through listening, encounter, and experiences that can enchant us and help us encounter God.

Index Terms: poetic creation process • poetic experiences • poetics and mysticism

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RESEARCH ARTICLE

Unio Mystica: Experience of a Rosicrucian Poet

Ricardo Uhry*

Abstract

Everyone seeks to experience a more loving and authentic Life, as if it were something that, through poetry, allows us to open the doors of a sacred temple, where a mystical celebration is about to begin. It may be a mystery to be experienced, the unio mystica or enlightenment through "experiences, listening, and poetic encounters." Can alternative poetic work inspire the search for enlightenment? Can it bring elements that help us cast a different gaze upon Life? Challenging poetic-philosophical reflections lead us to suggest that we can experience a more loving and authentic Life. Alternative poetic art can help us enter the gates of a sacred temple, where a mystical poetic celebration can take place and where, without realizing it, we can experience the mystery of mystical poetic union through listening, encounter, and experiences that can enchant us and help us encounter God.

Keywords: *poetic creation process, poetic experiences, poetics and mysticism*

Correspondence: Ricardo Uhry

1 Introduction: Rosicrucian Mystical Experience

Everyone seeks to experience a more loving and authentic Life, as if it were something that, through poetry, allows us to open the doors of a sacred temple, where a mystical celebration is about to begin. It may be a mystery to be experienced, such as experiencing the Rosicrucian mysticism of which I have been a student since 1978.

As for the mystery, the Ancient and Mystical Order of the Rose Cross (Amorc) (2011) notes that the origin of the term "mystical" lies in the "study of the mysteries of life," and by "mystical" it means the "study of the laws that govern the universe, nature, and human beings. On a practical level, it represents the application of these laws" (Amorc, 2011, p. 189), which involves spiritual or divine communication.

Communication involves harmonizing with ourselves, with others, with the Planet, and, seeking to go further, also with the cosmic plane, with God. Faced with such a challenge—how to communicate with the spiritual plane and seek to attain divine communion, also known as unio mystica, the mystical union—Enlightenment. "The ideal of mysticism is the final attainment of conscious union with the Absolute, or the Cosmic" (Amorc, 2011, p. 190). Mystical union can encompass communication with God.

In the sense of associating communication with mystery, from the Rosicrucian perspective of Amorc, Mazzucco (2020) proposes that communication "a mystical art"—occurs on various levels, from speech and writing to silence. Even people who do not speak the same language can communicate through gestures, in a poetic way, through the heart. Smiles, handshakes, and hugs signal a "harmony we feel in our hearts and the desire to achieve it together with others": this is the encounter that helps build communication through "listening, both internal and external," which suggests something mysterious. On the other hand, the present times "are often characterized by a lack of listening," being more "an attempt to be right than a search for and preservation of truth" (Mazzucco, 2020, pp. 5–9).

What stands out is "listening, both internal and external," "silence," "poetic form, through the heart," "harmony," "to realize it," and "encounter," which reveals a certain conceptual similarity with the artistic work to be analyzed: "Experiences, Listening, and Poetic Encounters" —an alternative and innovative visual poetics that involves the creative process of the Rosicrucian author himself (Uhry, 2025), while also seeking to establish a bridge with other fields of knowledge (mysticism; communication; religious studies).

These are complemented by the Lopes Prelude (2025, pp. 19–25), on which this article is enriched.

2 Methodology

The methodology adopted is an experiential account, based on Husserl's (2001) phenomenological method (Zitkoski, 1994), in which the researcher must "turn toward oneself" (Zitkoski, 1994, p. 18), that is, "philosophical reflection [is] directed toward the 'self' [...], 'toward oneself and, within oneself, to seek." Thus, "one must constitute oneself as something of one's own, a being that uses wisdom, one's own knowledge, which, although directed toward the universal, is acquired by oneself" (Husserl, 2001, pp. 19–20). This is complemented by an essayistic methodological approach and focuses on both alternative poetic innovations and the relationships between art and other areas of knowledge, such as mysticism, communication, the study of religions, and the philosophy of life, for which the aforementioned poetic works, the cited bibliography, and indicatory research techniques are utilized (Braga, 2008, pp. 74–88; Ginzburg, 2007) and discourse analysis (Greimas; Landowski, 1986).

The Rosicrucian poetry collection "Experiences, Listening, and Poetic Encounters" originated on Facebook ("Encounters and Enchantments with Nature"), where visual poetry in the form of original photographs is posted alongside reflective poetic texts and illustrated with photographic imagery to compose this experimental poetic work. Does this raise the question of whether an alternative poetic work can influence poetic production and, through poetry itself, inspire the search for enlightenment? Can experimental poetry provide elements that help us cast a different gaze upon Life?

3 Rosicrucian Poetic Experience

Regarding the terms highlighted and referred to by Mazzucco, the current world leader of Amorc ("listening," "encounter," and "realizing it"), might they be related to a mystical conception reflected in alternative poetics? When analyzing Poetic Experiences, Listenings, and

Encounters, one notices a certain similarity between these terms and the title of the collection. Regarding what is proposed to reflect on the poem "Experience":

> [A poet is not just poetry:
> he sings, dances, philosophizes, reads, art's
> gossips, tap-dances, thinks, the lexicon master's
> tries his hand at painting, photography, metric…]
> A poet is sensitive, pan-lexical, In action
> to the (dis)enchantments of Life,
> reflecting on arrival & departure Life's
> and seeking to provoke reflection. (Uhry, 2026a, p. 26)

In "experience" (poem), which is similar to the term "realizing it" (to experience it), the term "reflèxìo" also appears—a concept of a mirror that is placed before us, reflecting us and, at the same time, prompting reflection. And, upon reflecting on the poem, the poet's first image is of someone who experiences life sensitively and is conscious of life and death ("arrival & departure") and of the charms and disillusions of Life. An alternative poetic experience?

4 Poetic Encounter

Upon Lopes (2025) analyzing the work, Uhry seems to be experiencing a journey through life, taking walks during which he meditates and captures images, observing everything and everyone incessantly. In the same way that he experiences the quest for selfknowledge; by pausing to observe the people he encounters ("Learning [surprises]"):

> There are people with souls loving and meditative / which gives them an enchanting radiance / and their halo emerges like an aura. (Uhry, 2026a, p. 43)

This is a perception of an encounter, which drives the desire to share the reflections, feelings, and wonders evoked by these Experiences, moments of listening, and poetic encounters. The first impression is that the entire aesthetic work is placed at the service of an un d, adamantine ethical stance: the author uses his verses as a persuasive strategy, a way to seduce the reader to communicate a mystical worldview, a characteristic that must be properly understood and described.

Let's take a brief look at how this works. Some poems at the beginning of the book consist of stanzas that are repeated with slightly modified lines, or with the order changed, achieving an interesting poetic effect. An illustration of this technique can be found in the three poems derived from two stanzas presented at the beginning, each with its own title: "First Verse: Apprentices" and "Second Verse: [Waves]" in Uhry (2025, pp. 27–29).

Everything unfolds as if the author were in search of increasingly refined images to express similar ideas. As the reader explores the work, they begin to realize that this quest by the poet reappears and renews itself in each poem, observable as a semantic effect of the mobilization of different poetic mechanisms.

5 Poetic Metaphysics?

Ultimately, reading the collection of poems reveals a general pattern reiterating the same poiesis: a consistent set of ideas linked to a mystical vision of the universe that recurs in nearly every poem, as if the author were gradually drawing closer (and drawing us closer), through simple verses, to highly complex mysteries.

To quote the poet's own words, each poem "is a faint reflection of the communicable" ("Poetic Experience [Unio mystica]") in Uhry (2025, p. 36). Perhaps for this reason, each of his poems revisits the same themes in a different way, incessantly. Each poem is a rosebush; the arrangement of the various rosebushes guides the reader along a defined path; and the entire book can thus be beautifully described as "a fragrant rose garden on the spiritual path" ("Kindness [of the soul]") in Uhry (2025, p. 68).

This true poetic metaphysics immediately imposes itself on the reader's consciousness through the famous phrase coined by the poet Ferreira Gullar: "Art exists because this life is not enough." For both Gullar and Uhry, it is a matter of viewing art in general, and poetry in particular, not as an end in itself, but as a passage to another dimension of existence. But, starting from this common ground, the difference between the two is significant. Ferreira Gullar explains: "The function of art is to invent reality. Art is the vision of things we do not know. Art is something that did not exist before. Life is invented. The world is inexplicable" (Gullar, 2024).

Gullar sees art (and poetry) as the invention of another world, to which we can attribute meanings—unlike what happens with the "real" everyday world, which we know but cannot explain. This would be the primary function of art, according to this view: to freely create explanations for the inexplicable.

For Uhry, however, poetry (and art) continues to serve as a bridge, but not for the construction of another, invented reality, but rather for the discovery, within the depths of each person, of a transcendent dimension, a kind of true truth, pre-existing everything we are capable of seeing and touching in our daily lives.

Unlike what Gullar said, poetry, for Uhry, cannot communicate what is essentially "inexplicable" or "incommunicable"—nor is that its function. This impossibility is articulated in the poem "Poetic Experience [Unio mystica]":

> [Poems in the Wind – the basic idea is post:
> everything that can be said is lost to the wind
> emotions, expressions of the soul-subtle touches
> the word is dead; it belongs to the past, it's done
> the experiential here and now is incommunicable
> only silence expresses the depth, the essence lovable]. (Uhry, 2026a, p. 32)

There are several other examples of this viewpoint in the work. Let us look at the last stanza of "First Poetic Experience":

> Poet, a pretender on the outward
> Poetic howl feigns pain's love
> Insight brings Light, Love
> A true poem comes from inner ward. (Uhry, 2026a, p. 61)

The reference to Pessoa's famous poem "Autopsychography" (2003, p. 164) serves to highlight the distance between the view of poetry as the construction of an "invented" reality—as a mode of discourse that

grants access to a "make-believe" universe—which the Portuguese poet seems to share with Ferreira Gullar.

On the other hand, there is the view that sees poetry as an almost ritualistic element, a key to the search for the immanent truth within each person, through reflection and meditation that unites the individual essence with the universal whole. The search for truth is essential to understanding Uhry's poetry, whereas Gullar and Pessoa do not seem concerned with any truth; on the contrary, they apparently propose an escape from the real world, facilitated by the imaginary world of art.

While for Pessoa and Gullar, poetry and art are additions to an insufficient world, for Uhry they are instruments for the sought-after emptying of an excessive world—a world to which we have always been subjected, out of habit and carelessness. This is stated in no uncertain terms in "Conditionings [memory]":

> We need unlearn to what is essential learned.
> Many planetary conditioning our life guided.
> We need to re-evaluate so that we can grow spiritually growing.
> Human and ecological, towards the stars, towards infinity.
> (Uhry, 2026a, p. 93)

In Uhry's own poetic practice, the renunciation of the excessive world of words occurs through the denunciation of all that is appearance and exteriority—the dimension of "form"—and through the simultaneous affirmation of what in poetry (and in people) is immanence and interiority—the dimension of "content." This is what we read in the poem "For the Primacy [of Loveliness]":

> " Poetic ocean—riverbanks: loveliness, hatred.
> The river of form, of the effects of words and their poisons.
> Rivers of content: Light, love, beauty, spiritual truth. (Uhry, 2026b, p. 40)

6 Poetic Creation and Existential Creation

A parallel is suggested between poetic, creative creation and ethical, existential creation. Just as the poet must renounce the superficial and formal dimension of language to exalt its meaningful dimension, every human being must choose, amidst life's sufferings, to love the essence of all things and of other human beings, which connects us all to the divine. Consider, for example, these excerpts from the poem "To Love [To Hate]":

> [Nothing stops us from becoming enraged,
> not only to act on human hatred itself,
> always a sorrowful endeavor: keeping hatred alive.
> Under the pretext of discord, anger... Do you want? (..)]
>
> II
>
> Choice: within us, creative, supportive and loving
> lives and planet; the best of us –exploring or denying? [...] (Uhry, 2026b, p. 42).

In general, in Lopes (2025) perception, Uhry's ethos is serene, suggesting that he positions himself, discursively, on a high vantage point from which he can contemplate the madness of the world with detachment and the same compassion he employs in his verses. At times, he may raise the tone of his discourse, as if offering readers a raw portrait of our own reckless behaviors. There is a passage from the poem "Setbacks [competition]" where this tone is evident:

> [Brings many wounds our passage of live:
> Crawling or flying to surviving.
> Others simply want to survive crises and wars.
> A challenge that has lasted for age.
> For some, to hell with it! Life 'rips them off' – it's dure;
> For others, good heavens! Life is futile – it's time agony.
> Which only gets worse with agedness. (Uhry, 2026b, p. 42)

7 Listen: The Experience as a Mystical Poet

Uhry is a Rosicrucian mystical poet who cares for his readers, striving in every poem to point the way to the Rosicrucian spiritual path. Perhaps the key to understanding is provided right at the beginning in the poem that serves as the epigraph to the first part, "I. Poetic Experiences," in which a visual poem is followed by "Experiences [we rise]":

> The loving quest poetic experiencing:
> Embracing the soul
> Ecstasy in calm meditation goal
> The unio mystica poetic whilst experiencing. (Uhry, 2026a, p. 17).



Figure 1. Visual Poetics 1—poet and wife in the Atacama Desert.

> Everything makes grow spiritually. Apprentices on the rise!
> [Grateful for the experiences of El Tatio da Vida come arise.
> Everything has to teach us. The challenges of the battle:
> Within oneself, the waves of joy and pain justle! (..)] (Uhry, 2026a, p. 23).

In visual imagery 1, the poet chose an image of joy—almost an epiphany—set in the desert, avoiding the visual imagery of—all bundled up—freezing at twelve degrees below zero, the "pain [that] takes hold"! Furthermore, the earlier "listening through experience" stands out here, which can be related to the mystical union in the conscious communion

of souls with the infinite arid desert—a concept that can be conceived as "the final attainment of conscious union with the Absolute, or the Cosmic" (Amorc, 2011, p. 190), which suggests an idea that would be achieved poetically ("poetic unio mystica").

The expression unio mystica can be related to the ancient Judeo-Christian context. For Nogueira (2011), unio mystica denotes the human spirit's desire for communion with the divine. Religious scholars distinguish two strands:

1. Some understand mystical communion as the fusion of the mystical soul with its God, and the consequent dissolution of all preexisting individuality.

2. The other strand defines the experience of unio mystica as an ecstatic contemplation of the divine by the soul, through ritual practices, without any loss of identity (Nogueira, 2011).

The Amorc also refers to "cosmic communion," related to "enlightenment" in the sense of "Light of the mind, more precisely universal understanding," since "Cosmic Enlightenment results in harmonization with the Cosmic Intelligence that permeates our being" and "Enlightenment is the highest form of cosmic communion" (Amorc, 2011, p. 145), which is similar to the concept of mystical union.

This suggests that the poetry analyzed seems closer to the second strand of unio mystica, as it proposes "calm meditation" and "poetic experiences" as ritual paths to the communion of the human with the divine, with no indication of a loss of individuality in this communion, and this can be read in various poems throughout the book:

> Consciousness with the Great Poet—harmony ("Eros [Thanatos]"). (Uhry, 2026b, p. 98).
> "The Earth with the Cosmic harmonizing [Consciousness [God]]." (Uhry, 2026a, p. 62).
> To be compassionate, to be at one with God ("Walking, meditating [dream]"). (Uhry, 2026a, p. 68).

The idea of "harmony," a term related to the concept of Illumination (Amorc, 2011, p. 145), is a recurring term in the analyzed poetry: it evokes the perception of a whole whose parts continue to exist—precisely, in a "harmonious" manner with one another: orderly arrangement, agreement and understanding, coherence, pleasant combination, etc. There is no notion here—nor could there be—of any fusion between the parts in the formation of the whole.

Furthermore, it seems to conceive of the unio mystica, unlike both traditions mentioned, not only as communion with some transcendental entity—which it does not exclude from its concept—but also as communion with nature and with all of humanity. This is what emerges in the verses of "Blessed [Love]":

> With love, the blessed heart in attention:
> let divine and compassionate love flowing:
> feel Divine communion in cool of the morning
> when the Sun has not yet blessed the soul.
> The poetic-loving vibration that a good Life way. (..)
> II
> The most important thing in Life is love.
> Compassion may arise
> because of miraculous poetry.
> Just as profound peace grows,
> infinite happiness grows emerge from
> harmony with God and all beings. (..)
> (Uhry, 2026b, pp. 51-52).

Here there is also "profound peace," a Rosicrucian concept like harmony: "It is the harmony of the human being's attunement to the Cosmic, which produces a warm wave of contentment throughout the Being." (Amorc, 2011, p. 209). And, likewise, in this verse from the poem "Friendship [life]": "The quest: harmony with all and the father-of-All" (Uhry, 2025, p. 54). Or in the poem " To grow [enchanting]":

> We can win and be enchanted,
> [Beauty and living beings are what life asks us to be singed
> to harmonize with the beauty of nature and repair
> reconnected to our Divine Essence, in poetry, in prayer,
> and the exuberance of beings.
> and whatever from your hearts glowing. (..)]. (Uhry, 2026a, p. 39).

Another prominent feature of this poetic conception is that the communion with the proposed "Divine Essence" is not merely an ascent, but also a return to the universal origin of all things, which becomes clear in a poem such as "Souls [the invisible threads]":

> Human souls—united
> From the source—Universal Soul—are at here create.
> There is an invisible thread that us all linked. (..) (Uhry, 2026a, p. 111).

Moreover: since we are all interconnected and are expressions of the "Universal Soul," each of us is a soul-personality who is potentially…a poet! As it says in "Purpose [problems]":

> (..) the path your inner Poet shows you following:
> your Divine spark is in harmony with God. (Uhry, 2026, pp. 75-76). 2

This suggests that the poetic unio mystica is, therefore, not at all individual, even though it must be sought in the innermost depths of each person: it is radically universal. This is what is implied in "Free themselves [dream]" in Uhry (2025, p. 47):

> " Beings who become enlightened free themselves
> from the bonds of religion, race, ideologizations,
> school, family, society, and social conditioning
> and even of ideology and philosophy.
> They adopt a cosmic, multi-planetary perspective,
> They love, meditate, and are compassionate.
> By harmonizing with the Divine and all beings in life,
> They become One with Existence with consciousness. (Uhry, 2026a, p. 44).

Here it becomes clearer what is meant by unio mystica—Enlightenment: becoming "One with Existence itself" by loving, meditating, being compassionate, harmonizing with God, which is considered "A dream" that allows one to "comprehend the void, attain selfawareness," and "free oneself." Understood in this way, it can be a mystical listening, the fruit of an encounter lived to the fullest in which there is the experience of liberation from "conditionings, ideologies, philosophies" (Uhry, 2025, p. 47) through the experiences of love, meditation, compassion, and understanding. What the poet considers a dream!

Also, in "III. Poetic Listening" follows Visual Poetics 2, in which—as follows—there is more poetry related to meditation and consciousness and to "diving into the soul":

> Poetic Listening: our search deep and aesthetic
> [Blows of voices and variations reflecting the unio poetic.
> From the poet & reader, a dive profound into the soul.
> Ecstasy in calm poetic listening cool]. (Uhry, 2026c, p. 12).

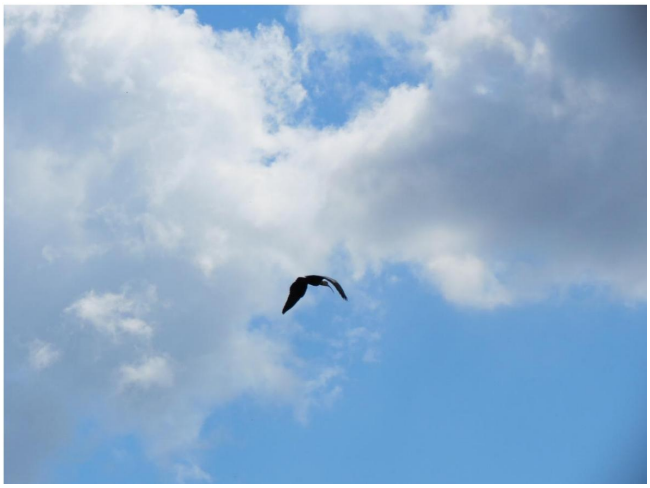


Figure 2. Visual Poetics 2, in which there is reflection.

> As I look at the sky, I can see the wings opening the path
> [In the emptiness of thought, I hear to the clouds flight path.
> Without leaving a trace in the inner sky meditative.
> The poet's heart happy amidst the clouds and the blue reflective].
> (Uhry, 2025, p. 124; Uhry, 2026c, p. 12).

This is how Uhry offers us, through the sequence of his poems, a practically direct representation of what I imagine to be his meditation process (one of the practices he always focuses on in his poems), in a play of associations of ideas always guided by the search for unio mystica with humanity and the universal spirit through listening, encounters, and poetic experiences of a mystical Rosicrucian poet.

In the "Poetic Encounters" section, there is a black-and-white photo next to the poem "Life [Bear Witness]":

> [...] I vividly recall the moment of flight. I have learnt
> Giving oneself fully to whatever we are facing, I learnt.
> Am I happy? Yes, right now, flying happily.
> In the face of pain, bear witness! Even happy or unhappily].
> (Uhry, 2026a, p. 104).



Figure 3. Visual Poetics 3. Source: Uhry (2025, p. 83)

Figure 3 shows the boy poet alongside his older brother, a memory of building their first home—a "moment of flight" in which he learned to "immerse oneself in whatever we are facing"—and depicts him "tired from the arduous work" and "flying happily," in ecstasy, as he witnesses the accomplishment! It is noted that the verses reflect the mystical values of the Rosicrucians.

8 Final Thoughts

Thus, unlike the aforementioned Fernando Pessoa, Uhry could never write poems as heteronyms. He does not merely write his texts; he truly relives them as his Inner Poet, the boy.

And that is where the innovative structure of intercalated stanzas, adopted in "experiences, listening, and poetic encounters" seems to fit. In each poem, the stanzas located on the left side—where reading always begins—are, as a rule, those that introduce the theme focused there and propose the theses that the speaker wishes to communicate about it. The

stanzas on the right-hand side—where the reading naturally flows next present variations from those on the left: sometimes they complement or elaborate on what was said earlier, as in this excerpt from "Setbacks [competition]":

> In life, we can direct our vibration.
> [Direct them toward health, dialogue, and cooperation.
> Direct them toward spirituality, love, and education.
> Direct them toward ecology, arts, poetic creation. (…). (Uhry, 2026b, p. 47-48).

Also, poems present contrasting theses, opinions that, at first glance, seem to diverge from those the poet stated on the left side of the page. The poem "Sharing [opening]" provides an example:

> What I want to attract to the Planet, I am sharing
> [The verses are whatever my fancy taking.
> to the country, to me, to you and to all beings in mind:
> Everyone has their own pleasures in mind. (…)] (Uhry, 2026a, p. 99).

However, a less superficial look soon reveals that there is never an insoluble contradiction between the stanzas on the left and those on the right. What exists is the proposition of a dialogic poetic structure, as if the speaker were conversing with himself.

Finally, Lopes (2025) feels that reading of Experiences, Listening, and Poetic Encounters has brought about a lasting transformation, in a way he cannot yet describe: I only know that, after this profound, enchanting experience that lived poetry provides us, we, its readers, will be able to close the temple doors, descend the staircase that will return us to daily life—and open the doors to a new awareness of Life (adapted from Lopes (2025, p. 25).

These reflections suggest that we can experience a more loving and authentic Life. With the book "Cosmic connections", Taylor (2024) has made research in this way about the "poetry in the age of disenchantment". It suggests that poetic art can help us enter the gates of a sacred temple, where a mystical poetic celebration can take place, and where, without realizing it, we can experience the mystery of mystical poetic union through listening, encounter, and experiences that can enchant us and help us encounter God; or, who knows, made cosmic connections with Divine.

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Trindade Leal: Memória da sua Infância na Arte de Gravar

Trindade Leal: Memory of His Childhood in the Art of Engraving

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ABSTRACT

This article discusses two woodcuts by artist Geraldo Trindade Leal (1927-2013) that depict rural scenes from his childhood and homeland, with great simplicity through his scratched lines with wood carvings, in figures of the Gaucho Pampas, horses, sheep, and cowboys in an expressionist configuration. In other words, his figures generated a series of woodcuts in the 1960s that clearly demonstrate the importance given to the work of the Gaucho cowboy. His woodcuts are mirrors of the reality of the Gaucho Pampas and its people.

Index Terms: Woodcut • Homeland • Gaucho Pampa

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RESEARCH ARTICLE

Trindade Leal: Memória da sua Infância na Arte de Gravar

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Abstract

Este artigo aborda duas xilogravuras do artista Geraldo Trindade Leal (1927-2013) que representa as cenas ruais da sua infância e sua terra natal, com muita simplicidade por meio de suas linhas riscas com as goivas na madeira, em figuras dos Pampas Gaúcho, cavalos, ovelhas e peões em uma configuração expressionista, ou seja, suas figuras geram uma série de xilogravuras na década de 60 que mostram, claramente, a importância dada ao trabalho do peão gaúcho. Suas xilogravuras são espelhos da realidade do Pampa Gaúcho e seu povo.

Keywords: *Pampa Gaúcho, Terra Natal, Xilogravura*

Correspondence: Luís Fernando Zulietti

1 Introdução

Geraldo Trindade Leal nasceu no município de Santana do Livramento, 1927 e faleceu em Porto Alegre, Rio Grande do Sul, 2013. Santana do Livramento faz parte da Região da Campanha do Rio Grande do Sul, destacando-se na pecuária (bovinos e ovinos). Gravador, desenhista, ilustrador e pintor. Estuda no curso livre de desenho do Instituto de Belas Artes, em Porto Alegre. Em 1953 vai para a Bahia, onde pesquisa a arte africana e desenvolve estudos sobre Pablo Picasso e o cubismo. Volta, em 1954, para Porto Alegre e inicia-se em xilogravura no ateliê de Francisco Stockinger. Convive com artistas da Sociedade Amigos da Arte, como Rubens Cabral, Joaquim Fonseca, Zorávia Bettiol e outros. Na segunda metade dos anos 50, realiza ilustrações para contos de Edgar Allan Poe e lança um álbum de xilogravuras intitulado O Lobisomem.

Na década de 60, realiza várias xilogravuras expressionistas relembrando imagens da sua infância no município de Santana do Livramento no Rio Grande do Sul-RS.

No início o município era ocupado pelos índios minuanos e charruas. Por volta do ano de 1810, houve um combate entre forças portuguesas e espanholas, saindo vitoriosas as forças portuguesas. O município passou, então, a denominar-se Santana do Livramento e, mais tarde, somente Livramento. Em 1957, foi restituída a antiga denominação Santana do Livramento. Município voltado a criação de gado e ovinos, característica forte da região.

Trindade Leal nessa época produzia gravuras em madeira, imagens que imprime um ato de força e de memória da sua infância. A dureza do material se opõe à vontade do artista de abrir as fendas que construirão as figuras, que irão surgir das ferramentas cortantes e das fibras da madeira devido sua tesão, dessa tesão surgiram imagens da sua infancia que irão se estabelecer nos risco da madeira, como os gravadores expressionistas que valorizam o seu próprio passado.

2 O conceito de xilogravura

O conceito de xilogravura surge apenas no século XX, sendo definido como a arte de se fazer gravuras em madeira ou a impressão obtida por meio desta técnica. Segundo Herskovits (1986 *apud* COSTELLA, 2003), esta técnica, surgiu na China, utilizada para impressão. Essa afirmação de Herskovits é contestada por Costella (2003), quem afirma existirem historiadores que se referem ao uso da xilogravura, no mesmo período dos chineses, no Japão, na Índia, na Pérsia e na América Pré-colombiana.

> As xilogravuras são feitas pela impressão (sobre o papel ou outro suporte) de uma matriz em madeira. Por sua vez em sua aparente simplicidade, a xilografia é a mais espontânea das técnicas gráfica. Da simplicidade, porém, ela permite nascer uma formidável riqueza em arte, dotada de encantos sem fim. (Costella, 2003, p. s/n *apud* ZULIETTI; NOGUEIRA, 2022)[1].

A xilogravura, tecnicamente, é uma das práticas mais antigas que se conhece para gravação de imagens, ou seja, produzir gravuras é de extrema simplicidade, o que pode explicar sua utilização até os dias atuais, pelo fato de não haver necessidade de qualquer interferência tecnológica na sua produção.

As xilogravuras, não só as nordestinas de cordel, mas toda xilogravura popular, que é o termo mais apropriado para as gravuras feitas na madeira, causam as mais estranhas emoções, porque as sensações são familiares e muito presentes na vida dos nordestinos, principalmente, com esse imaginário de demônios, santos, beatos, cangaceiros,

[1]Informação disponível em: https://revistacontemporaneos.com.br/a-xilogravura-de-gilvan-samico-o-visual-a-composicao-a-imaginacao-e-despojamento-a-fantasia-e-a-religiao.Acesso em:12 jul. 2024.

princesas, vaqueiros e mandacarus. Todas essas crendices e piadas (anedotas) envolvem as agruras e bênçãos conseguidas nessa vida de penúria, tão presente no sertão nordestino brasileiro.

Faz-se necessária a valorização da xilogravura popular na formação imaginária do sertão nordestino brasileiro, propondo o conceito de que o agreste tem suas demonstrações na construção das imagens do sertanejo, intensificada pelas gravuras das capas nos cordéis. A leitura de imagens e a cultura visual procuram meios para sua aplicação na prática educativa [...], visando assim contribuir para uma reflexão da xilogravura como arte popular. (Gabriel,2012 *apud* Zulietti; Nogueira, 2022).

3 Gravura no Brasil

No Brasil, a gravura artística começou a ganhar o reconhecimento como arte maior na década de 1950, com os artistas gravadores precursores: Oswaldo Goeldi (1875– 1961), Lívio Abramo (1903–1992), Axl Leckoschek (1889–1978), Lasar Segall (1891– 1957) e Carlos Oswald (1882–1971), e com as premiações de artistas gravadores brasileiros nas primeiras bienais internacionais de arte em São Paulo.

Outro fator importante para tal foi a chegada de artistas estrangeiros como o austríaco Axl Lesckoschek, Lasar Segall e outros que vieram da Europa, que com os seus cursos dos processos de gravação em xilogravura artística, formaram muitos artistas gravadores brasileiros. Axl Lesckoschek, autor de xilogravuras principalmente de topo, chega ao Brasil no final de 1930. Ficou apenas oito anos, tempo suficiente para marcar e estimular profundamente o meio artístico na época. Foi professor de artistas que se transformaram em grandes gravadores como Fayga Ostrower (1920–2001), Edith Behring (1916) e Ivan Serpa (1923–1973). (STORI; PETRA, 2015)[2].

Na década de 1940, por um grupo de artistas atuantes em Bagé e em Porto Alegre, no Rio Grande do Sul. O nome nasceu Grupo de Bagé surgiu após uma exposição realizada em Porto Alegre em 1948, na galeria do Correio do Povo, tendo sido apresentados pelo crítico de arte Clóvis Assunção, que deu aos jovens artistas o nome de "Grupo de Bagé", porque tal grupo foi formado por jovens artistas atuantes em Bagé/RS e em Porto Alegre/RS.

O Grupo de Bagé foi formado inicialmente pelo intelectual Pedro Wayne (s/d), Ernesto Wayne (1929–1997), Ernesto Costa (s/d), Jacy Maraschin (s/d), Deni Bonorino (s/d), Clóvis Chagas (s/d), Júlio Meireles (s/d) e Glauco Rodrigues (1929– 2004), Glênio Biancheti (1928–2014), que entraram em contato com Carlos Scliar (1920–2001), Danúbio Gonçalves (1925) e o paulista José Morais (1921–2003). Sob a posterior liderança de Vasco Prado (1914–2009) e Carlos Scliar, que se ajuntaram a Francisco Stockinger (1919–2009), Danúbio Gonçalves, Glênio Bianchetti, Glaco Rodrigues e Trindade Leal (1927–2013). O Grupo de Bagé exerceu uma influência direta na formação do Clube de Gravura de Porto Alegre, que se formou sob a liderança de Vasco Prado (1914–1998) e Carlos Scliar aglutinados a Francisco Stockinger (1919–2009), Danúbio Gonçalves, Glênio Bianchetti, Glaco Rodrigues e Trindade Leal (1927–2013). O Clube de Gravura de Porto Alegre acabou estimulando o surgimento de vários outros grupos semelhantes pelo Brasil (ALVAREZ, 2011).

O Grupo de Bagé e o Clube de Gravura tinham como objetivo principal a figuração, a utilização da arte como um instrumento de valorização do homem e como um elemento capaz de aproximação e conscientização do público quase sempre tão distante das artes plásticas e dos acontecimentos artísticos de vanguarda daquele momento.

Buscava como expressão a representação de uma realidade nova, própria, através da observação aguda, incisiva colocada no desenho e depois nas matrizes das gravuras tendo como estímulo a paisagem e os seus elementos, os tipos humanos com vestimentas a caráter nos seus afazeres diários em seus contextos, os elementos de usos e costumes do dia a dia, cenas do cotidiano. (STORI; PETRA, 2015)[3]

4 A infância na cidade natal

Os primeiros passo de Trindade Leal na gravura teve como princípio estético, o realismo social da sua infancia na cidade natal, num estilo figurativo com influência expressionista do Grupo de Bagé. Trindade Leal optou pela gravura, mais especificamente pela xilogravura por ser um o processo de divulgação mais democrática da arte, tanto pela sua reprodutibilidade como pela força das imagens. Teve como um dos principais objetivos a expressão de uma arte regional, começando pelos temas rurais de sua terra natal.

Na década de 60 Trindade Leal realiza uma série de gravuras com temática rural da sua infância como se pode ver na Xilogravura 1.

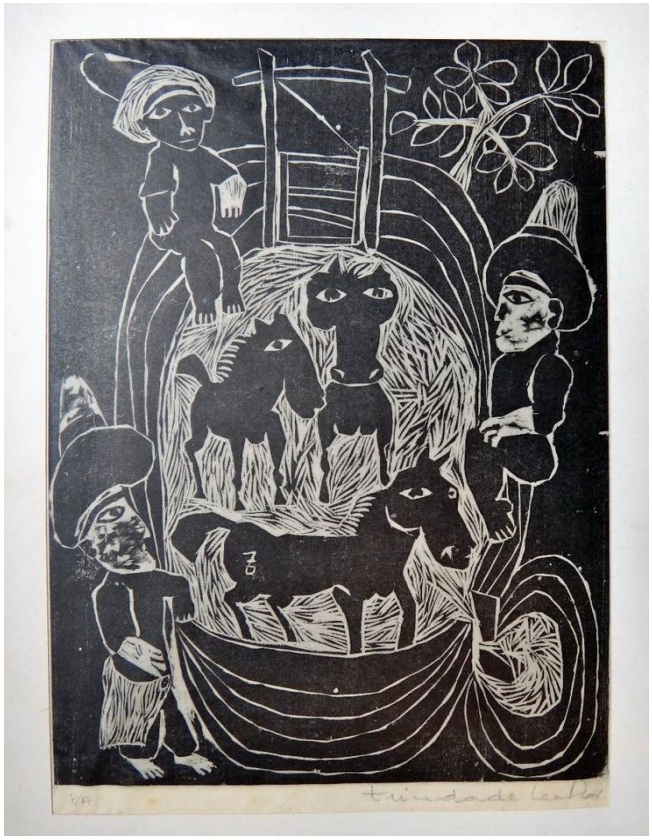


Figure 1. Cena rural.

Fonte: MAC USP (1965) P.A – 38 cm x 25 cm - 1964.

Nesta xilogravura 1, Trindade Leal representa um curral, área cercada onde se mantêm animais domésticos, incluindo cavalos. Que serve principalmente para facilitar o manejo dos animais, permitindo a realização de procedimentos como vacinação, castração, inseminação artificial e pesagem. A construção de um curral deve considerar as necessidades específicas dos cavalos, garantindo um ambiente seguro e confortável para eles, como se pode observar no plano de fundo da imagem, toda tintada negra impressa na madeira que espoem os seis riscos finos ovais que demarcam o curral, ao fundo a direita pode-se ver uma pequena árvore risca na veia da madeira com goivas médias

[2]Informação disponível<https://anpap.org.br/anais/2015/simposios/s4/norberto_stori_petra_sanchez.pdf> acesso 03 de jul de 2025.

[3]Informação disponível<https://anpap.org.br/anais/2015/simposios/s4/norberto_stori_petra_sanchez.pdf> acesso 03 de jul de 2025.

com muita sutileza, utilizando as goivas mais finas, ele risca o chão do curral com grande tesão em traços verticais, diagonais e horizontais, para marcar a área segura e confortável dos cavalos, surgindo as flores chamadas prímulas, flores viçosas.

Na parte superior do círculo oval pode-se a entrada e a saída do curral, já na parte lateral a esquerda ao fundo pode se ver o Cocho uma estrutura para oferecer alimentos aos cavalos, riscada na madeira com quatro linhas ovais orgânicas e no centro um pouco de ração tintado em preto em um circo oval mal definido na madeira. No lado esquerdo superior um vaqueiro sentado na madeira do curral, adepto do trabalho com cavalos com fama de serem corajosos e responsável por uma série de tarefas essenciais para o cuidado da fazenda.

Trindade Leal risca na madeira um vaqueiro com um grande chapéu com poucos traços, mostrando a simplicidade da atividade. Lado esquerdo abaixo outro vaqueiro com um grande chapéu e com sua calça bombacha gaúcha e sua guaiaca lateral segurando sua bolsa de couro, mas sem bota mostrando a simplicidade desse vaqueiro. Do lado direito outro vaqueiro sentado na madeira do curral também com um grande chapéu e descaso, mas um profissional responsável pelo cuidado do gado e pela manutenção das atividades do campo. No centro três cavalos que estão sendo domesticados para sobreviverem em cativeiro e depois serem usados para montar e puxar carruagens, arados, carroças ou transportar os vaqueiros da fazenda.

Trindade Leal com essa imagem busca valorizar os vaqueiros que desempenham um papel crucial na preservação da cultura rural da sua terra natal. Em várias regiões, a profissão ainda é associada a valores como a honra, a coragem e o respeito à natureza, sendo transmitida de geração em geração. As festas tradicionais, como rodeios e vaquejadas, celebram o trabalho e a tradição dessa profissão, destacando o vaqueiro como um verdadeiro herói do campo.

Na Xilogravura 2, Trindade Leal risca na madeira em traços finos e largos a imagem do pastor de ovelhas cuidando dos ovinos, atividade tradicional em sua terra, baseada na produção de carne, lãs. Pode-se notar na parte superior da xilogravura a preocupação de mostra a natureza e a boa qualidade da pastagem necessário ao manejo correto para a criação de ovelhas. Trindade leal risca a madeira com a goiá de largura média um semicírculo oval com cinco linhas e acima dos riscos, trabalha minuciosamente as folhas de uma pastagem perfeita para criação das ovelhas no plano de fundo.

No primeiro plano da imagem um peão pastor que cuida, guia e protege seu rebanho, garantindo seu bem-estar e segurança. Nessa imagem Trindade Leal rasga a madeira em profundidade para enfatizar os grandes olhos de um trabalhador que busca a satisfação no seu oficio, pode notar os riscos delimitando o corpo do peão em cima do cavalo, com o seu grande chapéu, e com seu lenço, e seu guaiaca na cintura e sua bota de couro em riscos finos e suaves na madeira.

O cavalo o autor trabalha com vários riscos horizontais e verticais criando um movimento ao cavalo. Trindade Leal risca os veios da madeira com muita sutileza, utilizando as goivas mais finas, surgindo o número sete na coxa do cavalo como uma simbologia que representa a totalidade, a perfeição, a consciência, o sagrado e a espiritualidade. O sete simboliza também conclusão cíclica e renovação que o pastor de ovelha representa na pampa gaúcha. Na frente do pastor de ovelhas Trindade Leal risca na madeira três ovelhas pastando com inocência, pureza e docilidade.

A ovelha para Trindade Leal nesta gravura incorpora a própria ideia de coisas que são simples, mas tão preciosas em sua simplicidade. A ovelha é comumente associada à rotina, à vida cotidiana, à essencialidade da existência e às coisas que são boas e puras de sua infância vivida em sua terra natal.



Figure 2. Pastor de ovelhas.

Fonte: Coleção do autor - P.A – 37 cm x 26 cm - 1964.

Na Xilogravura 3 (Peão a cavalo) produzida por Trindade Leal, mostra a importância da indumentária típica do gaúcho e da prenda é um dos elementos mais marcantes da cultura sul-rio-grandense. Mais do que simples roupas, esses trajes representam a tradição, a história e o orgulho do povo do Rio Grande do Sul. Com riscos verticais, horizontais e ondulados ele risca na madeira o Peão com um chapéu de feltro, que protege do sol e da chuva, e com riscos curvados e desenha a bombacha que é presa na cintura por um cinto largo ou guaiaca, e geralmente é afunilada nos tornozelos, facilitando o uso de botas.

Com quatro risco verticais e ondulados ele desenha o lenço no pescoço que é um símbolo de identidade, podendo ser vermelho, branco ou de outras cores, cada uma com significado cultural ou de filiação a um determinado grupo ou tradição gaúcha. Trindade leal com dois riscos simples na madeira ele desenha a bota de couro vista no pé do Peão, elemento essencial, que protege os pés durante o trabalho no campo. Muitas vezes, são adornadas com esporas, usadas para guiar o cavalo. Já a camisa coberto pelo poncho, protege o trabalhador do sol forte e dos ventos da pampa.

Para Trindade Leal a roupa do peão não é apenas prática; ela também simboliza o respeito pelo trabalho duro e pela terra. A direta acima da imagem do peão ele risca com pequenos traços uma pequena coruja que simboliza a sabedoria, a inteligência, o mistério e o misticismo da pampa gaúcha.

Por outro lado, essa ave de rapina noturna, pode simbolizar mau augúrio, azar, escuridão espiritual, morte, trevas e bruxaria. Ao fundo no segundo plano pode-se ver a pampa gaúcho e sua vegetação. Trindade Leal com sua goiva tira lascas finas e médias da madeira com traços verticais e horizontais e alguns traços ovais e diagonais desenhando o clima do Pampa subtropical com as quatro estações do ano bem definidas e sua vegetação que é marcada pela presença de gramíneas, plantas rasteiras, arbustos e árvores de pequeno porte.

Em sua maior parte, destaca-se o relevo de planícies, constituído de grandes áreas de pastagens que se desenvolvem grandes rebanhos, conforme a imagem mostra.

Esse tema remete ao poema Gaúcho, Peão de Estância da autora Carol Carolina:

Gaúcho, Peão de Estância

O Peão ao levantar-se
Dá logo uma espiadinha
E vê ao longo do campo
A geada bem branquinha.

É o efeito da friagem
Que causa a geada
Cobrindo tudo de gelo
Ao longo da madrugada.

E o Peão veste seu pala
Para enfrentar o frio
Que por vezes é tão intenso
Congelando a água do rio.

Depois encilha o cavalo
E sai para lida campeira.
Se despede de sua Chinóca
Que lhe abana da porteira.

Parte junto com seu cusco
Seu amigo e companheiro
Que é fiel não lhe abandona
Sempre perto o dia inteiro.

A tardinha a Chinóca
Se arruma toda bonita
Coloca flor no cabelo
E põe seu vestido de chita.

E vai esperar a volta
Do seu Peão muito amado
Que ao chegar dá-lhe um beijo
Na beira do alambrado.

Depois lá dentro de casa
Ficam em volta do fogão
Conversam, comentam causos
Sorvendo um chimarrão.

Tenho orgulho em ser Gaúcha
E honrar a tradição
Trago meu Rio Grande no peito
Ao lado do coração.

Carol Carolina (2010)[4]

[4]Informação disponível <https://www.luso-poemas.net/modules/news/article.php?storyid=119535© Luso-Poemas. Acesso 05 de jul.2025.



Figure 3. Peão a cavalo.

Fonte: Coleção do autor - 1964. Xilogravura – 32 cm × 44 cm.

5 Considerações finais

As três **Xilogravuras** de Trindade Leal assumem uma vigorosa dinâmica estética, nas quais se encontram cenas de sua infância e lembras do trabalho rural do Pampa Gaúcho, com risco simples na madeira, sem grandes talhos fortes na veia da madeira ele mostra uma cena dramática com um expressionista. Elas refletem o Peão Gaúcho em seu mundo de trabalho, social e político, são espelhos da realidade pessoal desse povo do Pampa.

Trindade Leal desenhou sua infância em pequenos riscos na veia da madeira. Ao tirar dos meios técnicos da xilogravura, suas linhas simples e diretas, revelou sua terra natal e seus profundos sentimentos de amor ao seu passado. A experiência do riscar e de retirar as lascas da madeira se desenvolveu numa relação dialética com seu interior que transbordava imagens produzidas no seu consciente, expressão nítida em sua produção na década de 60.

Trindade Leal, assim se aproximou o seu ofício de gravar em cenas de sua infância, como suas figuras de cavalos, ovelhas e peões em pequenos riscos finos, verticais, horizontais, simples na madeira.

Pode-se afirmar que em suas xilogravuras**,** ele atinge uma extraordinária qualidade estética a partir dos riscos e das pequenas lascas retirados da madeira, o que gera no espectador uma dramaticidade sobre a realidade infância de vida e dos Peões dos Pampas Gaúcho.

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Conocer Desde el Sentipensar Indígena: Teoría y Práctica del Conocimiento Para la Vida

Knowing through the Indigenous Feeling-Thinking Perspective: Theory and Practice of Knowledge for Life

CORRESPONDENCE →

AUTHORS & AFFILIATIONS

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ABSTRACT

What we present below is nothing more than the transcriptions of the presentations that we delivered virtually to a group of Native Americans in Austin, Texas, and to Indigenous and non-Indigenous students in Guadalajara, Jalisco (Mexico). In other words, this is not what is typically called a journal article for a scientific publication; rather, it is a sharing of ideas grounded in the lived experience of our own lives and practices. For this reason, the text lacks citations properly documented according to authors, publication dates, titles, and page numbers, primarily because most of the individuals we refer to are cited from their living words as they remain in our memory. Consequently, we do not claim for this text any authority as a form of scientific "truth." Instead, its authority arises from our Eiirare—our way of seeing the world through our spirit. This perspective may not be considered "appropriate" or "appropriable" by the social sciences; nevertheless, we hope it will serve to awaken whatever humanity may still rest within your spirits—as people, as human beings.

Index Terms: Andean-Amazonian cosmology • Añuu people • Epistemology of the South • Feeling-thinking (Sentipensar) • Indigenous knowledge • Ontological turn • Territoriality

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RESEARCH ARTICLE

Conocer Desde el Sentipensar Indígena: Teoría y Práctica del Conocimiento Para la Vida

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Abstract

Lo que a continuación entregamos, no son más que las transcripciones de las exposiciones que, virtualmente realizamos para un grupo de indígenas norteamericanos de Austin-Texas, y de estudiantes indígenas y no indígenas de Guadalajara – Jalisco (México). Queremos decir, no se trata de lo que llaman un "artículo" para revista científica, sino la palabra compartida a partir del hacer de nuestra experiencia vital. Por eso, "adolece" de citas debidamente registradas de acuerdo a autores, fechas, títulos y números de páginas, sobre todo, porque la mayoría de los citados lo hacemos desde su palabra viva en nuestra memoria. De tal manera pues, que no reclamamos para este texto ninguna autoridad como "verdad" científica, sino la que emana de nuestro Eiirare o lugar de ver el mundo con nuestro espíritu, la que muy probablemente no les sirva como "apropiada" y "apropiable" por la ciencia social; pero, esperamos les sirva para sacudir lo que de humanidad aún pueda reposar en sus espíritus como gente, como seres humanos.

Keywords: *Conocimiento indígena, Cosmología andino-amazónica, Epistemología del Sur, Giro ontológico, Pueblo Añuu, Sentipensar, Territorialidad*

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1 Introduction

1.1. Eiirare: lugar de ver el espíritu

Ontología es una palabra muy importante para la filosofía y la ciencia moderna-occidental. Ella se refiere al estudio del "ser" del mundo, lo que constituye el origen del proceso de conocer y, de alguna manera, marca o talla todo conocimiento generado basado en esa ontológica experiencia. Así, lo ontológico en el proceso de conocer está vinculado a una perspectiva desde donde los seres humanos piensan el mundo y/o el espacio que necesitan conocer y comprender para poder habitarlo.

Es decir, lo ontológico tiene que ver con un punto de origen y con la orientación que los grupos humanos dan a sus relaciones con el mundo; es de alguna manera, la perspectiva originaria desde la cual definimos la entidad del mundo con respecto a nosotros y que guía todas nuestras relaciones con él, impulsa todas nuestras creaciones y ordena nuestras vidas. Siendo así, la idea que encierra la palabra ontología, no resulta ajena a ningún pueblo o cultura del mundo ya que todos los pueblos han logrado establecerse y construir sus vidas en las diferentes geografías, aunque a los ojos de otros, algunas de ellas parezcan indóciles o inhabitables.

Para los añuu, habitantes de las aguas del Lago de Maracaibo (Venezuela), la palabra que pudiera recoger la idea de ontología como *origen de nuestro conocer al ente-mundo* es: **Eiirare**, la que a simple vista, pareciera un solo término, pero realmente está formada hasta por cuatro elementos significativos que, sólo unidos, configuran el significado que estamos equiparando con el término occidental de "ontología" aunque, en verdad, significa una muy otra cosa.

Expliquemos esto.

Para la filosofía occidental, su relación con el mundo se ha centrado en la búsqueda y comprensión del "ser" del mundo y del "ser" como esencia humana. Sin embargo, para ellos, encontrar el "ser" implica ciertamente "verlo", palparlo y describirlo físicamente; así, el principio ontológico de su conocer, otorga a la "visión" la condición de sentido privilegiado de nuestro cuerpo. Este principio se va profundizar y potenciar con la modernidad y el desarrollo de la ciencia como lenguaje de la "verdad" sustentada en la "razón" visible, calculable, medible, cuantificable. Por eso se dice: "Si lo veo, creo que es verdad" o, como dijo Santo Tomás: "Ver para creer".

Por su parte, nuestra palabra añuu **Eiirare**, está compuesta por: Ei- que puede significar "Aliento", "Espíritu del cuerpo" y nombrar al "Corazón" (E'in). Pero, ella es seguida de: -iraa que corresponde al verbo "Ver" que, a su vez, se construye con el sufijo -aa, que implica exterioridad, es decir, se refiere a lo que está "fuera" de nosotros o que nos viene desde "fuera".

Finalmente, el sufijo -re, que implica "lugar". Así, de acuerdo a la lógica propia del sentipensar añuu, Eirare es el lugar desde donde vemos y sentimos con el espíritu, con nuestro corazón. Esto implica una relación total de todos los sentidos de nuestro cuerpo; dicho de otra manera, se refiere a un "ver" con el corazón, con el espíritu de nuestro cuerpo, lo que hace depender el sentido de la vista de todos los otros sentidos.

Por otro lado, **Eiirare** se refiere a lo que "está fuera de nosotros o que viene desde "fuera" porque "está" y esto implica todo aquello que podamos "ver" o no con nuestros ojos. Nadie puede ver el viento con sus ojos, pero sabemos que está porque es todo nuestro cuerpo el que lo percibe. Nadie puede ver los virus en su espacio de la naturaleza, dentro de plantas o animales, pero sabemos que "están", no es que "son" por su "ser" sino que "están" y es por su "estar" que nos relacionamos con ellos.

Los hermanos kichwa de Ecuador hablan de **Pacha-Kawsay** como palabra más aproximada al conocimiento andino de la existencia. Ella

está formada por la palabra **Pacha** (del *kichwa-aymara*) y **Kawsay** (del *kichwa*). **Pacha** significa tiempo-espacio, mundo, naturaleza y existencia. **Kawsay** equivale al saber vivencial, intuitivo, de la experiencia.

Pachakawsay la traducen como: ***Saber que se crea al vivir criando la vida***, buscando el equilibrio para llegar a la armonía. Pero toda la ciencia moderno-occidental, desde Francis Bacon hasta el día de hoy, se ha levantado sobre una ontología del "ver" y no del "sentir", en una filosofía del "ser" en el mundo y no del "estar" en el mundo.

Para occidente, la condición de "ser" es lo que otorga exclusivamente a los hombres la posibilidad de razonar. No a la mujer porque dicen, que la mujer es puro sentimiento sin "razón". Pero tampoco a cualquier hombre, porque para occidente ontológicamente sólo el hombre blanco, europeo y propietario de medios de producción tiene la capacidad de razonar, de dominar la Razón, la "verdad", ambas, como esencias visibles, manejables, mensurables, cuantificables, etc.

Ha sido este principio ontológico el que ha guiado lo que para la ciencia moderna-occidental constituye el razonar. Ella separa en unidades el cuerpo de los fenómenos observados para poder comprenderlos en sus unidades; por tanto, "razonar" (analizar) viene a significar el descomponer en sus partes para hacer visible lo razonado, pensando que la sumatoria de las partes puede brindarles una "razón" del "todo".

Por este camino, "razonar" obliga al sujeto conocedor a desprenderse de toda empatía, de cualquier asomo de sensibilidad hacia aquello del mundo con lo que se relaciona. Porque encontrar la "razón" del "ser" de los fenómenos es para occidente cosificar, objetivar aquello que quiere comprender por lo que pensamos, termina por no comprender nada.

Para nuestros pueblos, en cambio, la cuestión es poder "**corazonar**" con la vitalidad de aquello que necesitamos conocer y comprender. Este **corazonar** nada tiene que ver con la separación del fenómeno en sus partes más pequeñas, sino en interactuar con la energía que emana del cuerpo del fenómeno hacia nosotros como expresión de su hacer por estar en el mundo.

Corazonar es así, la experiencia completa de sentipensar de nuestro cuerpo con el cuerpo y sentipensar del Otro al que así, podemos llegar a conocer y comprender. Esta perspectiva ha sido minimizada por occidente con su noción de "animismo", pero nosotros pensamos que conocer lo Otro supone que, en verdad, nos pongamos en su lugar. Es decir, no podemos quedarnos con la imagen física que del Otro vemos sino colocarnos en su lugar y así poder **corazonar** lo que ellos ven-sienten en nosotros al momento de la experiencia, lo que no es otra cosa que un intercambio de sensibilidades. Es a esto a lo que algunos llaman **corazonar**, pues, intercambiar sensibilidades con los otros es encontrar respuestas a nuestras semejanzas y diferencias cuando "*pensamos con el corazón*".

Esto nos conduce a otra diferencia ontológica entre el conocer de la ciencia occidental y el conocer del Nosotros de los pueblos indígenas. Es aquella en la que se sustenta la ciencia occidental y que nosotros llamamos como: principio de distanciamiento o, el "estar fuera". Porque para privilegiar el sentido de la vista se necesita estar siempre "***fuera***" o poner una distancia entre el sujeto que conoce y el fenómeno o hecho que estudia para, se dice, poder "verlo" "objetivamente". Por eso, la mayoría de las veces no logra entender, sino mucho después, el suceso; no le es posible generar comprensión estando "***dentro***" porque para ellos, lo que sucede siempre le sucede a otros y no al sujeto que conoce.

Aparte de la vista, busca cancelar todos sus demás sentidos ya que no puede permitirse empatía alguna o cualquier tipo de compromiso con aquello que estudia y porque, además, siempre desconfía. No cree en palabras dichas, acciones o emociones, sólo cree en palabras escritas y datos que con sus instrumentos recolecta y que le dan certeza a su medición y cálculo. Todo lo **matematiza**. Las matemáticas representan la noción de su "razonamiento".

Corazonar, en cambio, es estar ***dentro*** del fenómeno, es siempre sentipensar desde la perspectiva de lo Otro; porque, a fin de cuentas todos estamos dentro del mundo, ya sea como humanos o como no humanos. Así, conocer a todas las otras comunidades que con nosotros comparten el mundo supone, que ellos y nosotros igual corazonamos el mundo en aquellos lugares/tiempo donde nos encontramos. Sólo así es que podemos comprender el ***Hacer de los Otros*** y sus implicaciones con el ***Hacer de Nosotros*** en el mundo.

Esto de la ontología, o perspectiva de ver el mundo, la explican muy bien los hermanos indígenas de la Amazonía, y también los campesinos que habitan en la frontera entre Venezuela, Colombia y Brasil, con este relato.

Esto sucedió así. Un día, un cazador blanco contaba a un su amigo, cómo había logrado cazar al más feroz y escurridizo tigre de esa selva. Pero, al contar su historia, el cazador estuvo un buen rato sólo hablando de su inteligencia en seguir, perseguir y acorralar al Tigre.

Tanto habló de sí mismo, de su capacidad y habilidad como cazador que, cansado de escuchar, su amigo le interrumpió preguntando:

– Oye, ¿pero qué pasó con el Tigre?
Y el cazador, muy molesto, le respondió:
– ¡Pero qué!, ¿tú estás de mi lado o estás de parte del Tigre?

De seguro, la historia será muy distinta si quien la cuenta es el Tigre y no el cazador; porque, de cierto una cosa es la que ve el cazador en el Tigre, y otra muy distinta la que ve el tigre en los hombres. Como dice un proverbio africano: "Hasta que los leones tengan sus propios historiadores, las historias de cacería siempre glorificarán al cazador".

1.2. Lo que nos enseña la abuela tierra

El muy reconocido por ser considerado una de las mentes más brillantes de la ciencia occidental contemporánea, el físico Stephen Hawking, comienza su libro "El origen del Universo" con el resumen de la historia que sobre el tema cuenta el pueblo boshongo de África central.

En su relato, los boshongo cuentan que en el comienzo sólo había oscuridad, agua y el espíritu de Bumba. Hasta que Bumba sintió un fuerte dolor de estómago y fue cuando vomitó al Sol que, con su calor, secó parte de las aguas y así surgió la Tierra. Pero Bumba siguió sintiendo dolores y entonces, vomitó a la Luna, las estrellas y algunos animales como el cocodrilo, la tortuga, el leopardo y finalmente, a los hombres.

Aunque parece interesante que Hawking comience su teoría física del origen del universo relatando la historia de este pueblo indígena de África, inmediatamente se encarga de dejar claro que lo hace precisamente, para demostrar que tales historias catalogadas como "mitos", forman parte de una "natural evolución" que ha llevado a toda la humanidad por el camino que va desde las creencias de los pueblos indígenas en el pasado, a la "verdad" de la ciencia occidental siempre disparada hacia el futuro.

Esta idea lineal de "evolución de la humanidad" fue por mucho tiempo el discurso que se encargó de fijar, incluso entre nosotros, la antropología, para la que los pueblos indígenas, especialmente los pueblos amazónicos y selváticos, son la imagen del estadio más atrasado de la humanidad, que fue superada por Europa con la modernidad, su tecno-ciencia, el "progreso" y el "desarrollo".

En el mismo lineal sentido, Hawking menciona las investigaciones de sus colegas físicos dedicados al estudio de partículas mediante su dispersión, en un empeño por encontrar aquel ínfimo elemento constituyente de la vida del universo. Lo mismo sucede en el campo de la química, donde una vez descubierto el átomo formado por el giro de sus electrones, el cual a su vez forma moléculas que finalmente componen

los cuerpos, la ciencia no se detiene, y continúa en su penetración convencida de poder encontrar más allá la "esencia" del "ser", de "la vida".

Para ello, han creado instrumentos cada vez más sofisticados, potentes y precisos como para poder encontrar al "mítico" elemento. A pesar de que con ellos han ampliado millones de veces la capacidad de su sentido de la vista, aquello que sustenta la vida no es posible de ver sino de sentir, oler, saborear, es decir de vivir porque al fin y al cabo lo que cuenta no es el "ser" del universo sino su "estar" unificado, vivo, en la armonía de su infinito giro.

Así, buscar el "ser" del universo puede llegar a ser tan inútil como tratar de lograr ver lo que hay al final de las capas de una cebolla. Para los pueblos indígenas, en cambio, la preocupación se centra en comprender los fenómenos que el universo y el mundo (la Tierra) nos muestran como expresión de su hacer en virtud de su condición de sujetos vivos. Comprender las implicaciones de este hacer es lo que constantemente guía nuestro proceso de conocer y, por ende, la creación de conocimientos que posibilitan producir y reproducir nuestras vidas y así, contribuir a la vida de todas las existencias que están presentes en el mundo y el universo.

Por eso, a la pregunta sobre el origen del universo y el mundo, la respuesta no la buscamos en las "partículas" o "elementos" que la ciencia occidental ausculta con minuciosidad, sino en la energía vital que los mantiene vitalmente relacionados y unidos en sus particularidades. A esta energía vital los añuu la llamamos **Ariiyuu**, definición que resulta de la unión de los términos: **Ara**- (Fuerza, Energía); -**ii**- la que nos dice se trata de una fuerza generadora de cambio, transformación, y, finalmente - **yuu**, que deviene de -**you**, y que corresponde a la acción verbal propiamente dicha, por cuanto se refiere a que emerge aquí y ahora; que brota o fluye (-**ou**- verbo), aquí; en este momento (-**y(e)** - marca de lugar/tiempo).

La existencia de una energía vital (**Ariiyuu**) cuyo constante e infinito giro constituye la fuerza capaz de unir en una misma vida compartida a todo lo diferente que existe en el universo y el mundo no es exclusiva de los añuu pues, la misma comprensión expresan los wayuu al hablar del **Aseyuu**; los barí de la Sierra de Perijá como la energía de **Nambobikorai**, los Yanomami de la Amazonía entre Brasil y Venezuela, como el poder creador de **Omama**, o los **Boshongo** de África central como su eterno hacedor Bumba y así, sería posible continuar.

En todo caso, sobre lo que queremos llamar la atención es en el hecho de la conciencia de nuestros pueblos acerca de dos aspectos que, a pesar de que la ciencia occidental ha llegado a descubrirlos y sentirlos, la arrogancia de su visión les impide llegar a comprenderlos.

El primer aspecto tiene que ver con el hecho de que todo lo presente en el universo y el mundo está **en** y **por** su propio giro, en una permanente correspondencia entre el **Ariiyuu** que recibe del cuerpo del universo y, el **Ariiyuu** que por sí mismo genera y comparte con los otros cuerpos y con el universo mismo.

Así, todo cuerpo presente en el universo y el mundo ***está*** en virtud del ***hacer*** de los otros y en función de su propio ***hacer*** que, asimismo, comparte con los demás. De esta manera, la vida debe comprenderse como el ejercicio de nuestro hacer, el cual sólo adquiere sentido por el permanente compartir entre todos los diferentes presentes en el mundo, quienes, así viven y dan vida al universo y al mundo. Sin embargo, todo compartir implica que debemos estar siempre en la disposición y capacidad de cortar parte de nuestro **Ariiyuu** y así, cederlo en función de la vida de los otros.

He allí el segundo aspecto que queremos destacar: el principio del ***cortar/compartir*** que hace posible la vida y que constantemente el mundo, la Tierra, nos enseña como el necesario balance entre todas las comunidades presentes como lo que puede asegurar la producción y reproducción de la vida de cada una de ellas, la del mundo y el universo como totalidad.

Es el ***cortar/compartir*** la principal enseñanza que la Tierra nos entrega con su ***hacer***, que no es otro que el de ***hacer el tiempo***. La Tierra, en su caminar, corta el tiempo en día y noche para así poder compartirlo con todas las comunidades de plantas, insectos, animales y comunidades humanas. Así, todas ellas en sus respectivos lugares, tienen la oportunidad de desplegar su propio hacer en función de sus vidas y comunidades. Pero además, en el transcurso de su eterno viaje, la Tierra va dotando de tiempo a cada uno de los lugares que la conforman haciendo posible el ***cortar/compartir*** entre los miembros de una misma especie o comunidad, así como entre especies y comunidades diferentes.

Ha sido de esta forma que, por miles de años, todas y cada una de las comunidades han aprendido de la Tierra que la vida, sus vidas, cobran su mayor sentido y significación en el ***cortar/compartir*** y, por eso mismo, todas han sido capaces de desarrollar formas de ceder sin dolor parte de su Ariiyuu; así como formas de recibir con humildad parte del Ariiyuu que los otros le ceden pues, con ellos se ***cortan/comparten*** en el espacio territorial del mundo que habitan.

Así, todas las comunidades presentes en el mundo aprenden a seguir el caminar del mundo y, por ello, despliegan su vida como ***haceres*** propios de los lugares/tiempo que el mundo crea y que significativamente, corresponden siempre a lugares/tiempo de su habitar, producir, sanar y convivir, esto es, sus vidas se organizan de acuerdo a su ***hacer*** para el ***cortar-compartir*** **(Ookoto)** con los otros en aquellos lugares/tiempo que el mundo crea con su propio ***hacer***.

Esta perspectiva que organiza la vida de todas las comunidades se evidencia en cada una de ellas de manera particular y precisa. Las plantas, los bosques, los ríos, la selva o el desierto, la presencia o ausencia de insectos, aves, viento, sol, lluvia, el aroma o el sabor que brota de la tierra, que trae o lleva el viento, la textura de los follajes o de las piedras; en fin, la Tierra toda nos habla con el **Ariiyuu** que emerge desde su corazón para brotar por todos los poros de su cuerpo y, de esa forma, compartirlo con todos nosotros: las comunidades que sobre su superficie estamos para vivir y hacerla vivir.

Sin embargo, para el ***cortar/compartir*** sólo la comunidad humana necesita crear ciertas mediaciones técnicas, tecnológicas, instrumentos y herramientas que hagan posible el *cortar/compartir* **Ariiyuu** en balance con las otras comunidades con quienes nos relacionamos; así, tales mediaciones han de crearse no sólo para garantizar la producción y reproducción de nuestras vidas sino la de aquellos con quienes nos cortamos/compartimos y, sobre todo, para el sostenimiento del ***hacer del mundo*** en su caminar.

Frente al poder de la tecno-ciencia occidental, de seguro lo que decimos puede sonar a pensamiento "atrasado" y "tonto" pues, desde su **Eiirare**, orientado hacia la acumulación y que, con su tecnología busca lograr creando poderosas maquinarias como expresión de la centralidad de su poder por encima de las otras comunidades y, sobre todo, de su capacidad para dominar el tiempo de la Tierra. Así, han sido capaces de crear tecnologías que pueden hacer desaparecer montañas en sólo días, desviar y desaparecer ríos, convertir selvas en desiertos, cambiar los horarios y rehacer los calendarios pretendiendo, tecnológicamente, despojar a la Tierra de su ***hacer el tiempo***. Para los añuu, este **hacer** occidental no es más que *caminar en contra de como camina el mundo*.

Por el contrario, la Tierra y todas las formas de vida sobre ella, claramente nos enseñan la necesidad de mantener relaciones compartidas entre comunidades, las que cada una aprende a ejercer justo en los lugares/tiempo que la Tierra crea en su caminar. Por lo que, no hay sujetos individuales en el mundo. Cada sujeto es parte de una comunidad y toda comunidad se corta/comparte con otras diferentes haciendo

posible la producción y reproducción de la vida de todas ellas sobre la Tierra.

Pero, todo esto, los añuu lo explican contando la historia de lo que les enseñó el árbol del manglar. Porque en ese tiempo los añuu estaban sobre las aguas y no tenían tierra. Entonces, la Luna les envió, flotando sobre las aguas, la semilla del árbol del mangle. El **Apañakai** o hijo mayor, la recogió y la lanzó sobre las orillas y la semilla se clavó justo en la tierra de la playa y, en tres días y tres noches, creció un inmenso árbol con una gigante melena como follaje, y sus raíces salían de las aguas como grandes manos que comenzaron a guardar en su interior el sedimento que traía el río y, así, el árbol hizo tierra.

Entonces llegó el **Keiwi** (*caimán*) y pidió permiso al árbol para guarecerse en su pantano y el mangle aceptó. Luego llegaron los **Karawiwa** (Chigüire - Capibara), las **Walua** (Babillas), las **Morena** (Garzas), los **Aroona** (patos salvajes), los cangrejos y camarones, muchos peces, zorros mapaches y otros animales y, a todos, aceptó el Manglar para compartir la selva de tierra que con sus manos había construido sobre las aguas. Por último, los añuu hicieron lo mismo, pidieron permiso al árbol para cortar algunos de sus ramos y, con ellos, hacer la casa en la que habitan desde entonces y, en la selva del manglar, ***cortan/comparten*** alimento con las comunidades de animales que la habitan.

2 Part: Hacer del mundo hacer de la comunidad humana

2.1. Lugares-tiempo y creación de la vida

Creemos haber dicho con anterioridad que todo, absolutamente todo lo que emerge para estar en el mundo es en virtud de un hacer que le es correspondiente como parte integrante de la comunidad a la que pertenece, sea ésta animal, vegetal, de insectos, las aguas del mar, lagos y ríos, las montañas, selvas o desiertos, aún aquellos que no vemos como el viento, los microbios, virus y bacterias, y por supuesto, la comunidad humana.

Sin embargo, el hacer de todo aquello que en el mundo está, depende del hacer del mundo (la Tierra) ya que es ella quien, en su caminar, va desplegando su **Ariiyuu** que como incontenible rizoma, emerge constante en su giro desde su corazón y fluye e irradia por todos los poros de su piel para así impregnar con su energía vital a todo aquello que sobre su superficie vive. Así, el **Ariiyuu** de la Tierra se manifiesta en su exterior como ***tiempo para el hacer*** o, ***el no-hacer***, de las comunidades que lo habitan y, a su vez, el ***hacer*** de las comunidades se expresa y/o se materializa, como un ***cortar/compartir*** complementario de **Ariiyuuñü** entre comunidades, para la vida de ellas, entre ellas, y de ellas para con la vida del Mundo. De tal manera, que es ***hacer el Tiempo el hacer del Mundo*** (la Tierra), y es esa la forma que ella se corta/comparte con todos durante su poderosamente eterno caminar. Es justo en su caminar por el espacio del **Ariiyuu** del universo que ella va configurando y creando diferentes ***Lugares/Tiempo*** como contextos únicos para el ***cortar/compartir*** de sus habitantes.

Llegar a comprender, conocer y reconocer todos aquellos *Lugares/Tiempo* generados por el caminar del mundo dentro de un espacio territorial se convierte, así, en principalísima tarea de las comunidades humanas. Para ello, necesariamente requieren crear en la experiencia, formas de ***corazonar*** con el conjunto de comunidades no humanas y la tierra misma que, en tales *Lugares/Tiempo* igual se hacen presentes para el común ejercicio del ***cortar/compartir***. Este proceso de conocer y reconocer todos los *Lugares/Tiempo* del territorio desde su ***corazonar*** es, para nuestros pueblos, el resultado de un permanente diálogo con el mundo que hace posible, entre otras cosas, la organización y periodización de todas las actividades, así como sus respectivos desplazamientos. Pero, por sobre todo, el proceso es guided por la emparejada relación en el ***cortar/compartir de la complementariedad***.

Para explicar lo dicho, pondremos como ejemplo dos casos. En primer lugar, el de los wayuu, habitantes de la semi-desértica región de la península de La Guajira a ambos lados de la frontera colombo-venezolana, quienes, habían logrado mantener por milenios y, hasta muy recientemente, una economía autónoma basada en cultivos periódicos de yuca, maíz, calabaza, algodón, sandía, frijol, entre otros; esto, en una geografía caracterizada por suelos escasos, altas temperaturas y poca pluviosidad. Sin embargo, bien que aprendieron los wayuu que su territorio forma parte del sistema de la cuenca del Lago de Maracaibo, creada por la cordillera de los Andes en su ingreso a territorio venezolano pues, ella se divide en dos ramales: el que da continuidad a la cordillera misma, con grandes alturas y lugares de nieve permanente y, el de la llamada Sierra de Perijá, con alturas de más de 3 mil metros y constantemente acometida por los vientos alisios provenientes del cálido mar Caribe, lo que la transforma en selva calurosa, lluviosa y tropical.

Así, sobre la hoya del Lago y todas las tierras de sus alrededores, las lluvias circulaban en un periódico viaje de **Juyákai** (*El Lluvia*), quien, de forma precisa igual llegaba a mojar las sedientas tierras de sus hijos, los wayuu; de tal manera que un exacto calendario para la siembra, creación y mantenimiento de embalses (jagüeyes y kasimbas) para almacenar las aguas, así como rituales y celebraciones, formaban parte del convivir Wayuu con su espacio territorial.

En todo caso se sabía que, en la luna de enero, siempre llegaba **Juyá** con su lluvia que los wayuu llaman **Pat'najanaikai** (*La lluvia del sembrador*), tiempo para el **Aya'tawa** (*trabajar la tierra y sembrar*). Luego, las lunas de marzo y abril traían consigo las lluvias de **Iiwakar** (*la primavera*), que fortalecían los cultivos de yuca, maíz y frijol, algunos de ellos ya casi en condiciones de cosecharse. Las lunas de mayo a junio daban entrada libre a la fuerza del sol y las temperaturas se elevan; por eso, chillan con fuerza los **alcaravanes** llamando con sus gritos a Juyá y, por eso, generalmente aparecían unas breves lluvias llamadas de **Karaisii** (*las lluvias de Karai*), las que permitían refrescar las tierras y reabastecer los embalses.

Aún, durante las lunas de agosto pueden aparecer fuertes tormentas alimentadas por las aguas y los vientos del Caribe. Son las tormentas **Irrualaka** las que, para los wayuu, no son buena señal pues, no sólo interrumpen las cosechas sino que indican que Juyá ha percibido la presencia de su enemigo **Yolujá**, quien, con su ambición, codicia y mal camino, ronda a su pueblo; por eso, Juyá se presenta como **Ounmala** (*Tormenta huracanada*) acompañado de **Kayarajain** (*Tormenta eléctrica*) que, con sus truenos y centellas, dispara a todo aquello donde el **Yolujá** suele ocultarse: árboles, piedras, animales y gentes.

Finalmente, durante las lunas de octubre, **Juyá** regresaba como cuando el tiempo del principio; entonces, se presentaba como **Saa'iñamma** (*espíritu puro sobre la tierra*), es decir, como el verdadero ***Lluvia***. Dicen los abuelos que, por eso, todos se preparaban para convivir y celebrar el tiempo en el que los wayuu nacieron al mundo, justo de la unión de **Mmá**, la madre tierra, y **Juyákai**, El Lluvia. Entonces, se hacía la gran fiesta de **Siimirriü**.

Así, el mundo (la *Tierra*) en su caminar ***hace*** el tiempo; en este mismo sentido, todo lo presente en el espacio de la cuenca ejerce su propio ***hacer***, de tal manera que el viento (**Joutei**), la selva (**Weimeikar**) de la Sierra, las montañas frías de la cordillera andina (**Jamira Uuchi**) y el espejo del lago (**Karoorare**), cada una con su propio **hacer**, convocan el viaje de la lluvia alrededor de la hoya de la que, las tierras secas de los wayuu también forman parte. Es así cómo conocer y reconocer la ruta y señales del viaje de Juyá alrededor de la cuenca, es lo que había permitido al pueblo wayuu habitar por más de 4 mil años las semidesérticas tierras de la Guajira, criando vida vegetal en sus huertos, administrando con

sabiduría hasta la última gota de agua dejada en sus tierras durante su viaje por el gran padre **Juyá**.

Por su parte, en la espesa selva amazónica en la que los árboles se juntan para disputarse los rayos del sol, el pueblo **yanomami** hace miles de años que construyen sus grandes y elípticas casas colectivas en las que pueden alojarse hasta unas veinte familias; cada una de ellas tiene su propio lugar de siembra, por lo que debe hacer su roza que puede llegar a tener el tamaño de un campo de fútbol. En ellos, siembran plátano, palma de durazno, yuca amarga (mandioca) y otros tubérculos. Al tiempo que un conuco está en plena producción, ya las familias se han desplazado a comenzar a crear uno nuevo en otro lugar pues, cada roza tiene un tiempo de producción de hasta unos tres años, luego de lo cual, es abandonada y la selva la vuelve a tomar, cubriéndola con su vegetación.

Esto debe ser así pues, para que las tierras amazónicas mantengan su comprobada fertilidad, no pueden ser resembradas de inmediato, así como tampoco una alta concentración poblacional sedentaria o permanente. Allí, la tierra exige un tiempo de reposición que los **yanomami** le otorgan con su propio desplazamiento. Así, sabe el pueblo **yanomami** que debe crear los lugares/tiempo de habitación y producción en acuerdo con la necesidad de la tierra de reponer los mismos lugares en su propio tiempo de energía vital en la Amazonía; de allí que, la vida para los **yanomami** no se trata sólo de suplir sus necesidades materiales de alimentación cultivando la tierra, cazando en la selva o pescando en sus ríos, sino, permitir a la tierra y a la selva reponer su **Ariiyuu** para la continuidad del ***cortar/compartir*** con todas las comunidades que la habitan.

Como vemos, ambos pueblos distanciados en tiempo y lugar, diferenciados culturalmente en la geografía que han territorializado, ya en el desierto o en la selva amazónica, han alcanzado la misma conciencia acerca de un fundamental principio de la vida, cual es: todo lo que está presente en el universo y el mundo se presenta incompleto; por ello, por principio todo se conforma como comunidad en el cortar/compartir, ya entre miembros de una misma especie, o entre especies diferentes, de tal forma que la incompletud que nos conforma sólo logramos superarla en los lugares/tiempo de la complementariedad.

2.2. ¿Qué investigar, qué aprender para la vida?

Hemos estado insistiendo en dos palabras que, desde el **Eiirare** añuu, son fundamentales a nuestro sentipensar en su definición de la vida, ellas son: **estar** (-**ou**-) y ***hacer*** (**Eiña**); puesto que ambas están intrínsecamente unidas a todo sujeto o comunidad de sujetos como expresiva manifestación de su existencia material y simbólica en el mundo. En este sentido, el término -ou- ha sido cargado con una triple implicación significativa que indiscutiblemente, está relacionada al espacio sobre el que, a partir de nuestro hacer, hemos erigido territorialmente nuestra cultura; de este modo, -ou- corresponde, en primer lugar, a emerger y, al mismo tiempo, a estar sobre una superficie, en el caso añuu: sobre las aguas; de hecho, la auto-denominación añuu proviene de **Ayoun** que significa: los que emergen, los que están presentes. Finalmente, -ou- lleva implícito su vinculación espacial al "agujero" donde el emerger ocurre.

Enfatizamos la inseparable relación entre Lengua-Cosmovivencia-Territorio en el proceso de conformación de las culturas. Sin embargo, tal relación se materializa constantemente mediante un **hacer** que no sólo territorializa a la comunidad humana en el espacio sino que expresa la especificidad de su ejercicio territorial que así, instituye una cosmovivencia que siempre estará en correspondencia con la cosmovisión que guía, configura y conforma su **hacer** como comunidad. De tal manera, que toda comunidad (humana y no humana) busca estabilizar su estar en un espacio territorial ***o Lugar/Tiempo*** determinado, mediante la ejecución de un **hacer** o **haceres** necesarios y posibles para la construcción, en primera instancia, de su **habitar**.

Pongamos por caso, que un grupo de murciélagos en su vuelo de retorno a su **habitar**, ha dejado caer las semillas de una determinada planta en un lugar donde esta especie no existía. Para que esta especie de planta pueda establecer su **habitar** en el lugar, su **hacer**, de cierto va a depender de las condiciones del suelo, el sistema de lluvias y humedad, las radiaciones solares, así como también, de la presencia de otras especies de plantas, insectos y animales susceptibles a *cortar/compartir* (**Ookoto**) con ellas y por cuya complementariedad la especie de plantas en cuestión, pueden llegar a estabilizar su existencia en el espacio o Lugar/Tiempo donde han emergido por primera vez.

Así pues, para la nueva especie de planta, la construcción de su **habitar** y su estabilidad en el lugar, sólo se hará posible en el contexto de la estabilidad del habitar en el **hacer (Eiña)** de todas las otras especies (plantas, insectos, animales y aún, de las comunidades humanas) presentes en el **Lugar/Tiempo** ya que, con todas ellas se ha de cortar/compartir (**Ookoto**). Para ello, de ser necesario, se transformará en su propio **hacer**, de allí que sea posible, que en este nuevo emerger la especie de que se trate puede que termine por aparecer como una variedad o, diferente de la comunidad que le dio origen, pero a la que ciertamente, nunca dejará de pertenecer.

A esta capacidad transformadora de la vida mediante un **hacer** para la vida, por demás presente en todos los organismos, sujetos y comunidades, es a lo que el científico chileno Humberto Maturana llamó ***autopoiesis***, asumiendo así, la acepción de hacer que el término griego **poiesis** posee en su significación. En este sentido, podemos decir que todo grupo humano se territorializa en la medida en que aprende a conocer y reconocer el **hacer** de todas las otras comunidades presentes en el espacio, al tiempo que concibe y ejerce su propio **hacer** en correspondencia con ***el hacer del mundo***. Es por esta vía que logra transformar un espacio geográfico como su lugar en el mundo; esto es, como su **habitar**.

Así, construir y sostener el habitar, representa un problema fundamental para la producción y reproducción de la vida de una comunidad dada (humana o no humana), ya que éste es conformado como una totalidad sujeta a cambios, los que pueden ser constantes como los generados por el hacer de la tierra en su caminar; pero también imprevistos, en tanto pueden ser provocados por la presencia del hacer de nuevos sujetos en el entorno. De tal forma que la construcción del habitar no se trata de la mera elección de un lugar para vivir sino que, éste resulta de la experiencia de conocer y reconocer la espacialidad geográfica en todos los elementos que la componen: flujo de fuentes de energía y agua; condiciones topográficas y su posible transformación para un seguro establecimiento del grupo y, sobre todo, la proximidad a espacios de producción de alimentos así como acceso a materiales y demás elementos necesarios para la construcción de las habitaciones por la comunidad.

Este último aspecto: la casa, va a requerir de otras definiciones y prácticas que la comunidad realiza guiada estrictamente por el **Eiirare** de su cosmovisión; es por ello que la casa indígena llega a ser diseñada y construida como imagen y estructura que materializa la cosmovisión del grupo, en tanto espacio para el cotidiano ejercicio de la cosmovisión en su cosmovivencia, sea que se trate de casas unifamiliares, multifamiliares o colectivas; pero también, mediante su disposición e incorporación en la espacialidad total del habitar de la comunidad.

Finalmente, el contexto de construcción del habitar implica además, el esfuerzo en diseñar y crear todas aquellas mediaciones técnicas, tecnológicas e instrumentales necesarias al efecto. Éstas, de igual manera, responden al **Eiirare** de la cultura en tanto constituyen elementos que deben hacer posible un cortar/compartir emparejado

entre la comunidad humana, las otras comunidades y el mundo. Siendo todo así, es posible decir que para nuestro sentipensar indígena, la vida debe ser entendida como la permanente y constante relación de todo lo presente bajo el criterio de un cortar/compartir cuidadamente discreto en función de mantener en balance el **Ariiyuu** del mundo.

Es bajo este mismo criterio de la vida como las permanentes relaciones discretas entre comunidades diferentes sobre el que igualmente, los pueblos indígenas sustentan su proceso de producción y creación del **comer**, segundo hacer fundamental para la vida. Por ello, la necesidad de producir u obtener los alimentos no puede tratarse de un desgarre inapropiado de las otras comunidades en beneficio de la comunidad humana sino que, debe entenderse, que nuestra necesidad de las otras comunidades (plantas, hierbas, hongos, insectos o animales) como alimento, implica al mismo tiempo, la precisión de nuestro respeto a la autonomía de producción y reproducción de sus vidas en sus territorios. Así, dos aspectos resultan fundamentales en el proceso de conocer indígena durante la producción u obtención de los alimentos, así como en la creación del arte de su procesamiento. Ellos son, el primero:

El hacer de todas las comunidades está relacionalmente unido por el hacer el tiempo del mundo en su caminar. Esto quiere decir, que no es posible para una comunidad determinada ejercer su hacer fuera de tiempo o, ajeno al lugar que el mundo carga de tiempo en su caminar. Así, una semilla sólo podrá ser sembrada en el lugar/tiempo creado por el hacer del mundo. Una pieza sólo podrá ser cazada en el lugar/tiempo en el que su desprendimiento no afecta al grupo y, por tanto, corresponde a su entrega en el cortar-compartir.

El segundo es, que la producción u obtención del alimento para hacer el comer de la comunidad no es estático, pues implica el desplazamiento del grupo en estricto seguimiento del hacer del mundo. Porque todavía la Tierra requiere recuperar su propio **Ariiyuu** en el lugar, las comunidades saben que no es posible sembrar inmediatamente en suelos apenas cosechados, o capturar especies en tiempos de su reproducción o cuidado de sus crías. Asimismo, tampoco es conveniente saturar poblacionalmente el **habitar** pues, esto implica la sobre-exposición del **Ariiyuu** del lugar; es por ello que aún la comunidad humana debe cortarse a sí misma y desplazarse dentro del perímetro de su espacio territorial.

Esto último nos lleva a cuestionar la idea de nomadismo con la que se ha estigmatizado a muchos de nuestros pueblos y que ha permitido, ya en tiempos de la colonia o de la actual colonialidad, justificar el despojo territorial ya que, se entiende y hasta se nos enseña en la escuela, que el sedentarismo es igual a civilización mientras que el "nomadismo" de los pueblos es muestra de su "incivilidad". Esta idea, ha penetrado hondo incluso, en nuestro propio espíritu.

Así, el sistema de vida creado por los pueblos, orientado a sostener la vida de todos en virtud del balance del **Ariiyuu** del la Tierra y de todo lo presente sobre su superficie, requiere seguir su caminar; por el contrario, la sedentaria y cada vez mayor concentración poblacional de las ciudades, implica una especie de paralización del caminar del mundo, esto, como resultado de la vana creencia occidental de haber logrado apropiarse del tiempo, que es el intransferible ***hacer del mundo***.

Entonces, se dedican a alterar los lugares/tiempo con su ciencia y tecnología, drogando a la tierra con sus químicos, confundiendo la vida de los animales criados en masa, convirtiendo el fundamental hacer humano de producir y crear sus alimentos en sistema de acumulación de dinero y así, invocan el espíritu del hambre que jamás desaparece, porque hambre y dinero son dos espíritus **Yolujá** gemelos que siempre han acompañado el caminar del hombre blanco.

Por eso, a pesar de que bien saben el desastre que provocan con su caminar en contra del caminar del mundo, el **Yolujá** del dinero les anima a insistir en tratar de dominar lo que él mismo sabe que es indoblegable: el **Ariiyuu** de la Tierra que, incesante, brota de su corazón. No alcanzan a entender que la vida se trata de nuestro **hacer** del ***cortar/compartir*** en el contexto de los lugares/tiempo que el mundo crea en su caminar, y que sólo sobre este **hacer** es que vale la pena desplegar todo nuestro esfuerzo investigativo, de aprendizaje y creativo en función de nuestra vida y la de todos, la del mundo incluida. el contexto de los lugares/tiempo que el mundo crea en su caminar, y que sólo sobre este hacer es que vale la pena desplegar todo nuestro esfuerzo investigativo, de aprendizaje y creativo en función de nuestra vida y la de todos, la del mundo incluida.

Pero, como he dicho, el **Yolujá** del blanco igual ha penetrado en nosotros, y lo digo por mi propia experiencia. Para que me entiendan, les cuento algo que he contado otras veces:

Ese día, llegué a la comunidad barí de **Bagkábarí** ("*Aldea de los Niños*"), en la Sierra de Perijá, para una reunión sobre educación. Las asambleas entre los barí más bien parecen una fiesta que otra cosa, porque todos asisten: mujeres, hombres, abuelos, abuelas y todos los niños de la aldea se agolpan en el lugar destinado al efecto. Pero, ese día, un inesperado invitado se presentó junto a los niños: era un enorme cochino salvaje (**báquiro**) que se sentó junto a los muy felices niños de la comunidad.

No sólo me pareció extraño el hecho de que ese báquiro estuviera allí solito, dado que ese tipo de animal es profundamente gregario y siempre anda en manadas de por lo menos cinco ejemplares por banda, sino que me pareció extraño el hecho de que estuviera allí, dejándose rascar la panza de los niños que no paraban de reír jugando con el animal.

Entonces, como si un **Yolujá** hablara por mí, dije a **Ashibatri, Ñatubay** de la comunidad:

– Antonio, ¿por qué no aprovechamos que el báquiro está mansito? Lo atrapamos, lo encerramos e iniciamos una cría de esos animales para la comunidad.

Ashibatri, pareció descubrir al **Yolujá** que por mí hablaba, porque con mirada extrañada me respondió tajante:

– ¡No, eso no se puede hacer!
– Pero, ¿por qué? –insistí– ¿No ves que está mansito?
Muy serio Antonio Ashibatri me dijo:
– No se puede hacer porque él está aquí de visita igual que tú, ¿te gustaría que te atrapáramos ahora, te encerráramos y comenzáramos una cría de José Quintero?

Sin embargo, el **Yolujá** en mí, quiso todavía complicar a Ashibatri diciéndole:

– Pero ustedes cazan báquiro, si a este que está aquí lo encuentran en el monte, ¿acaso no lo cazan?

Ya condescendiente conmigo, Antonio Ashibatri me dijo finalmente:

– Si está en el monte y es su tiempo, seguro que lo cazamos, pero aquí él está contento de visitarnos y nosotros de que nos visite.

3 Part: Lo que nos mantiene en balance: el giro de nuestro Ariiyuu

3.1. Concepción de salud y enfermedad

De acuerdo al sentipensar añuu, para mantener una vida plena en salud o alejar la enfermedad de nuestros cuerpos y de la comunidad, una condición con doble implicación resulta ser fundamental, ella es: mantener en balance el **Ariiyuu**. Decimos que se trata de una condición de doble implicación pues, por un lado, se trata del balance del **Ariiyuu** de nuestro propio cuerpo lo que, a su vez, está vinculado igualmente a

dos factores; por una parte, al estado material de una buena alimentación y, por el otro, a la situación espiritual de los sujetos, la que efectivamente implica sus relaciones con los otros, y que nos exigen tener **Ke'inchi**, esto es, *tener presente el corazón* en todas y cada una de nuestras acciones.

La otra implicación tiene que ver con el hecho de que todo nuestro hacer como comunidad humana, ha de ser concebido y ejercido en virtud y en función de nuestra contribución a mantener el balance del **Ariiyuu** del mundo. Porque, en efecto, la tierra en su suelo, los ríos, los árboles, la selva o la montaña, las plantas, animales y demás comunidades visibles e invisibles presentes en el mundo, no están "puestos" allí sólo para nuestro uso o beneficio, como si una especie privileged fuéramos, sino que ellas igual que la comunidad humana, se conforman territorialmente en el mismo contexto del caminar del mundo (la Tierra) y, por tanto, el cortar/compartir que a ellas nos une en la complementariedad, nos obliga a mantener una discreta relación en el permanente respeto de sus territorios y el hacer de sus territorialidades.

En este sentido, podemos decir que desde el sentipensar indígena la salud, nuestra salud, no es sólo una condición de bienestar individual de nuestro cuerpo, sino que nuestra salud depende de nuestras relaciones ecológicas con el espacio territorial y las comunidades que lo habitan, por así decirlo. Dicho de otra manera, relaciones ecológicas y relaciones sociales en balance constituye en buena parte, lo que hace posible mantener una condición saludable a los pueblos. Porque, a fin de cuentas, somos sujetos territoriales en tanto que, al territorializar un espacio igual nuestro cuerpo se territorializa, es decir, se convierte en territorio o, por mejor decir, nuestros cuerpos se hacen parte del territorio tal como las plantas, los animales y demás comunidades presentes en el mismo, al tiempo que constituyen el territorio de nuestro **Ariiyuu** cuya energía vital debemos permanentemente sostener en balance con la energía vital de las otras comunidades y del mundo, en todos aquellos *Lugares/Tiempo* del territorio comunitario.

De allí que, nuestra salud como sujetos pertenecientes a la comunidad humana no sólo depende, tal como suelen decir los anuncios de venta de productos "naturistas", de nuestra individual disposición a "comer" y a "estar sanos" (deseo inalcanzable para la gran mayoría) sino que, en lo fundamental, ello depende de nuestras relaciones sociales como comunidad pero también y, sobre todo, de nuestras relaciones ecológicas con el espacio territorial que habitamos. Queremos decir, que la manera como tratamos al mundo (la Tierra) y a las otras comunidades expresa sin lugar a dudas, la manera en que nos tratamos nosotros a lo interno de nuestra comunidad humana como especie.

Para explicar mejor hacia donde queremos dirigir nuestra palabra, digámoslo de otra forma. Cuando a través de su estructura institucional (sistema de salud pública, de educación, etc.), la sociedad occidental-capitalista y de la colonialidad nos habla de "salud" lo hace; en primer lugar, porque al parecer de su **Eiirare** ella como sociedad ha logrado dominar y hacer suyo el hacer del mundo: el Tiempo; por tanto, la idea de "salud" que nos propone resulta equivalente a la posible "eternidad" de nuestro cuerpo lo que, por supuesto, sólo pueden alcanzar aquellos "exitosos" con la capacidad económica para "comprarla".

De lo anterior se desprende, en segundo lugar, que aquellos con capacidad económica tienen la posibilidad de "estar sanos" por bien alimentados y así, "exiliar" de sí mismos a la enfermedad y, hay quienes están convencidos que también espantan a nuestra compañera: la Muerte. Por ello, "alcanzar el éxito" (equivalente a tener dinero) se nos plantea, entre otras cosas, como vía para adquirir la condición de una "eterna salud" personal. De esta manera, la "salud" y su hermanada: la "sanación", dejan de formar parte del hacer del conocer de las comunidades en sus territorios y son convertidos en objetos comercializables, adquiribles sólo por mediación del "dinero".

Lo que pretendemos establecer es el hecho de que la producción del comer, que incluye la producción y preparación de los alimentos que así conforman un modelo de consumo en el que se estabiliza la cultura; pero igualmente, el conocimiento y producción de todo lo necesario para la atención de afectaciones a la salud, esto es, el sanar; ambos son de principio, territoriales, ya que se trata del hacer en el proceso de conocer y ejercicio territorial del grupo, y como expresión de su territorialidad.

En este sentido, conocer y reconocer todo aquello presente en el territorio, ya de origen vegetal, animal o mineral, así como su distinción, clasificación taxonomía e implicaciones terapéuticas sobre afectaciones a la salud, corresponde al hacer propio del sanar que toda cultura genera en su contexto territorial puesto que originalmente, los daños a la salud están relacionadas con comunidades o condiciones presentes en el territorio; pero también, con otras capaces de neutralizar sus efectos negativos sobre la comunidad humana.

Por otro lado, este conocimiento generado en la experiencia y convivencia territorial, va conformando (por **autopoiesis**) en el cuerpo-territorio de la comunidad humana, una territorial inmunidad hacia tales causantes y sus afectaciones lo que, además, la comunidad combina con un discreto respeto hacia aquellos lugares que saben, son territorios ocupados por agentes que pueden provocar daños a su salud; pero también, desarrollando formas de prevención en cuyo caso los sujetos llegan a hacerse uno con el lugar cuando efectivamente requieren penetrar en esos espacios.

Por sólo mencionar un ejemplo; los añuu saben que la selva del manglar es territorio de zancudos y otros insectos cuya picada es capaz de provocar fuertes reacciones alérgicas, fiebres y otras consecuencias en los seres humanos; sin embargo, igual se trata del lugar propicio para la cacería de la babilla o el capibara, para que las mujeres recolecten habas o frutos del guanábano o, porque periódicamente igual necesitan cortar brazos de los árboles de mangle para la construcción o mantenimiento de sus casas o, simplemente, para recolectar leña para el hogar.

Entonces, al hacerlo, los hombres ataviados sólo con sus guayucos, untan sobre su rostro y toda su piel, la mezcla de su saliva con la hoja de tabaco mascada al efecto, la que actúa como una poderosa crema repelente que les garantiza no ser atacados por la plaga. Las mujeres, en cambio, riegan sobre rostro, brazos y piernas barro del sedimento del mismo manglar que, al secarse, se transforma en una dura capa protectora contra el ataque de los zancudos y otras plagas.

Sin embargo, bien sabemos que este balance fue definitivamente roto con la presencia de los conquistadores europeos en el continente. Estos, además de sus armas de fuego y acero, trajeron con ellos el poder del vaho de sus propias enfermedades, ante las que los cuerpos de la población aborigen, no contó en su momento con una respuesta inmediata. Es casi seguro, que durante la conquista y primeros tiempos coloniales, murieron más indígenas por enfermedades como la viruela, el sarampión o la sífilis traídas por los europeos, que en las guerras de defensa de sus territorios.

No obstante, el conocimiento acerca de las propiedades de plantas, grasas animales o aceites vegetales y de sus combinaciones, permitió a los pueblos crear respuestas a estas y otras enfermedades territorialmente extranjeras, desde su propio hacer para el sanar. En todo caso, lo que pretendemos afirmar es que a partir de la conquista nuestras enfermedades dejaron de ser parte del territorio y se convirtieron en manifestación de la ruptura de los mismos, a través de la invasión, intervención y despojo como dominio de los blancos.

Así, desde sus inicios, la civilización moderno-occidental capitalista y patriarcal ha hecho corresponder el desarrollo de su tecno-ciencia a su insaciable propósito de acumulación de riqueza, entendida ésta, como "dinero" y "poder". En ese sentido, lo que menos le interesa es mantener en balance relaciones ecológicas discretas y respetuosas con

la naturaleza y el mundo y, por eso, es capaz de violentar el territorio de los **Yolujá** o espíritus que viven en plantas y animales, que ellos llaman virus, o los **Yolujá** que como gases viven debajo de la tierra, quienes, al ser destruidos sus territorios por explotaciones minero-extractivas y otros proyectos "desarrollistas", salen expulsados de sus lugares al aire, y su sola presencia a todos enferma, los blancos incluidos.

A esto se suma la orientación del hacer ciencia en el campo de la biología y la medicina en las que resulta común que sus científicos trabajen extrayendo de sus territorios a sujetos pertenecientes a comunidades **Yolujá** para experimentar con ellos, ya sea con propósitos de utilizarlos como arma en guerras biológicas por sus efectos sobre el organismo humano los que incluso buscan potenciar; pero también, generando los medicamentos antídotos a los mismos, de forma que se trata de una ciencia que interviene el territorio **Yolujá** provocando la enfermedad y, al mismo tiempo, produce el medicamento respuesta garantizando la acumulación capitalista y a los investigadores aspirar al reconocimiento mundial. Algo así, como bomberos incendiarios.

Si a esto sumamos las nuevas enfermedades y pandemias provocadas por la crianza en masivos encierros de cerdos, gallinas y reses como la fiebre porcina, la gripe aviar y la enfermedad de las "vacas locas", al tiempo que se impulsa una implacable deforestación para el establecimiento de monocultivos para el control de la alimentación del mundo, resulta justo que nos preguntemos junto al hermano **Ailton Krenak** cuando él dice: "*¿Qué humanos son esos y qué exclusividad es esa que quieren imprimir en el planeta su propia imagen? ¿Es una pira divina que están experimentando?*"

Porque es un hecho, que tanto la alimentación como el control de las enfermedades, esto es, la producción del comer y del sanar, han sido desterritorializados del hacer de los pueblos, han sido desarraigados del proceso de conocer y de creación de conocimientos que por milenios permitieron a los pueblos conformarse como culturas en sus territorios, no ha significado otra cosa que la instalación colonial del hambre y la enfermedad entre nosotros, y esto que decimos no sólo es con respecto a los pueblos indígenas sino también para las poblaciones campesinas, negras, y de los actuales pobres de las ciudades.

Así, lo que llaman "desarrollo" de la ciencia y la tecnología, con su principal propósito de dominio sobre el tiempo (hacer de la Tierra), ha logrado violentar todos los espacios enfermando a la tierra y, en consecuencia, exponiendo a todas las comunidades, humanas y no humanas, a una permanente enfermedad pues, ha roto el balance del **Ariiyuu** del mundo y el de todas las comunidades de especies que lo habitan. Porque, sobre una tierra enferma toda comunidad tiende a permanecer enferma; de igual manera, toda comunidad desterritorializada es una comunidad sin balance en su **Ariiyuu** y, por tanto, sujeta a una permanente enfermedad. Sin embargo, toda nuestra formación se orienta hacia la continuidad del mismo modelo de desarrollo científico-tecnológico, por lo que otorgamos y ponemos toda nuestra fe a que sea esa misma ciencia y tecnología la que logre las soluciones al hambre y enfermedad producidas por nuestra desterritorialización y desterritorialidad.

Esto me recuerda un cuento que siempre me contaba mi abuela paterna cuando le pedía que me contara alguna historia. Entonces, ella comenzaba a relatar la historia de una vieja que por más de 20 años había sufrido de una úlcera en una pierna que no se le sanaba y, semanalmente, asistía a tratarse con el médico titulado del pueblo, porque ya en ese tiempo nadie iba a buscar sanar donde las yerberas.

Pasado un tiempo, el viejo médico recibió en su casa a su hijo, quien había llegado de la ciudad donde, igual que su padre, se había titulado de médico y había regresado al pueblo a establecer su propio consultorio.

Durante la cena, el hijo contó a su padre cómo había sido su primer día de consultorio en el pueblo, y le relató muy orgulloso:

– Papá, hoy estuvo muy bien mi primer día de consulta. Recibí a una paciente que durante más de 20 años había sufrido de una úlcera en la pierna. La examiné y vi que un pelo, no sé de qué animal, impedía que se sanara, entonces le extraje el pelo y la curé, seguro se va a sanar.

Asombrado, con los ojos bien pelados y dejando de comer, el viejo médico le gritó:

– ¡Muchacho, qué has hecho! ¡De ese pelo de cochino hemos estado viviendo los últimos 20 años!

3.2. Convivir-balance del Ariiyuu

Durante el proceso de territorialización, el cual supone conocer y reconocer todos los *Lugares/Tiempo* del territorio en función de la producción y reproducción de la vida, en el contexto de la búsqueda de solución a problemas materiales y simbólicos de existencia de todo grupo humano, histórica y geográficamente determinado; internamente y en el mismo **hacer**, es que el grupo va creando formas de organización, división social de las tareas de acuerdo a edad, sexo, parentesco y especializaciones que así, van configurando todo un sistema de relaciones del ***hacer de la convivencia*** que se conforma como parte del proceso de ***hacer comunidad*** y como ejercicio de una territorialidad particular a la cultura.

Ahora bien, el diseño de este sistema de relaciones tiene su origen y es orientado por el mismo lugar de ver, sentir y vivir el mundo, esto es, el **Eiirare** o principio ontológico desde donde, todo grupo humano configura su cosmovisión y ejerce su sentipensar; esto por cuanto, todo sistema de relaciones para el convivir se constituye como expresión constante y permanente de una cosmovivencia que, en su cotidianidad, pone de manifiesto el ejercicio concreto, práctico, es decir, en la vida misma, la cosmovisión de la cultura.

En este sentido, las cosmovisiones no son meras configuraciones abstractas sino que, por decirlo de forma visible, constituyen el gran telar sobre el que se materializa el permanente tejido del sentipensar de la comunidad humana que, día a día y no sin conflictos, ellas tejen en su cosmovivencia de acuerdo a un sistema de relaciones que incluye, tanto sus internas relaciones sociales y de poder, como sus relaciones con todos los otros (humanos y no humanos), y ambas, orientadas a mantener un riguroso caminar en celoso seguimiento de su originario Eiirare.

Así, tal como ya hemos mencionado, el Eiirare añuu define su cosmovisión a partir de tres principios fundamentales; a saber: 1) El mundo (la Tierra) y todo lo que sobre ella está, **emerge** (-**Ou**-) para vivir **en** y **por** su ***hacer*** (**Eiña** - *Alentar hogar*); 2) todo lo presente en el mundo está incompleto; y, 3) en virtud de la incompletud de sus vidas, todo lo presente en el mundo está sujeto a su complementariedad con los otros diferentes, a partir de un ***cortar/compartir*** (**Ookoto**) en aquellos *Lugares/Tiempo* del territorio que el ***hacer del mundo*** crea en su caminar.

Siendo así, tanto las relaciones sociales al interior del grupo, como las ecológicas con las comunidades no humanas (plantas, animales, seres visibles e invisibles, etc.), y sobre todo, con aquellas otras comunidades humanas territorial y culturalmente diferentes, son guiadas por esta perspectiva según la cual, dada su incompletud, todos los sujetos y comunidades presentes en el mundo están obligados a vivir en y por la complementariedad, la que sólo es posible mediante el ***hacer*** del *cortar/compartir*. En otras palabras, no existen las comunidades absolutamente autárquicas pues, todos necesitamos de todos en tanto que, todos estamos relacionados con todo en un mundo que eternamente camina y gira por un **Ariiyuu** que así, distribuye entre todos aquellos que sobre él emergen para vivir compartiendo el **Ariiyuu** que el mundo les entrega en su *giro-caminar*, desde su propio hacer del *cortar-compartir*.

Sobre estos principios se va tejiendo un sistema de ***convivir*** (**Anain amo katouwa**), que se conforma a partir del mismo **habitar** que, se irradia en ondas concéntricas cuya expansión está limitada por el respeto al **habitar** de los otros; así, este tejido puede ser definido como un **habitar *en/para*** el ***convivir con los otros, en*** y ***de acuerdo a*** la necesidad del ***cortar/compartir*** para la vida de todos, en tanto que, ésta permite la producción y reproducción de la vida, tanto de la comunidad humana como de las otras comunidades y, por esa vía, la del mundo mismo.

En este sentido, las relaciones sociales y de poder al interior del grupo, están determinadas por la comprensión de que, todo sujeto es en virtud de y está en función de la comunidad a la que pertenece; por tanto, toda acción (positiva o negativa) de un sujeto, involucra en su responsabilidad al conjunto del grupo, dada la insoslayable relacionalidad en y para la vida entre sujeto y comunidad. Dicho de otra manera, para el sentipensar indígena la relacionalidad de la convivencia exilia (aunque sin desaparecerla), la "individualidad" de los sujetos. Así, es posible que determinadas personas sean capaces de desarrollar algunos saberes por los que, ciertamente, suelen llegar a ser socialmente reconocidos; sin embargo, este reconocimiento está relacionado con las implicaciones sociales del saber que tales sujetos desarrollan como especialidad beneficiosa para la comunidad.

Tal es el caso, por ejemplo, de los llamados **Pütchi pü** (***Palabrero***) del pueblo wayuu, quienes, en primera instancia, aprenden a escuchar, lo que les permite desarrollar la cualidad del uso de la palabra, esto es, son aquellos capaces de encontrar la palabra justa para guiar a los otros en el difícil camino hacia el acuerdo en medio de una situación conflictiva. Se trata de las personas que no sólo poseen el dominio de la lengua sino de la relación de ésta con el sentipensar del grupo, sobre todo, en lo que se refiere al **horizonte ético** de la cultura pues, este **horizonte** les orienta en la búsqueda del "arreglo" de aquello que ha perturbado la armonía del **Aseyuu** (**Ariiyuu**), que es el fundamento de toda convivencia. En este sentido, la justicia como cimiento del convivir debe seguir lo que a cada momento el mundo nos enseña en su caminar. El wayuu sabe que, por ejemplo, el mundo produce el calor y la sequía, sin embargo, en justicia, el mundo en su caminar crea los *Lugares/Tiempo* para que **Juyákai** (El lluvia) pueda llegar y, con sus aguas, restituir las condiciones para que las comunidades puedan reproducir sus vidas.

De esta manera, en su ***hacer el tiempo***, el mundo (la Tierra) todo lo ***corta/comparte***; por tanto, todo aquello que en un Lugar/Tiempo el mundo quita, en justicia de su caminar, en ese mismo Lugar/Tiempo lo restituye pues, sabe el mundo que la vida sólo es posible en el permanente balance de su **Ariiyuu** y el de todos los seres que lo habitan. Justo es, entonces, todo aquello que contribuye a mantener el balance del **Ariiyuu** de la comunidad a la que pertenecemos y, al mismo tiempo, todo aquello que nuestra comunidad debe hacer para mantener el balance con el **Ariiyuu** de las otras comunidades con las que debemos *cortarnos/compartirnos* en el espacio territorial que habitamos, porque, esto es lo que finalmente contribuye a mantener el balance del **Ariiyuu** del mundo para la vida de todos.

Siendo así, la vida para nosotros no es otra cosa que: "*Siempre hacer nuestro cortar/compartir para bien convivir con los otros*" (**Joukai weiña wookoto api anain amo katouwa we amo maneñü**), y ésta, podemos decir, es nuestra definición para "justicia" y, por supuesto, para lo que es "justo"; por tanto, para nosotros la vida no es posible sin el hacer de lo justo, esto es, sin justicia en nuestras relaciones entre nosotros y de nosotros con todos los Otros.

Ahora bien, el constante cuidado de lo justo y la justicia, implica que los sujetos deben tomar conciencia de que sus acciones nunca son sólo su responsabilidad, en tanto que, ha sido él o ella quien las ha ejecutado, sino que toda acción de un sujeto siempre involucra en la responsabilidad que las mismas acarrean (para bien o para mal), a la comunidad a la que pertenece y, será toda la comunidad la que ha de restituir el balance del **Ariiyuu**, si es que las acciones de uno de sus miembros ha provocado la alteración del mismo. He allí, uno de los aspectos críticos a un posible convivir en justicia de los pueblos y culturas indígenas con las sociedades nacionales occidentalizadas en todo el continente: la contradicción entre el "derecho" y "libertad individual" de la sociedad no indígena, frente al cortar/compartir que conforma el convivir en justicia, propio del derecho colectivo de las comunidades.

Para Occidente, las ideas de "derecho" y "libertad individual" no pueden ser separadas de la noción de "propiedad" que, en efecto, es privativa de sujetos individuales o de grupos corporativamente individualizados como empresas; en todo caso, la noción de "libertad" es entendida en relación a la posesión y ejercicio de la propiedad; por lo que, siempre será más libre e impone su libertad sobre otros, quien acumula mayor cantidad de propiedad; aquellos que carecen de propiedad, sólo tienen la libertad de vender la fuerza de trabajo de su única propiedad: sus cuerpos.

Para resolver esta profunda contradicción y generar una falsa "convivencia", la cultura occidental cuenta con el aparato supra-sociedad del Estado que, asume para sí el control de la "justicia" y el ejercicio "legal" de la violencia; así, el "convivir" se trata de un "estar" reprimido o siempre sujeto a represión, lo que le convierte en un "no-convivir", sobre todo, para aquellos carentes de propiedad y, por lo mismo, de "libertad"; por supuesto, mucho peor va para las comunidades, pueblos y culturas indígenas colonialmente sometidas.

Sin embargo, bien sabemos los pueblos, que tal "convivir" o "no-convivir", resulta totalmente contrario a lo que el mundo (la Tierra) nos enseña en su caminar. Pues, plantas, animales y demás comunidades no humanas, continuamente nos muestran un convivir en el que la libertad de cada miembro está sujeta al destino de la comunidad a la que pertenece. De tal manera, que ninguna comunidad se sostiene mediante la imposición de castigos a quienes su hacer sin corazón les aparta de la comunidad sino que, desde su **autopoiesis** se esfuerza en restaurar el camino y el caminar de aquel que ha perdido el corazón de su hacer y, por esa vía, restaurar el caminar del **Ariiyuu** de la comunidad con el mundo: tal es el principio de nuestra permanente búsqueda del "***buen convivir***" (**Anain amo katouwa**).

Ahora que, justo es decir, que el tiempo colonial y de la colonialidad transcurrido (y que continúa), y la implantación de su sistema des-civilizatorio que, entre otras cosas, ha naturalizado el hecho de ese "no-convivir" de los Estados-nacionales como si natural fuera, ha llegado a confundir no sólo a aquellos que se consideran como no indígenas, quienes, toman el "no-convivir" en el que "viven" como si en verdad les fuera propio y que, por lo menos, les coloca en una escala superior de aquellos descendientes de pueblos y culturas originarias quienes, a su vez, buscando adaptarse a este "no-convivir", pueden llegar a olvidar la memoria territorial que milenariamente ha forjado su espíritu.

De allí que, no dudamos al decir, que una sociedad empeñada en caminar al contrario de como camina el mundo, que se apropia del hacer el tiempo de la Tierra, y que para ello es capaz de destruir ríos, tierras y territorios, pueblos y memorias, definitivamente, no sólo es una sociedad enferma sino que continuamente enferma a todas aquellas a las que somete; por tanto, cualquier proyecto de transformación social en función de crear otro "convivir" implica, por principio, la creación de conocimientos capaces de provocar un profundo proceso de sanación de todos Nosotros.

Hace cerca de unos treinta años atrás, hablando sobre estas cosas con la abuela Isabelita en la Laguna de Sinamaica, le pregunté sobre qué tendríamos que hacer los añuu para recuperar nuestro **Ariiyuu** y el

de la Tierra. Entonces, no puedo olvidarlo, ella acomodó su vestido de manta y, acercando su rostro al mío, me dijo como en secreto:

– Tenemos que regresar a la que es nuestra responsabilidad; porque, en verdad, los **Ayouna** son culpables de casi todas las cosas malas que ahora vivimos, pero también nosotros somos responsables porque, poco a poco, decidimos abandonar nuestro propio caminar.

Más recientemente, estando en México, envié por escrito casi la misma pregunta para que mis hermanos se la leyeran al abuelo wayuu Rafael Jusayú: ¿qué hacer para acabar con el exilio de **Juyákai** (*El Lluvia*) de las tierras wayuu y así recuperar nuestra vida? La respuesta la recibí en su propia voz mediante una grabación en la que el abuelo me dijo así:

– Sobrino, te digo que hasta no hace mucho no necesitábamos dinero, los **Alijunas** trajeron con ellos al poderoso **Yolujá** de la ambición y la codicia por el dinero y, ese **Yolujá** nos ha enfermado a muchos wayuu. Para que **Juyá** regrese con nosotros a nuestra tierra debemos sacar al **Yolujá** de la ambición y la codicia de nuestros propios cuerpos.sta no hace mucho no necesitábamos dinero, los **Alijunas** trajeron con ellos al poderoso **Yolujá** de la ambición y la codicia por el dinero y, ese **Yolujá** nos ha enfermado a muchos wayuu. Para que Juyá regrese con nosotros a nuestra tierra debemos sacar al **Yolujá** de la ambición y la codicia de nuestros propios cuerpos.

Como vemos, se trata de la urgente necesidad de una **Vuelta al Nosotros**, que no es volver a un pasado que no regresará, sino de una ***Vuelta al espíritu del Nosotros***, a caminar en el **Ariiyuu** de la Tierra, volver como hijos pródigo a casa, sin miedo, pues, la Abuela Tierra siempre recibirá nuestro emerger con el mismo amor y las mismas enseñanzas para producir y reproducir nuestras vidas.

4 Part: Producción de conocimientos y horizonte ético

4.1. Para qué, quién y cómo del conocimiento

Hasta ahora hemos tratado de precisar aquellos términos - conceptos fundamentales que el sentipensar indígena construye durante su proceso de territorialización en tanto que, con ellos orienta su proceso de conocer y, en consecuencia, la creación de los conocimientos necesarios para la producción y reproducción de su vida material y simbólica, al tiempo que define el ejercicio de su territorialidad como cultura. En este sentido, hemos argumentado que estos conceptos se construyen a partir de un originario lugar (ontológico) o perspectiva que todo grupo humano acuerda como lugar de ver, sentir y vivir el mundo y que, en la lengua añuu, definimos como **Eiirare**.

Es así como el **Eiirare añuu** nos permite establecer, que todo **emerge** (**Ou**) sobre la Tierra y, ésta sostiene la vida de todo lo que ***emerge*** mediante el ***cortar/compartir*** (**Ookoto**) de su **Ariiyuu** (*energía vital*) que ella irradia desde su corazón hacia la superficie a través de su ***Hacer*** (**Eiña**) el Tiempo mediante su interminable caminar por el que, La Tierra igual recibe parte del **Ariiyuu** del universo; porque, la Tierra, como todo lo que sobre ella vive, es incompleta y, por tanto, requiere de su complementariedad con los otros diferentes.

Podemos decir entonces, que dada la condición de incompletud de todo lo vivo, la necesidad de complementariedad nos conduce a generar un **hacer** (o haceres) que no sólo nos permite complementarnos con los otros sino que, al mismo tiempo, nos conforma como comunidad en tanto que este ***hacer*** (**Eiña**) ha sido concebido y ejercido como aliento de nuestro hogar en la producción y reproducción de nuestras vidas; también, como aliento al hogar de aquellos otros con quienes nos cortamos/compartimos en el territorio y, finalmente, para alentar a la Tierra como hogar de todas las comunidades que la habitamos.

De esta manera, el diseño y ejercicio de este **hacer** (o haceres) es el resultado de un proceso de conocer que la comunidad humana realiza guiada por su **Eiirare**. Queremos decir, desde la forma de organización, la distribución de tareas y responsabilidades, hasta la creación de mediaciones tecnológicas, instrumentos, técnicas y herramientas, no sólo son creadas en función de la eficacia esperada sino en virtud de la orientación que nuestro **Eiirare** impone al proceso de su instauración. Porque, de lo que se trata es, que tanto los procedimientos organizativos como técnicos y operacionales, así como el uso de mediaciones tecnológicas y herramientas, siempre deben estar en correspondencia y balance con el alentar hogar (**Eiña**) que define nuestro **hacer** como comunidad humana, sin desmedro del hogar de las otras comunidades con quienes nos *cortamos/compartimos* y, por supuesto, del mundo como hogar de todos.

Dicho de otra forma, toda comunidad, pueblo o cultura, requiere **hacer** para existir como tal y, en efecto, todo **hacer** requiere **saber** y, por eso mismo, toda cultura se erige sobre los saberes que construye mediante un proceso de conocer dirigido a resolver problemas materiales y simbólicos de existencia en un espacio territorial determinado. De tal manera que, ante la pregunta: ¿para qué investigar? ¿O para qué conocer? A pesar que la respuesta dada por Bacon en su momento: "crear lo bueno, lo útil y lo bello" en función del bienestar social pareciera obvia, bien que hemos aprendido que el **Eiirare** que guía el camino del conocer moderno-occidental-capitalista sólo ha conducido al bienestar de algunos en detrimento de todas las otras comunidades humanas y no humanas y, por supuesto, en detrimento del bienestar de la Tierra.

Esta fatalidad, que la ciencia moderna-occidental provoca con su ***hacer de conocer*** resulta inevitable para todas las otras comunidades, entre otras cosas, por dos razones que nos parecen fundamentales. La primera tiene que ver con la individuación del proceso de conocer, esto es, concebir el conocer como propio del hacer de un individuo especialmente separado de la naturaleza y el mundo en tanto sujeto que conoce por sobre comunidades humanas o no humanas concebidas como objetos a conocer. Así, el proceso de conocer se torna una constante manifestación del "pienso, luego existo" o "Yo soy" del sujeto conocedor y no de las necesidades materiales o simbólicas para la existencia de las comunidades-objeto.

Por esta vía, aún investigaciones dirigidas a producir soluciones a evidentes problemas de existencia presentes en comunidades humanas y no humanas, se basan en la mirada del sujeto que conoce, quien, por sobre todo, impone de entrada la impronta de sus hipótesis previas y para quien, la mayoría de las veces, las comunidades-objeto sólo representan la fuente de información, la data a cuantificar o medir con sus instrumentos con los que espera argumentar y, a veces, aún a contracorriente de la realidad estudiada, demostrar a toda costa, la verdad de sus proposiciones hipotéticas.

Lo anterior está estrechamente vinculado a la que, para nosotros, constituye la segunda razón de la condición de fatalidad del hacer de la tecno-ciencia moderna-occidental-capitalista sobre las otras comunidades particularmente cuando nos preguntamos: ¿Para quién se investiga? ¿Quién, finalmente, valida los conocimientos y percibe los beneficios por ellos generados? Es posible dar respuesta a ambas interrogantes con dos ejemplos de investigaciones antropológicas en comunidades indígenas ocurridas en Venezuela y Colombia.

La primera, realizada por el antropólogo norteamericano Napoleón Chagnon en los años de 1960 con el pueblo yanomami quienes, para la fecha, habían sido convertidos como la "novedad científica" por ser el más reciente pueblo amazónico "descubierto" por la ciencia y, muchas investigaciones se dirigieron desde entonces a penetrar su vida en todos los sentidos. Chagnon, acompañado de un camarógrafo, se dedicó a filmar la cotidianidad de una comunidad yanomami en territorio venezolano, pero también, abrió paso a otros investigadores del campo de la medicina cuyos experimentos con los yanomami como conejillos de indias, Chagnon y su camarógrafo registraron.

El hecho es que las investigaciones médicas estaban relacionadas con la comprobación de los efectos radioactivos en el cuerpo humano en el caso de una guerra nuclear, así como la reacción yanomami ante el virus de la viruela. Ambos experimentos fueron probados con esta comunidad que, finalmente, desapareció por muerte de la mayoría de sus miembros. El caso motivó la acusación a Chagnon por genocidio; pero lo cierto es que las investigaciones médicas que Chagnon propició, especialmente los experimentos con material radioactivo, habían sido financiadas por el estado norteamericano y permitidas por el estado venezolano.

La segunda es mucho más reciente (2018-2020), se trata del proyecto titulado: "**¿Cómo mejorar la disponibilidad y equidad en el acceso de agua? Recomendaciones para mejorar la gobernanza hídrica en territorios andinos con extracción minera a gran escala**".

Concebido a partir de la hoy muy en boga, metodología co-participativa o para la co-producción de conocimientos, el proyecto indagaba en los testimonios de las comunidades afectadas por la minería, no tanto el alcance y profundidad de los daños a sus territorios (de sobra eso conocen los investigadores), sino particularmente, las respuestas de adaptación y resiliencia de las comunidades frente a los efectos de la minería sobre sus territorios, en el caso wayuu: el aumento de la temperatura, la extensión de la temporada de sequía y la distorsión del calendario de lluvias y, por supuesto, la falta de agua que impide cultivos y profundiza el hambre condenando a la muerte sobre todo, a los niños y niñas wayuu a ambos lados de la frontera colombo-venezolana.

Pero, tal como su título lo expresa, se trataba de precisar la reacción de las comunidades en su adaptación, resiliencia y, muy particularmente, en su organización y lucha de resistencia a la minería; todo ello en función de producir "recomendaciones" (¿al Estado?, ¿a las corporaciones mineras?), que hicieran posible una gobernanza del agua que, en el mejor de los casos, conduzca a la paulatina desaparición de las comunidades del territorio por su definitivo desplazamiento o a ser consumidas en una cada vez más agónica sobrevivencia y, al mismo tiempo, garantizar la continuidad de las explotaciones en un ambiente de "calma política".

Es importante señalar, que en esta investigación financiada entre otros, por la Fundación Ford, participaron investigadores adscritos a universidades públicas y privadas de varios países de Sudamérica, cubriendo buena parte de las poblaciones y comunidades afectadas por la minería en gran escala en cada uno de los países considerados en la muestra. Así, convencidas de que estaban contribuyendo a crear conocimientos que redundarían en la defensa de sus territorios, las mismas comunidades entregaron información vital no sólo de sus conocimientos creados al enfrentar directamente los efectos de la minería, sino acerca de sus formas de organización y sus acciones políticas de lucha y resistencia. Por esta vía, tanto los estados como las corporaciones mineras han podido contar con la suficiente información directa para el diseño de programas de contención ejecutados por las empresas, así como de políticas públicas y de contra-insurgencia aplicados por los estados frente a las luchas de las comunidades afectadas, al mismo tiempo que se garantiza la continuidad de las explotaciones y la reconfiguración en la presentación pública de sus nuevos proyectos.

Como vemos, dos orientaciones en la producción de conocimientos radicalmente diferentes saltan a la vista; el de las comunidades, que obligadas a enfrentar los daños ocasionados a sus territorios por las explotaciones mineras; entre otras, la disminución de sus fuentes de agua, la alteración del clima y el calendario de lluvias, para el caso del territorio wayuu, y el de la ciencia académica occidentalizada, cuyos fundamentales beneficiarios han sido las empresas que por diferentes vías (fundaciones, ONGs, etc.) financian esas investigaciones, y el estado, para la continuidad en la aplicación del modo de producción de acumulación.

Sin embargo, justo es decir que muy probablemente, muchos de estos investigadores académicos estén convencidos de sus contribuciones científicas y, es posible reconocer algunas de ellas; no obstante, el hecho cierto es que al finalizar sus investigaciones, los resultados jamás pasan a control de las comunidades objeto de estudio sino de aquellos que las han financiado y, para ellos como investigadores, el reconocimiento académico e intelectual por las instituciones, lo que para buena parte de los investigadores y científicos constituye una aspiración profesional fundamental: "ser portadores de la verdad". Porque, a fin de cuentas, el **horizonte** hacia el que apunta su **Eiirare** como científicos, es el de alcanzar su "Ser" individual, esto es, la plena manifestación de su "**Yo soy**", por lo que siempre resulta difícil, por no decir que imposible, congeniar el Nosotros comunitario con el "Yo" de los investigadores; para lograrlo, éstos han de abandonar el "Yo" de su **Eiirare** e incorporarse al **Eiirare** del **Nosotros** de la comunidad. Es a esto a lo que se refiere el antropólogo brasileño Viveiros de Castro como la necesidad de un "giro ontológico" en la ciencia moderna-occidental.

Justo es decir, que muchos son los académicos y científicos que demuestran en su **hacer** su disposición al ***giro ontológico*** y, de hecho, han venido asumiendo en sus espacios la responsabilidad de su papel crítico y la búsqueda de transformación de los mismos. Asimismo, es necesario señalar que si para los académicos es importante este giro, para los pueblos es vital una **Vuelta al Nosotros** porque, como quiera que sea, nuestro **Ariiyuu** igual está en desbalance y estamos obligados a sanar para recuperar nuestro espíritu para la vida. Porque del mismo modo, muchos hemos perdido la noción del Nosotros y extraviado nuestro caminar buscando un "Yo" que nos divide y desarticula. Este peligro siempre lo hemos conocido como parte de la tentación con la que el **Yolujá** de la ambición y la codicia nos alienta a romper la comunidad; porque siempre han existido quienes con su inventiva, creatividad y disciplina dedican su esfuerzo en encontrar soluciones en beneficio de todos, por ello adquieren **Kei'ni**, esto es, tienen nombre entre nosotros.

Sin embargo, deben saber que adquirir **Keini** (*tener nombre, reconocimiento*) implica la responsabilidad de mantener el balance con la comunidad y, para ello, constantemente han de aquietar su espíritu y así espantar la tentación de **Yolujá**. A esto le llamamos **Keitita**, que es el fortalecimiento de la humildad de sabernos una mano para todos y, tal como la Tierra alimenta todo con su **Ariiyuu**, todo **Keini** debe drenar su **Ariiyuu** a la comunidad como el ejercicio de **Keitita**, única forma de mantenerse poderosamente humilde y decidido a mantener su caminar justo como camina el mundo.

4.2. Conocimiento y horizonte ético de la comunidad

A estas alturas, es necesario puntualizar lo hasta ahora platicado, lo que haremos mediante algunas proposiciones con las que pretendemos resumir eso que hemos estado considerando como el proceso de Conocer desde el Sentipensar indígena. Así, siguiendo el curso de nuestras conversaciones, arribamos a las siguientes conclusiones:

En primer lugar, es posible decir que: todo grupo o colectividad humana se transforma o se hace a sí misma comunidad, cultura, pueblo o nación, en la medida en que de forma constante es capaz de generar su permanente territorialización en el contexto de un espacio geográfico históricamente determinado.

Unido a lo anterior, debemos decir en segundo lugar, que tal proceso de territorialización está sujeto al proceso de conocer y de conocimientos que el grupo humano necesita crear en torno a los diferentes lugares/tiempo que conforman el espacio territorial en función de dar respuesta a sus necesidades materiales y simbólicas que, efectivamente les constituye como comunidad en ejercicio del

territorio. Es decir, la comunidad existe y persiste en un espacio/tiempo determinado por su conocer y saber territorial, lo que manifiesta como el ejercicio de una territorialidad que siempre les será propia como memoria.

Sin embargo, en tercer lugar, el proceso de conocer sólo se inicia a partir del momento en que la comunidad humana es capaz de consensuar y compartir una perspectiva común de ver, sentir y relacionarse con todo lo presente en el espacio y el mundo, esto es, establecer un **Eiirare** sobre el que levanta y ejerce su **Hacer** de conocer y crear conocimientos para la producción y reproducción de la vida. Este **Eiirare** o *lugar de ver con el espíritu al mundo*, generalmente, el sentipensar de los pueblos lo resume en una imagen que, de un lado, contiene la definición originaria acerca de su comprensión del mundo (Cosmovisión-Sentipensar), y, al mismo tiempo, es imagen generadora de todo un **Hacer** o ***haceres*** que, orientados por tal imagen-visión, la comunidad humana busca materializar y/o reproducir en su cotidiana existencia y vivencia del territorio (Hacer de la cosmovivencia). De tal manera que el ***Hacer de la cosmovivencia***, que incluye el proceso de conocer y la creación de conocimientos, siempre está encaminada hacia la constante reproducción de la cosmovisión o, por mejor decir, en el ***Hacer de la cosmovivencia*** es posible atestiguar la materialización del sentipensar de la comunidad humana que en el mismo se configura y se expresa.

Así, el **Eiirare** constituye el epicentro desde el cual el grupo humano orienta y despliega cada una de sus experiencias en su proceso de conocer y reconocer todos aquellos cambios presentes en los lugares/tiempo correspondientes al ***hacer el tiempo*** del mundo, así como todos los cambios que en su hacer son capaces de expresar las otras comunidades (plantas, animales, insectos, etc.), por lo que, nuestro proceso de conocer se sustenta en nuestro constante diálogo con el mundo, que nos permite diseñar y ejecutar nuestro propio hacer como ***palabra compartida*** (**Ookoto jounükü**) con los otros y con el mundo, al tiempo que el mismo despliegue nos conforma como ***Comunidad de Nosotros***.

De esta manera, el despliegue de nuestro hacer del conocer desde el consensuado **Eiirare** como epicentro, se produce tal como ondas concéntricas que se expanden sinuosas sobre la superficie de aguas tranquilas en un estanque pues, nuestras experiencias deben desplazarse permanentemente por sobre todos los lugares/tiempo del territorio, lo que hace posible el conocerlos en sus posibilidades para forjar y crear las respuestas necesarias a todos aquellos problemas materiales y simbólicos en la producción y reproducción de nuestra existencia. Es con nuestra experiencia de ***hacer en el pensar*** (**Eiña Ayunkaru**), que constantemente aprendemos y aprehendemos el territorio y el mundo en la atención de los problemas de **Habitar, Comer/Alimentar, Sanar** y **Convivir** entre nosotros y con todos los otros.

Y, tal como las ondas en el estanque luego de su máxima expansión en la superficie del agua, ellas retornan al epicentro de donde emergió su despliegue; así, luego de nuestra experiencia de diálogo con el mundo correspondiente a nuestro ***Hacer en el pensar***, volvemos al corazón de nuestro habitar donde, colectivamente, nos disponemos a ***Pensar en el hacer*** (**Ayunka Eiñaru**), que nos permite revisar la experiencia, tamizar los aprendizajes y, sobre todo, conformarlos finalmente en una palabra capaz de florecer en el corazón de todos (**Akasiira nükükarü** - *Palabra que florece*) como conocimiento de la comunidad.

En este sentido, bien podríamos decir que el proceso de conocer desde el sentipensar indígena puede ser simbólicamente descrito como el permanente desplazamiento de la comunidad en su diálogo con el mundo en una onda que va desde su originario **Eiirare**, que define sus relaciones con los otros y el mundo, y se expande sobre todos los lugares/tiempo del territorio en los que la comunidad busca materializar creaciones y respuestas siempre limitadas al horizonte ético que nosótricamente les conforma, cual es: resolver sus problemas de existencia en constante balance con las otras comunidades presentes en el espacio territorial. De tal manera que, en este contexto, toda nueva creación cultural, tanto en sus aspectos organizativos o de participación social en su realización, así como en sus funciones como mediación técnica, tecnológica o instrumental, responde y manifiesta en la práctica esta constante expansión de la onda desde su **Eiirare** sobre el espacio territorial y su retorno al **Eiirare** conceptual presente y sostenido en el habitar de la comunidad. De allí que sea el habitar el lugar propicio para que la comunidad se disponga a realizar su ***Pensar en el hacer***, como expresión de su necesaria vuelta al **Eiirare** que ha guiado su experiencia.

Ahora bien, este ***Pensar en el hacer*** tiene dos fundamentales implicaciones. La primera de ellas, tiene que ver con la revisión de la experiencia para tamizarla en sus acciones y asumir como válidas o propias de la comunidad, sólo aquellas que en su **hacer** expresen su correspondencia con la onda que va del **Eiirare** al **horizonte ético**, lo que es posible determinar mediante la conexión entre la acción humana y/o del agente de la mediación, tanto con el principio del cortar/compartir de su **Eiirare**, como con el fundamento que nos exige ***caminar como camina la Tierra*** (**Wakuwaipa**), en tanto ***horizonte ético*** de la cultura.

Me explico:
No existe forma de organización social para la producción y reproducción de la vida, así como no hay instrumento, herramienta, técnica o tecnología ajena al **Eiirare** de la cultura que los crea; por tanto, en el caso del sentipensar indígena, toda su organización, distribución de las tareas, técnicas, herramientas y tecnologías para poder ser validadas por la comunidad, deben poner de manifiesto su **Eiirare** colectivo según el cual, "***todo vive, todo tiene un hacer***", porque todo lo presente en el mundo forma una comunidad con la que los humanos se deben complementar mediante un cortar/compartir que la Tierra nos enseña y, sólo posible en aquellos lugares/tiempo que ella crea en su ***hacer el tiempo de su caminar***, de tal manera que, no hay tecnología inocente pues, toda tecnología responde al **horizonte ético** al que apunta el **Eiirare** de la cultura que la crea.

Así, la validez y/o validación del conocimiento producido por un sujeto nada tiene que ver con la persona que lo crea por mucho que su **Keini** (*tener renombre, fama*) haya logrado alcanzar en su comunidad o comunidades vecinas, sino por su correspondencia con el **Eiirare** colectivo desde donde ha de ***emerger*** su proceso de creación y, sobre todo, por su correlación con el **horizonte ético** que el grupo ha establecido como margen a su convivir interno y a sus relaciones externas con todos los otros ajenos a la cultura. De tal manera, que una nueva creación o alguna nueva forma de solución a un problem, se ventila, no tanto por su eficacia como por su posible dominio colectivo en tanto que la nueva creación es contextualizada en su potencialidad como soporte a la continuidad de la onda del **Eiirare** y el **horizonte ético** de la cultura. Pero, expliquemos esto mejor con un hecho ocurrido en nuestra comunidad.

Hasta fines de los años 50s la mayoría de los desplazamientos añuu en las aguas del río, el lago de Maracaibo, la laguna de Sinamaica y hasta en las costas del mar en las aguas del Golfo de Venezuela, los grupos de pescadores los realizaban con el impulso del viento mediante el uso de velamen, que bien podían elaborar con telas o también, utilizando ramos frondosos de mangle o cualquier otro árbol y que, colocados en el centro de la embarcación son capaces de atrapar el viento y así impulsar la nave en su desplazamiento. Pero, al final de los 50s y comienzos de los 60s, la abierta vinculación de muchos añuu con la industria petrolera en el lago, les puso en contacto con la tecnología de las bombas hidroneumáticas extractoras de agua, fue así como algunos de ellos

idearon la adaptación de estas bombas invirtiendo su uso, es decir, en vez de succionar agua con aspiración de aire se las ponía a expulsar el aire que hacía girar una propela instalada fuera de la embarcación y, de esta forma, poder impulsar su desplazamiento. El sonido particular de la bomba en funcionamiento dio nombre colectivo a esta invención: "Paqui Paqui", le llamamos.

Efectivamente, el "Paqui Paqui" aparentemente aligeraba el desplazamiento haciendo posible el traslado de las embarcaciones a lugares de larga distancia en menos tiempo. Sin embargo, varios fueron los factores por los que, en ese momento, los pescadores añuu terminaron rechazando el uso del "**Paqui Paqui**". En primer lugar, el hecho de que para poner en funcionamiento la bomba se requería de gasolina como combustible y aceite de dos tiempos como aditivo para mantenerla en operación; ambos elementos ajenos al control comunitario y al que sólo es posible acceder mediante "**Nnerr**" (*dinero*).

En segundo lugar, se trataba de la conversión de una tecnología ya creada, por lo que cualquier proceso de mantenimiento y reparación siempre requiere de componentes de igual ajena fabricación o bajo control externo y sujetos a la posesión de "**Nnerr**", de allí que el invento terminaba siendo un factor generador de dependencia más que liberador. Pero además, cualquier falla del mecanismo en medio de una travesía dejaba a la embarcación a la deriva, lo que de hecho ocurrió en varias ocasiones a diferentes grupos que terminaron siendo rescatados por embarcaciones a vela luego de días de zozobra.

En todo caso, se trataba del proceso de incorporación añuu a la economía del dinero que, entre otras cosas, implicó el progresivo abandono del proceso de crear respuestas desde nuestro propio ***Hacer en el pensar*** y ***Pensar en el hacer***, a nuestros fundamentales problemas de existencia (**Habitar, Comer, Sanar, Convivir**), y este abandono significa, con todo, la consustancial pérdida de nuestra autonomía. Porque, en efecto, pronto llegaron los motores fuera de borda con su gran velocidad y que, adaptados a nuestras embarcaciones camaroneras y cangrejeras, permitían muy rápidos desplazamientos a los sitios de captura. Entonces, todos comenzamos a olvidar al padre de nuestras generaciones: **Jouteikai** (*El Viento*). Sin embargo, estos motores y embarcaciones pertenecían a empresas exportadoras de la pesca en las que, buena parte de los añuu se alistaron para "pescar" por **Nnerr**. Por este camino, pescar dejó de ser: **Wookoti wiin** (*Cortamos-compartimos Aguas*) y pasó a llamarse: **Atarawo** (*Trabajo*), y con él comenzó a desaparecer nuestra dignidad como comunidad humana de las aguas.

Así, todo nuestro proceso de pesca o, dicho en términos académicos, nuestro principal Hacer en el ejercicio de nuestra territorialidad sobre las aguas, pasó a depender de factores ajenos, externos, en los que el pueblo añuu no tiene injerencia y, mucho menos, poder de control; fue así como poco a poco, pretendiendo no darnos cuenta, el **Yolujá** del hambre se instaló entre nosotros y nos azuza constantemente, no a seguir nuestro propio conocer para la vida, sino para producir dinero y así sobrevivir, lo que cada vez resulta más difícil de lograr y por lo que hoy día, de acuerdo a la objetividad de la ciencia antropológica, los añuu nos encontramos a muy pocos pasos de la desaparición definitiva como pueblo.

Por si esto fuera poco, toda la tecno-ciencia occidental capitalista para la extracción de petróleo del lago, destruyó en un poco más de 100 años el lugar en el que nuestro pueblo vivió y dio vida por más de 3 mil años bajo el principio del cortar/compartir como expresión de la palabra que el mundo nos enseñara en nuestro diálogo con él, y nos dotó del **Eiirare** que nos guió siempre hacia el **horizonte ético** que ordenó nuestras vidas: ***Caminar como camina la Tierra*** (**Wakuwaipa**) y nunca en su contra. De tal manera, que todo conocimiento nuevo sólo puede ser validado o puede ser considerado como verdadero, en la medida en que es capaz de contribuir a la reproducción de la vida, no sólo de la comunidad humana, sino de todas las otras comunidades y el mundo.

Finalmente, todo conocimiento nuevo que la comunidad acepta como verdadero lo es, porque, no sólo ha sido posible conocer el dominio de su proceso de creación y por la posibilidad de su ejercicio por todos los miembros de la comunidad, sino porque su creación y ejercicio representa la materialización práctica y discursiva de nuestro diálogo con el mundo y, por tanto, la narrativa que lo sintetiza, expresa y transmite es ***palabra que florece*** (**Akasiira Nükü**), porque ha de crecer como memoria en el corazón de todos; por mejor decir, es enseñanza que se inscribe en el territorio como enseñanza del mundo, que se hace memoria en nuestros cuerpos y nunca desaparecerá, ni siquiera cuando hayamos desaparecido nosotros de la faz de la tierra pues, es mentira que a las palabras se las lleva el viento.

5 Acerca del conocer y del conocimiento desde el sentipensar indígena

5.1. A manera de conclusión

> "Nosotros somos como el manglar, porque comenzamos de a poquito y cuando crecemos, nos vamos haciendo selva con muchas marañas y enredaderas que, vistas de afuera, parece como que no se pudiera caminar; pero en verdad, cuando estáis adentro, te dais cuenta que el corazón del manglar es muy claro como tiene que ser el corazón de nosotros. Pero, hay quienes nunca llegan a conocer realmente cómo es su selva de adentro; por eso, siempre se pierden en el camino. A mí me enseñó mi tío, el hermano de mamá, que si aprendía a caminar la selva de los manglares nunca me perdería en mi camino como gente".

Eso me dijo Santos, el hijo mayor de la abuela Guardina, al regreso de nuestra caminata en uno de los manglares de la Laguna, el día que me llevó para enseñarme a cómo cazar Waluá (babilla).

Fue una madrugada que salimos a navegar a canalete y con luna menguando. Santos había decidido que buscaríamos babillas en un manglar recién formado y que él desconocía. Al preguntarle por qué no ir hasta un manglar que él ya hubiera andado, me respondió que eso le quitaría gracia a su enseñanza pues, la gracia de enseñar estaba en aprender juntos.

Al arribar al borde del manglar elegido, atamos el cayuco en una de las sobresalientes raíces del árbol que Santos dijo era el bueno como nuestra entrada a la oscuridad de esa selva. Él, siempre iba por delante con su viejo chompín (*lámpara de petróleo*) que apenas nos iluminaba. Yo, sólo le seguía portando la **Waketa** (*arpón*) como nuestra única arma para la cacería de babillas. Durante la travesía, Santos se detenía por momentos, tomaba la larga **Waketa** y, con ella, tanteaba el terreno, luego me decía:

> Seguí mis pasos, pisá siempre sobre mis huellas; a este lado no piséis porque ya vi que es tierra movediza y te puede tragar. Ellas son las bocas por donde comen y respiran los manglares.

Entonces, continuaba, esquivando el enjambre de raíces y sin usar nunca el machete para cortar los gruesos ramales de los árboles que, dispuestos en intrincado tejido, se van construyendo como verdaderas islas aquí y allá sobre la extendida hoya que el río Limón forma en su torrente de descenso hacia el gran Lago de Maracaibo.

Luego de un buen rato de caminar en la selva de ese manglar, Santos levantó el chompín para iluminar a lo lejos; entonces, pude ver que un círculo casi despejado de vegetación era clareado por la escasa luna y la débil luz de la lámpara, pero ambas permitían ver al más grande de los árboles en el centro.

> Allí está, ¿la veis? Esa es la madre de esta selva –me dijo–. Fijate, ella siempre está en el centro y a su alrededor crecen sus hijas y se multiplican, entonces el manglar se hace grande, ¡selva pues! Así somos nosotros. Bueno, ya que lo viste, ahora si podemos ir a buscar las babillas que de seguro se han venido a vivir aquí.

Caminamos siguiendo la ruta que los árboles van estableciendo como entramados círculos que se despliegan en ondas desde el centro hacia el límite exterior de la isla que así, termina formando el manglar. A veces, resultaba difícil atravesar por entre la maraña de raíces que sobresalen tejiéndose en la superficie, hasta el punto que no es fácil distinguir a qué árbol realmente pertenecen. Ellas son como manos que atrapan el sedimento y, por ello, entre los árboles es posible encontrar algunos pequeños promontorios de tierra y lodo, pero también, otros lugares más amplios y planos que aparecen como sitios de descanso o, donde Santos se detenía durante la caminata a percibir la totalidad de la selva en sus sonidos, sus aromas, la circulación de la brisa o la magnitud de la plaga.

Sin embargo, antes de pisar, Santos siempre tanteaba con la punta de la **Waketa** y, luego los observaba iluminándolos con el chompín; entonces, podía decir: Aquí no podemos pisar, tenemos que desviarnos, aquí seguro vive un **Maaküri** (*temblador, anguila eléctrica de río*), fijate: no es muy profundo y ahí está clarito el celaje de su cuerpo como de culebra que ella siempre deja marcado en la superficie del barro donde se marguye. ¿Veis el enjambre de mosquitos que vuelan sobre la charca? Se ve que por aquí los **Akoroo** (*sapo de manglar*) han dejado buscar zancudos. Escuchá, ellos están roncando más allá de esta charca, porque saben que aquí está una **Maaküri**; por lo menos, y esa te larga un corrientazo que te manda al carajo y te deja temblando por un tiempo. Así es como ella caza a los sapitos.

Así continuamos hasta llegar muy cerca de un extremo de la isla donde podíamos escuchar el rumor del río, y ver la orilla donde crecía un pajonal de eneas nuevas, entre las que pastaba recelosa una pequeña banda de **Karawiwa** (*capibara, chigüire o piro piro*). Por momentos pensé que Santos intentaría cazar alguno de ellos pero seguimos adelante y, al preguntarle, sólo me respondió que no era tiempo de cazar **Karawiwa** sino **Waluá**: "Ese es nuestro propósito hoy, y no siempre es bueno cambiar de propósito en pleno camino".

Al fin llegamos a un punto en el que la selva de manglar se intricaba muy cerca del final de la isla, en un costado donde era posible observar que el río penetraba hacia el interior formando una especie de poza. Santos paseó la luz del chompín por los alrededores de la poza y, en medio de la oscuridad, iluminados por la lámpara, se hicieron visibles dos pequeños puntos amarillos. Ahí está una, ¿la veis? Esos son sus ojitos. Ahora te toca cargar la lámpara y dame la **Waketa**. Vamos a acercarnos porque estamos lejos y a ellas hay que marcarlas con fuerza y en buen punto porque si no, aún heridas ellas se marguyen en la poza y ya perdiste la cacería.

Al aproximarnos, Santos me pidió que dirigiera la luz de la lámpara hacia el suelo, por detrás de sus pasos. "Que ella sólo pueda ver la luz y no a mí" –me dijo susurrando–. Encontró un buen lugar donde afincar su lance, tomó la **Waketa** y se puso en posición, entonces dijo: "Cuando te diga, la vais a alumbrar completa".

Así pasó. Cuando Santos estuvo listo para lanzar la **Waketa**, dijo con firmeza: ¡Alúmbrala! Levanté el chompín y allí estaba la babilla, quieta, con su mirada fija en la luz de la lámpara que amarillaba sus ojos. No pude ver cómo lanzó Santos el arpón, sólo vi cómo la larga punta de la lanza había penetrado por encima de una de sus patas delanteras. Ella lanzaba coletazos, pero el resto del cuerpo estaba inmovilizado pues, la larga **Waketa** le impedía lanzarse a la poza. Rápido, Santos saltó sobre ella y con el machete le dio un tajo en el cuello con el que casi desprende su cabeza. La cola siguió viva por un rato, hasta que se fue apagando.

Ciertamente, luego de la experiencia, al regresar a casa con la pieza, muchas preguntas le hice a Santos, todas ellas cargadas por la emoción del evento y, sobre todo, por la agitación de saber que en la próxima salida de cacería en el manglar, sería yo quien tendría que lanzar la **Waketa**. Sin embargo, hablando con propiedad, debo decir que mucho tiempo pasó para que yo entendiera y me dedicara a detallar las implicaciones de lo que realmente había sucedido esa madrugada, a pesar de que ya en casa, Santos insistía y me repetía una y otra vez: "Un añuu sólo se mueve en tierra dentro del manglar. Agua, cielo y manglar es nuestro mundo. No te olvidéis de eso".

Así que fue mucho después, que impulsado por la necesidad de mantener viva la memoria de nuestro hacer como gente de agua, cielo y manglar en el terrible contexto de la posible desaparición de nuestro universo, que siempre recapitulo ese día para poder explicar desde nuestro sentipensar, ¿qué es conocer?, ¿qué es un conocimiento verdadero?, y, sobre todo, ¿cómo logramos que este conocer y su conocimiento puedan florecer en el corazón de la comunidad y aún fuera de ella, en el corazón de quienes no nacieron del vientre de nuestro pueblo y que nada saben de las huellas de nuestras abuelas?

Porque es de eso que se trata este tiempo que nos desvive, ya que todos, indígenas y no indígenas, estamos siendo aventados al abismo creado por la forma de conocer y los conocimientos generados en contra del caminar del mundo. Por eso, destacamos que la enseñanza de Santos no sólo estaba destinada a que yo aprendiera a localizar la pieza en su lugar/tiempo y así poder atraparla para nuestro comer sino que, en todo momento, él buscó mostrarme de forma completa la vida de las aguas y de la tierra en la selva del manglar, porque un conocimiento verdadero es aquel necesario para la vida de nuestra comunidad pero también y sobre todo, para la vida de todas las otras comunidades que viven y mismamente comparten con nosotros la selva del manglar y el mundo.

Para Santos era muy importante que yo atestiguara cómo se forma la selva del manglar y que, especialmente lo relacionara con la manera en que la comunidad añuu organiza su habitar en la laguna. En efecto, una semilla de mangle flota en las aguas hasta poder aferrarse a un pequeño promontorio de sedimento cuando el caminar del mundo baja la marea. Allí crece y con sus raíces atrapa más sedimento haciendo tierra en las aguas. Ella entonces se hace madre de muchas semillas que nacen rodeándola al tiempo que crecen y, en onda tras onda de nuevas madres-mangles crece la selva que acoge a muchas comunidades de animales e insectos, plantas y aves, quienes igual comparten con la comunidad humana que asimismo, construye su habitar como ondas de hijas-madres alrededor de una madre principal, una abuela, que siempre será la huella fundadora de la vida familiar y comunitaria sobre las aguas pues, su celaje es imborrable en la memoria.

Así, algo como el ***hacer*** de cazar para comer, para los añuu (pensamos que para todos los pueblos indígenas que la practican), depende de un conocer para la vida, es decir, saber de la permanente relación de todas las vidas presentes en el lugar/tiempo de la cacería. Es este conocimiento el que hace posible no tener que cambiar de propósito en medio del camino pues, exilia el azar ya que todo está relacionado con todo porque todo vive precisamente, por su relación con los otros y, este es principio fundamental que el mundo (La Tierra), se encarga de

enseñarnos día a día en su caminar de hacer el tiempo-espacio para la vida de todos y, es seguro, no existe nada ni nadie con mayor experiencia de vida y sabiduría que la abuela Tierra.

He allí pues, la más trascendental de las implicaciones que nuestro **Eiirare** como pueblos indígenas provee al mundo: definir nuestro estar y hacer como expresión de nuestra existencia como comunidad que necesita compartirse con otras muchas comunidades para la vida; es decir, necesita de un permanente ***Buen Con-Vivir*** (**Anain amo katouwa**) para poder producir y reproducir la vida de todos. Este es el corazón del sentipensar del Nosotros o, como nos dice el hermano Carlos Walter Porto-Gonçalves: la ***Nosotros-sofía*** que enmarca y orienta nuestra territorialización como proceso de conocer que hace posible conformar territorialmente nuestras culturas en el ejercicio de nuestras territorialidades o, la práctica de nuestros conocimientos como una cosmovivencia orientada al cuidado de la vida, la nuestra como comunidad humana, y la de todas las otras comunidades (plantas, animales, insectos y otros humanos), porque con ellas compartimos el **Ariiyuu** que la Tierra a todos nos entrega en el espacio/tiempo del territorio que habitamos en el mundo.

No cabe duda, que este ***sentipensar del Nosotros*** (*Nosotros-sofía*), interpela radicalmente al **Eiirare** (ontología) desde el cual, la sociedad y cultura moderno-occidental-capitalista orienta su proceso de conocer y los conocimientos que genera con su ciencia, que presenta como genuina expresión de una ***ego-sofía*** (Porto-Gonçalves), que le permite ubicar al "YO" del sujeto conocedor como un individuo por fuera y por encima de toda comunidad territorialmente conformada; por ello, tanto su forma de conocer así como el dominio de los conocimientos que de esa misma forma genera, siempre están marcados por su fundamento: "YO PIENSO, luego, YO EXISTO"; esto, aún en contra del Nosotros de la comunidad humana a la que el sujeto conocedor pertenece, en contra de todas las otras comunidades diferentes y, en general, en contra del mundo al que, desde la arrogancia de su ego, cree poder dominar.

Por otro lado y en correspondencia con el **Eiirare** que nos guía en nuestro **Eiña Ayunkaru je Ayunka Eiñaru** (***Hacer en el pensar y Pensar en el hacer***), esto es, la experiencia de conocer y crear conocimientos, dado que se trata de un hacer siempre conjunto o colectivo y, por ello, considerada experiencia verdadera (**Akapiyarü**) y validada precisamente, porque tanto la experiencia como sus resultados son compartidos y, por lo mismo, transformados en conocer-saber (-**taa**-) a ser socializados a través de un proceso de Enseñar-Aprender (**Atiyera**) que es registrado y sostenido como memoria territorial de la cultura, que se transmite mediante la creativa construcción de discursos narrativos para comprensión y dominio de toda la comunidad; es decir, mediante la configuración discursiva de la lengua materna como manifestación expresa del Sentipensar del Nosotros.

Para la ciencia moderno-occidental-capitalista, en cambio, dado que se trata de un dominio individualizado, particularmente sujeto a ser patentado como propiedad privada del conocimiento, resulta "pecaminoso" o, muy de "tontos", compartirlo; de allí que lo primero que se hace es encriptarlo en el lenguaje propio del campo, o desarrollado por la disciplina que lo produce y expresa; por lo que, sólo puede ser des-encriptado por aquellos miembros de la "comunidad" científica que corresponda y nunca por las comunidades a las que, la mayoría de las veces, tales conocimientos afectan. Se trata pues, de una palabra de difícil florecimiento, ya que no sólo es de casi imposible dominio colectivo o comunitario (a la que la arrogancia de la ciencia moderno-occidental regularmente desestima), sino porque dado su carácter de experiencia individualizada, siempre está sujeta a ser negada o puesta en duda, sobre todo, por aquellos miembros de la "comunidad" científica, especialmente, si investigan en el mismo campo pues, todos aspiran a ser los primeros en martillar el ansiado "Clavo Dorado" y, para nada importa el posible valor e importancia en la solución de problemas vitales de la sociedad.

Pero, en todo caso, tal exclusivo lenguaje y forma del discurso es lo que llaman "lenguaje y razón de la ciencia", lo que ciertamente es coherente con la ego-sofía que la sustenta. Por el contrario, para nuestros pueblos, toda nueva creación o conocimiento creado como ***Hacer en el pensar*** sólo es verdadero, cuando es compartido en un ***Pensar en el hacer*** de toda la comunidad, y, esto sólo es posible, a partir de la que llamamos ***palabra que florece*** (**Akasiira Anükü**) por lo que, tanto la experiencia de conocer como el conocimiento creado, siempre resultan ser **Nosótricos** (Lenkersdorf).

Así, tanto la experiencia como su producto son condensados y/o registrados en simbólicas narrativas socialmente compartidas pues, ellas constituyen el discurso fundamental en la socialización de los miembros más jóvenes de la comunidad como su **Atiyera** (***Aprender/Enseñar entre dos***) en el contexto de una ***pedagogía del Nosotros***.

Como es de apreciar, hablamos de una muy otra forma de hacer y expresar el conocer y los conocimientos, la que guiada por nuestro particular **Eiirare** define nuestras relaciones emparejadas con los otros y con el mundo puesto que: ***Todo vive como comunidad, como un Nosotros***; de tal manera que no hay sujetos individuales sino comunidades nosótricas presentes, vivas ***en*** y ***por*** su ***hacer*** en el espacio-tiempo del mundo que todos compartimos como territorio. Por tanto, el propósito esencial de todas las comunidades en un espacio-tiempo-mundo dado, no es otro que la producción y reproducción ***desde, en y para*** la vida del Nosotros de todas, la comunidad humana incluida.

A la pregunta, ¿es posible congeniar un ***Hacer en el pensar*** y ***Pensar en el hacer*** entre la ciencia moderna-occidental y los pueblos indígenas?, debemos responder que esto sólo es posible cuando la ciencia occidental pueda ser capaz de dar un vuelco en su **Eiirare**, o como le llama Viveiros de Castro: dar un giro ontológico, lo que no resulta fácil, ya que implica abandonar toda ***ego-sofía*** y disponerse a aprender a dialogar con el mundo, emparejados con todas las comunidades humanas y no humanas, abriendo la totalidad de sus sentidos.

Por nuestra parte, a los pueblos indígenas nos toca abandonar la idea colonial que nos ha llevado a pensar que nuestro modo de conocer y todos nuestros conocimientos y saberes siempre son ancestrales y, por lo mismo, hemos llegado a pensarlos como estáticos. En este sentido, debemos dar una ***Vuelta al Nosotros*** y así recuperar la memoria y sentido de nuestro **Eiirare** para la creación de los necesarios nuevos conocimientos para la vida y sobre todo, el **Anain amo katouwa** (***Buen Con-Vivir***) de todos, la sociedad occidentalizada incluida.

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Anselm Jappe: Fetishism, Narcissism and the Legal Form

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ABSTRACT

This article aims to analyse Anselm Jappe's interpretation of the connection between the theory of fetishism and the psychic constitution of contemporary subjectivity, the most significant feature of which is narcissism. After establishing the symbiotic relationship between the value-form and the development of the narcissistic phenomenon, the article discusses the self-destructive nature of fetishism and its impact on subjectivity, which leads capitalism to a state of collapse. Finally, the article seeks to explore the implications of Jappe's analysis-particularly regarding fetishism and crisis-for Evgeny Pashukanis' critique of legal subjectivity.

Index Terms: crisis • Fetishism • Legal subjectivity • Narcissism

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RESEARCH ARTICLE

Anselm Jappe: Fetishism, Narcissism and the Legal Form

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Abstract

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Keywords: *crisis, Fetishism, Legal subjectivity, Narcissism*

Correspondence: Victor Silveira Garcia Ferreira

1 Introduction

Anselm Jappe is a German philosopher and professor associated with the New Critique of Value (NCV), having gained prominence particularly through his publications in the journals *Krisis* and *Exit!*, in which he developed and disseminated the guiding ideas of the theoretical current to which he belongs.

Like other thinkers within this school, Jappe maintains that the New Critique of Value does not represent a continuation of any preceding Marxist tradition, insofar as it is a movement that has opened up a new theoretical field (JAPPE, 2014). Broadly speaking, the NCV has placed the theory of fetishism at the heart of Marx's critique, linking it to a theory of crisis that reveals the destructive and self-destructive nature of capitalist social forms.

Whilst, on the one hand, Jappe distinguished himself by systematising a large part of the literature situated within the framework of the New Critique of Value (NCV) in his book *The Adventures of the Commodity*, on the other hand, he also had the great merit of developing a genuine theory of subjectivity in the light of commodity fetishism, which took shape in his book *The Autophagic Society*. In this work, the author demonstrated how the value-form establishes a symbiotic relationship with narcissism, thereby justifying the centrality of this psychological trait in the contemporary subject. Furthermore, Jappe analysed the effects of capitalism's structural crisis on the psyche of individuals, explaining the social determinants of the intensification *of the death drive* in the present day.

Given the importance of Jappe's contributions to contemporary interpretations of Marx, this article examines his interpretation of the relationship between fetishism and the theory of subjectivity, focusing particularly on the phenomenon of narcissism. Subsequently, drawing on his theory of the crisis of capitalism, we shall demonstrate the social determinants of the collapse of the contemporary subject. Furthermore, given that the German thinker did not address one of the most fundamental aspects of subjectivity—namely, its legal formulation—this paper will ultimately seek to outline possible points of convergence between Jappe's theory and the interpretation of legal form developed by the Soviet jurist Evgeny Pashukanis.

2 Fetishism, value and the automatic subject

Jappe, following Marx's order of exposition, analyses the commodity as an object endowed with use-value and exchange-value. As use-values—that is, objects that satisfy some human need or want—commodities do not share any common characteristics: as well as being physically distinct, each is intended for a specific use. Yet, at the same time, they possess exchange-values precisely because of a common denominator that enables their equivalence and, consequently, commercial exchange. The "something in common" that exists in commodities is the fact that they are products of labour, which is expressed as value (JAPPE, 2024). However, this does not refer to the labour actually expended in their production, but rather to labour as the mere expenditure of human energy, abstracted from its concrete conditions, termed *"abstract labour"* (JAPPE, 2024). Furthermore, the amount of value in commodities is determined by the average socially necessary labour time required for the production of each object (JAPPE, 2024).

The time spent on concrete labour is irrelevant, as the objective measurement is guided by the production time dictated by the level of society's productive forces. If a producer actually takes two hours to produce a jacket that, on average, takes one hour to manufacture, the value of that commodity will be based on one hour, even though the concrete labour has exceeded the socially necessary labour time required for production. In this case, the excess time was not factored into the commodity, resulting in a waste of time for the manufacturer.

Abstract labour is not derived from concrete, physiological or tangible aspects; nor can it be characterised as a mere mental or ideal operation. In reality, it is a *real abstraction*, insofar as it manifests itself (as value) through commodity relations, in which what is common to the most diverse forms of labour (the expenditure of productive

human energy) is expressed in a concrete form, which gives shape to the abstraction (JAPPE, 2024). Initially, abstract labour time manifests itself in the form of another commodity: when we say that a pen is equivalent to two pencils, the latter physical object expresses the abstract labour-time of the pen, indicating that the labour-time required for a pen is double that required for a pencil. However, the commodity circuit is not limited to a simple equation, insofar as it establishes an endless sequence of comparisons, requiring the singling out of a given commodity —to function as a general equivalent, so that all others may express their exchange value in a unitary form: this gives rise to the form of money (JAPPE, 2024).

According to Jappe, the critique of value recognises that the commercial world constitutes, and is at the same time constituted by, a series of abstractions that are regarded as if they were inherent to the nature of objects. Hence the first sense of fetishism: the social activity of production is represented as an intrinsic property of the material thing; that is to say, although exchange value is an expression of abstract labour, it appears as an objective feature of the product of labour itself, just like its smell, colour and texture. As a result, the process of production and commercial circulation imposes itself on people as a natural law, governing them through socially necessary labour time (JAPPE, 2024).

But fetishism is not limited to a mystification of consciousness—that is, to a false or inverted representation of reality. It reveals something beyond this: reality itself becomes inverted; there is a *real inversion*. The logic of value establishes an internal, conflictual relationship between use-value and exchange-value, which is expressed in the form of an external opposition: from the moment a commodity's exchange value is revealed through the use value of another commodity, a process of inversion takes place, whereby the use value expresses its opposite (exchange value), the sensible body reveals its suprasensible character (social abstraction) and, furthermore, concrete (and private) labour represents abstract (social) labour. As a result of this inversion, "the concrete becomes a simple carrier of the abstract" (JAPPE, 2024, p. 24), serving as a mode of its embodied expression.

The contradiction between the abstract and the concrete, which exists within the commodity, constitutes the fundamental contradiction of the sociability of capital, in which the abstract aspect assumes a dominant role and the concrete elements are instrumentalised solely to give material form to and reproduce the abstract (JAPPE, 2024). Food commodities, for example, are not produced to end human hunger, but rather for exchange and to 'feed' the cycle of value realisation. The aspect relating to their utility (use-value) is secondary to the need of realising their value on the market, which is only possible through their abstract character, namely the quantity of social labour required for their production. This inverted arrangement extends to all spheres of commercial existence, which is why value can be described as a *total social form*:

> The same logic – which consists, at the most general level, in the subordination of quality to quantity and in the indifference of form in relation to the concrete content – is found at all levels of social existence, even in the most intimate corners of the lives of those living in a market society. The commodity form is also a form of thought, as the German philosopher Alfred Sohn-Rethel demonstrated. (JAPPE, 2013, p. 143)

The dual nature of the products of labour—as use-value (produced by concrete labour) and exchange-value (an expression of abstract labour)—did not exist in past societies, where production was subject to direct social planning, as productive activity was distributed and directed to meet the needs and wants of the dominant classes or groups in an immediately social manner (JAPPE, 2024).

The regulation of society through labour time only takes shape when production begins to take place in a formally private sphere, so that the products can subsequently be traded on the market. In this context, for products to become social through exchange, they must fulfil two functions: they must be intended to satisfy another person's need and, furthermore, possess a common element that enables equivalence, namely abstract labour (represented in value). The objectification of abstract labour in commodities is realised to the extent that it becomes the common quality which enables social bonds in a market society (JAPPE, 2024). As a result of an atomised and unplanned economy, "this is why value (even in its most innocent form (…)) is already the cause and the consequence of a social formation in which people do not consciously regulate production" (JAPPE, 2024, p. 35-36).

Money, for its part, constitutes a second level of fetishism, since the abstraction of labour is expressed in value, which is then represented by money (JAPPE, 2024). By acting as the representation of the element that regulates society (abstract labour), money itself becomes the immediate organising force of the social fabric, dictating the bonds, motivations and social power of each individual. Instead of a society administered by people, we have a society in which social power is alienated from people and transferred to money. In this context, the acquisition of more money, whether at the individual or collective/productive level, becomes the end in itself of the capitalist mode of production.

The concrete content of production is irrelevant to the logic of the mode of production, whose driving force is solely the generation of greater quantities of money, given that value constitutes an empty form, devoid of content, which, by drawing on use-values, is oriented towards its own quantitative increase. This tautological expansion does not occur through the sale of commodities at a price higher than that at which they were purchased. Drawing on Marx, Jappe points out that only the commodity 'labour power' is capable of generating more value than its own cost. The effective conversion of this surplus value into more money, in turn, stems from the sale of the products of labour, which will then yield a sum greater than the initial investment made.

Jappe's analysis culminates in the conclusion that value constitutes itself as the *automatic subject* of social reproduction, which effectively governs society through 'a fetishistic system of the valorisation of value' (JAPPE, 2013, p. 109). To fulfil this sole purpose, this Subject subjects human beings to the condition of employees or servants of its laws, assigning them social masks. In this sense, the existence of antagonistic social classes is not the central element of capitalism; on the contrary, capitalists and workers are merely economic personifications which, deriving from the same source, prove necessary for the expanded reproduction of value.

The fetishistic character of capitalist society stems from the fact that value, in its multiple metamorphoses (commodity, money), subjugates subjects, causing them to reproduce their subjugation unconsciously, through their own practices, and to conceive reality as the result of supreme forces inherent in objects. Thus, human beings become mere executors of the law of value, subordinated to a form of impersonal and anonymous domination. This social environment, characterised by the prevalence of the abstract over the concrete, forges a *second nature*, distinct from biological nature, in which fetishism "determines the very forms of thought and action" (JAPPE, 2021, p. 32).

Jappe argues that the attribution of social characteristics to objects can be viewed as a form of anthropological projection, defined as the "unconscious projection of an individual or collective 'power' on an autonomous external element, on which man then believes he is dependent (...)" (JAPPE, 2024, p. 131). Whilst so-called primitive

societies projected supernatural powers onto various objects, thereby deifying what was in fact the clan's own collective strength, value constitutes a form of modern totemism arising from the social projection of labour onto commodities. The difference is that the former refers to a projection linked to a sacred dimension, whereas the latter results from the cultural dynamics of the capitalist market, which permeates all aspects of existence (JAPPE, 2024).

Although virtually all past societies have developed distinct forms of fetishism, all of these differ fundamentally from typically capitalist fetishism, particularly in terms of their consequences. These earlier phenomena did not reveal such destructive and self-destructive potential as value fetishism, which jeopardises not only capitalism itself but also the human race – as will be demonstrated below. This is why the survival of human beings and the planet will only be guaranteed if conscious, non-fetishistic forms of social mediation are found, thereby moving beyond so-called "human prehistory" (JAPPE, 2024).

2.1. The constitution of fetishist-narcissistic subjectivity

According to Anselm Jappe, the category of the subject does not refer to the idealisation of a universal human being, nor can it be transposed to other historical contexts. It is, in reality, the human being constituted by capitalist social structures; that is, a historically determined way of *being* and interacting that is revealed to be a product of modernity. The subject-form constitutes a *Kantian a priori* situated within history, in that it establishes the imperatives of consciousness and social action grounded in the total social value-form (JAPPE, 2021).

Jappe debunks the idea that the modern subject refers to a person responsible for their own actions and, conversely, the notion that capitalism could give rise to a revolutionary subject. Drawing on the opening of Chapter 2 of *Capital* and the concept of *the "automatic* subject", the German thinker situates subjectivity in terms of the movement of value appreciation. In a society dominated by fetishistic forms, an anonymous and impersonal system of domination prevails, in which the true Subject of social reproduction is "value in its metamorphoses (money, commodity)" (JAPPE, 2021, p. 34), which uses human subjects as its servants. The true generic Subject exists only in capitalism: it is value (and not the human being in general), which fully incorporates the other subjects into its logic, making them its subjectivised generic image (JAPPE, 2021).

In this sense, Jappe (2021) proposes a materialist analysis of the subject with an emphasising on its psychic constitution, demonstrating that value fetishism engenders one of the most striking features of capitalist subjectivity: narcissism. There is, therefore, a genuine "isomorphism between the narcissistic structure of the subject of value and the structure of value – which, as such, is a total social form and not merely an economic factor" (JAPPE, 2021, p. 172).

Narcissism should not be viewed according to a vulgar conception, which reduces it to terms of self-love, exaggerated self-admiration, affection for one's own body, and so on. An initial approach to the subject, based on Freud's psychoanalytic theory, suggests that the narcissistic *ego* constitutes a kind of regression of the psyche to a primitive stage, similar to the condition of a newborn, and is therefore unable to distinguish between its 'self' and the external world. Consequently, objects and people are not perceived as autonomous beings endowed with distinctive characteristics, but as mere manipulable extensions of the subject's ego (JAPPE, 2021).

To understand the capitalist psyche, Jappe argues that philosophical reflections are historically situated and tend to closely reflect the underlying social structure of their time. As such, they provide a means of deciphering the societies in which they emerged (JAPPE, 2021). Descartes' thought provides a notable example in this regard. Writing during the rise of capitalism, he anticipated key features of the narcissistic form of subjectivity characteristics of contemporary society. (JAPPE, 2021).

Cartesian philosophy took the separation between subject and object to the extreme. The very phrase *cogito ergo sum* ("I think, therefore I am") indicates that thought is what characterises man as a subject. The rest of the universe (things, people, nature and any other activity unrelated to thought) is regarded as a mere object, whose sole purpose is to attest to the existence of a thinking mind, that is, of a subject. This means that the objects referred to by the subject may be non-existent on the material level, or even be misperceived; even in such cases, they would serve the purpose of confirming the existence of thought and, consequently, of the 'self'. Thus, Descartes conceives of the world as an object for the ego, since everything external to the subject exists merely as material to be manipulated in order to confirm and realise the ego's inner world (JAPPE, 2021).

This brief exploration of Descartes' theoretical foundations allows us to assert that this author reproduces, in philosophical terms, the constitution of the subject of value: "solitary and narcissistic, incapable of forming genuine 'object relations' and in a state of permanent antagonism with the external world" (JAPPE, 2021, p. 50). This is, therefore, an empty subject, who is unable to enrich themself through contact and relationship with the other, since the very conception of that which presents itself as external constitutes a projection of the self.

Jappe, then, proposes an analysis of narcissism based on his own interpretative framework. Rather than confining it to a perversion, the thinker presents a *broad* approach, intending to trat it as a widespread phenomenon, often reproduced unconsciously, without those exhibiting it associating their behaviour with narcissism (JAPPE, 2021). Jappe's approach requires an understanding of the initially pathological roots of this phenomenon, which, as will be demonstrated, constitute a form of socially determined psychic regression.

Before birth, in the intrauterine environment, there is no separation between the *ego* and the outside world, as the unborn child is in a state of complete fusion with its mother's womb, which provides it with protection and the immediate satisfaction of all its needs (JAPPE, 2021). Birth, in turn, ushers in a phase in which demands are neither readily met nor guaranteed, and "any delay in the satisfaction of needs is experienced by the newborn as a threat to its very survival and triggers crises of distress" (JAPPE, 2021, p. 101).

In response to their powerlessness in relation to the outside world, the newborn retains an imaginary of symbiotic fusion and indistinguishability with the maternal figure, who comes to represent their omnipotence, insofar as she maintains the link between external objects and the *ego*. Consequently, the infant does not yet experience a distinction between the self and external objects, which are still perceived as extensions of the self. (JAPPE, 2021).

Gradually, particularly from the fifth month of life on, the child begins to break free from this fusion with the mother, acquiring autonomy. The milestone of this developmental process occurs with the formation of the Oedipus complex, which, according to Freudian theory, takes place between the ages of three and five. From this point onwards, the child develops sexual desires towards their mother, whilst the father is viewed as an adversary, as he prevents the fulfilment of this desire. The constant threat of castration, imposed by the father, leads to the renunciation of incestuous desire, such that the internalisation of the paternal prohibition results in the defeat of the pleasure principle by the reality principle. This dynamic gives rise to what is known as the *superego*, defined as a censoring psychic instance which, like an inner voice, shapes the *ego* to conform to social rules, repressing desires,

instincts and drives that prove to be at odds with the principles accepted in society (JAPPE, 2021).

Upon separating from the maternal figure, the child begins to invest their libido in people and things, which now manifest as external to their *ego*. According to Jappe (2021), drawing on Freud's thinking, this split can be defined as the overcoming of *primary narcissism* (the fantasy of initial fusion), which is not pathological but natural and intrinsic to the subject's normal development. In contrast, however, there is the situation in which the subject seeks to "deny or revoke the emergence from primary narcissism" (JAPPE, 2021, p. 108). In this case, a pathological condition arises, termed *secondary narcissism*, characterised by the concentration of the libido on the subject themself, who therefore does not invest it in objects and people external to them (JAPPE, 2021). In their unconscious, the narcissistic subject regresses to a state marked by the fusion of their *ego* with the external world, such that people and things are experienced:

> Merely as projections, extensions and confirmations of itself: the self remains always identical and does not undergo genuine experiences; it does not expand. It remains confined to a sort of 'mirror stage', limiting itself to reflecting itself everywhere in its being-as-it-is. (JAPPE, 2021, p. 110).

The world becomes an empty matter, devoid of content and autonomy, where the narcissist realises his ephemeral fantasies. According to Jappe:

> Ultimately, for the narcissist, all people are of equal worth and interchangeable. People are not perceived as autonomous beings, with a history, who ought to be respected in order to establish mutually enriching relationships, but rather as extras who must play a part on the narcissist's inner stage. The narcissist invests nothing in their relationships and, consequently, derives nothing from them. They have a similar relationship with objects: they are not interested in them because of the differences between them and do not wish to get to know them; they merely wish to manipulate and dominate them. (JAPPE, 2021, p. 159).

This scenario facilitates the articulation between narcissism and the logic of value. This social form, just like the narcissistic subject, does not recognise people and objects based on their multiple distinct qualities. Value fetishism annihilates the qualities, differences and peculiarities of each concrete piece of labour, reducing all material content to a mere vehicle for a given abstract quantity of itself—that is, expressions of abstract labour time. Bodies and things, in general, are instrumentalised and manipulated so that value reproduces itself endlessly, thereby self-valorising. Just as in the narcissistic dimension, "the logic of value generates a structural indifference towards the contents of production and the world in general" (JAPPE, 2021, p. 160), turning the concrete into a mere vehicle that enables the movement of an abstraction.

Both the narcissistic and the value perceive their 'self' as the sole substance governing reality, which is why the social whole is reduced to a representation of the self. Furthermore, both are insatiable. The existence of value depends upon its endless self-valorisation, while the narcissist, in pursuit of the ideal self, becomes trapped in a repetition compulsion, believing that satisfaction will eventually be attained. According to Jappe:

> This reductionism is one of the most characteristic features of advanced market society: everywhere, the multiplicity of the world is reduced to a single substance, and objects, which are in principle irreducible to one another, are nothing more than larger or smaller portions of this qualityless substance (JAPPE, 2021, p. 163).

Thus, Jappe concludes that the narcissistic subject, as a historically determined form of subjectivity, reproduces value fetishism in their psychic interaction with social reality. The narcissistic psyche is, in reality, the effect of the market economy, which constructs a competitive, atomised, selfish and insatiable social environment. As a result of this necessarily individualistic sociability, aspects external to the subject are represented as mere extras in a scenario entirely geared towards self-realisation. This psychic composition that proves fundamental to the expansion of value.

However, although narcissism is integral to the essence of capitalist society, its recognition as a dominant pathology only occurred after the Second World War, a period in which its widespread social prevalence was identified (JAPPE, 2021). At that time, there was an actual "rise in the rate of narcissism", spreading across all individuals. Jappe argues that, before that period, this psychological composition remained in an embryonic state, as did the fetishistic structure of the automatic subject. Although capitalism is a system of impersonal domination, for a long time the surface of its reality was driven by "flesh-and-blood people", as evidenced by the conflicts between the bourgeoisie and trade unions, relations of production founded on employer authoritarianism, and so on (JAPPE, 2021).

In the words of the German thinker, workers were, for a considerable period, "subjects of lesser rights" (JAPPE, 2021, p. 165); that is to say, they were not treated as subjects legally equivalent to the bourgeoisie, resulting in a context characterised by authoritarian relations, rooted in forms of partial personal domination. At that time, moreover, the psychic structure was, as a rule, dominated by classical neurosis, arising "from the relationship with a figure of authority in which fear and affection, libidinal drives and regressive drives were intermingled" (JAPPE, 2021, p. 167).

However, engagement in the class struggle enabled the proletariat to secure recognition of the necessary conditions (freedom of association, formal equality) for submission to the pure dynamics of value, particularly from the 20th century on. From then on, there was a gradual abandonment of elements derived from pre-capitalist forms, and the automatic subject came to prevail, corresponding to the narcissistic psychic form. Thus, "just as the automatic subject required a very long incubation period to emerge in its pure form, although embryonic from the outset, narcissism took a long time to realise what was already present in potential" (JAPPE, 2021, p. 168).

The major question that arises from this point on is what to do about fetishism and narcissism. As the German thinker asks, "return to nature, conquer nature, or overcome regression?" (JAPPE, 2021, p. 168). In other words, should one promote the subject's reunion with a supposedly human essence, shape a new human being, or overcome historically determined regression? Jappe's answer diverges from the commonly held views on the subject.

Jappe (2021) argues that there are biological traits that form part of what he calls first nature, such as the anxiety caused by the separation between the newborn and its mother, the desire for incest, as well as the existence of a figure which, by imposing primal repression, triggers the formation of the superego. There are also drives that constitute human

essence, such as aggression and the death drive (JAPPE, 2021). However, these aspects are not, in themselves, sufficient to constitute a specific form of human being. In fact, human beings are shaped by the way in which different social structures organise these biological traits (JAPPE, 2021).

The way in which capitalism manages the elements of the human condition leads to an *anthropological regression*, since: "social atomism, that is, the radical separation between members of society, caused by abstract labour as a principle of social synthesis, gives rise to the fantasies of total fusion that characterise the narcissistic" (JAPPE, 2021, p. 179). In other words, the isolation of individuals and socialisation in market terms engenders the logic of value which, as it imposes itself, unleashes narcissistic subjectivity, the central aspect of which is regression to a primitive psychic phase, marked by the absence of separation between the *ego* and the external world. Jappe's response, therefore, does not point towards the creation of a new human being in the light of different social circumstances, but towards the constitution of a society in which innate elements are channelled in a collective and psychically progressive manner.

3 The emergence and crisis of the labour form: the collapse of capitalism

The social relations of capitalism are endlessly geared towards the ever-increasing production and accumulation of value, which is expressed in terms of more money. Turning an initial sum of money into a greater sum is, therefore, the purpose of this mode of production.

Only living labour power is capable of generating more value than its own cost. The value of any commodity is measured by the socially necessary labour time required for its production; in the case of labour power, this manifests itself as the average of what is necessary to reproduce it—that is, the sum of what the worker needs to subsist and continue performing labour. When the proletarian is hired on the labour market, therefore, they are not deceived, because their value is paid for by the capitalist. However, the use of this labour power enables the production of goods whose values not only cover the wage but also exceed it. This labour that exceeds the price of labour generates what Marx called 'surplus value'. It should be emphasised that so-called 'dead labour', such as machinery, does not generate new value, but merely passes on its cost to the product (JAPPE, 2024).

The fact that value is produced and increased solely by the labour force has given rise to a society of labour, such that this activity has become the principle of social synthesis. All social practices exist solely by virtue of labour, which produces the use-values through which value increases and continues to reproduce social relations (JAPPE, 2024). And so, for the most diverse forms of labour be measured in terms of value, a separate sphere was created in which productive activities take place without intermingling with other practices, unlike what occurred in past societies.

Only when expended within a specific sphere, dissociated from other activities, can labour time be objectively measured and thus regulate market-based social relations. It is this specific arrangement that gives rise to the notion of 'labour', which encompasses the most diverse concrete activities that produce value. Thus, labour (including in its concrete form) must be viewed as a historical phenomenon, existing only in a society structured by value.

However, the society of labour, "embedded in its fetish medium" (JAPPE, 2024, p. 77), has never been stable or controllable. The development of capitalism naturally presents contradictions that provoke crises. The logic of competition leads to the development of the forces of production, a process that begins when a capitalist introduces a technological innovation and increases their productivity. Consequently, other social actors tend to follow this trend, incorporating the means of amplifying production. As a result, although there is an increase in efficiency in the production of use-values, a section of the workforce ends up being replaced by machines, meaning that commodities contain ever-smaller proportions of human labour. The organic composition of capital thus increases, insofar as fixed capital (machinery) is increased, whilst variable capital (expenditure on the labour force) is reduced. This reduction in labour, combined with the decrease in socially necessary labour time, inevitably reduces the value of commodities and makes it more difficult to achieve the profits previously earned (JAPPE, 2024).

This trend necessitates a continuous increase in the production of commodities, including expansion into other markets, in order to offset and, eventually, overcome the fall in profit. It is therefore necessary to increase consumption of the concrete world (natural resources) so that the value-form can continue to operate its automatic movement: "such a result is a manifestation of the opposition between abstract form and concrete content that runs throughout the entire history of capitalism" (JAPPE, 2024, p. 83).

However, since the 1960s, this compensatory mechanism has ceased to be effective. The computer and microelectronic revolutions have elevated the replacement of productive labour to a level never seen before. According to Jappe (2024), no expansion of production or the market can balance or even compensate for the reduction in living labour, with the result that the labour force has ceased to be the principal factor of production. Although it is a society constituted and regulated by labour, capitalism has annihilated its principle of synthesis to an irreversible extent, causing the entire logic of value accumulation to collapse.

The total dismantling of the mode of production has only been averted because, to prevent it, "the 'automatic subject' forges ever more recklessly ahead" (JAPPE, 2024, p. 90). This means that this postponement of the end is achieved through fictitious capital, which enables a life based on credit, anticipating values to be produced in the future in order to thereby prolong the suppression of capitalism's systemic limits.

The so-called neoliberal phase of capitalism, therefore, does not represent a ploy by the bourgeoisie to subjugate states to financial power and thereby increase accumulation. On the contrary, this phase, characterised by rent-seeking and speculation, in Jappe's view, was constructed as a result of the collapse scenario, being the only way to postpone the end of capitalism, particularly by circumventing, at least on an *ad hoc* basis, the absence of a real basis for the production of value. Given that value has become a straitjacket on the development of production, this straitjacket has sought to expand through financial manoeuvres, but its unravelling is inevitable.

Jappe thus observes that fetishist society is oriented towards destruction and self-destruction. In its expansive, totalitarian and, in principle, unlimited movement, the automatic Subject ultimately encounters two limits before it: one internal and the other external. The first of these refers to the contradiction to which capital relations are subjected, whereby they self-destroy their own basis for growth by replacing productive labour with technologies. This not only undermines the foundations of self-valorisation but also, consequently, creates 'superfluous' or disposable populations who serve no purpose to the social system, as relations of exploitation become increasingly restricted. The second, external limit concerns the depletion of natural resources, which points to an ongoing environmental and climate collapse, a consequence of the world's growing and unchecked consumption (JAPPE, 2013).

3.1. The collapse of the subject

Capitalism's trajectory towards its own abolition, of course, also has an impact on the subject-form. After all, in a society in which the social process is unconsciously reproduced by human beings themselves, "the suicidal tendencies of globalised capitalism are found in the suicidal tendencies, whether latent or overt, of numerous individuals; the irrationality of capitalism corresponds to the irrationality of its subjects" (JAPPE, 2021, p. 242). The collapse of the value-form likewise engenders the collapse of the subject-form, which becomes inhabited by a *death drive* that produces destruction and self-destruction. Virtually all forms of violence currently on the rise—such as massacres, killings, suicides, state repression, etc.—are expressions of that phenomenon to which psychoanalysis refers (JAPPE, 2021).

Drawing on Freud, it can be argued that subjects are not guided solely by the pleasure principle. There is a psychic counter-face which, when it manifests itself, is directed towards reducing or suppressing tensions and desires, establishing a "state of absolute repose" (JAPPE, 2021, p. 244). This is the death drive, which, according to Jappe (2021), can be viewed as a desire to return to the state of fusion characteristic of the prenatal period; that is, a return to primary narcissism. However, this self-destructive impulse tends to be displaced outwards – as a consequence of the life drives – whilst the demands of culture end up repressing part of this aggression, leading the individual to introject it into themself. However, unlike Freud's explanation based on ontological and anthropological foundations, Jappe follows Marcuse's understanding, according to which this psychological phenomenon must be examined in social and historical terms. Although it is a drive inherent to human beings, it was capitalism – particularly at the moment of its collapse – that established the historical conditions necessary for its unprecedented rise and expression (JAPPE, 2021).

The crux of Jappe's argument lies in the fact that the growing decomposition of capitalism unleashes the destructive energies that were once channelled into labour, where they found a space for sublimation or expiation. Now, circulating freely, "aggression no longer finds anyone to attack and stumbles, everywhere, upon anonymous structures – which can lead to attacking anyone, but also to seeking explanations in conspiracy theories and other paranoid views" (JAPPE, 2021, p. 262). This is a hatred that is, in principle, without an object, triggered by "the contemporary subject's certainty of their own insignificance and superfluity" (JAPPE, 2021, p. 270). Anxieties such as this, moreover, ultimately permeate the whole of social life, as all individuals (capitalists and workers alike) recognise the very real possibility of being replaced or discarded at any moment, particularly those who are unable to adapt to the borderline, flexible and unstable model demanded by today's labour shortage (JAPPE, 2021).

One possible reaction to this whole scenario is chronic depression, which channels all aimless aggression back onto the individual, leading to self-destruction (JAPPE, 2021). On the other hand, the emotional void of the present, the effects of which are exacerbated by the ever-intensifying war of commercial competition, can give rise to an inevitable state of resentment, defined as a state of mind that redirects a feeling of anger towards a specific object as a substitute. Jappe (2021) points out that resentment constitutes the *quintessence* of narcissism, given that it operates in a similar way, erasing the differences between objects—in this case, between the trigger of the anger and the substitute for it. The resentful individual may feel this way for entirely justified reasons, but, as the fetishistic-narcissistic world is reduced to the projection of a single substance, they target the wrong object, which is perceived as the cause of their problems.

This channelling of aggression can give rise to the most diverse forms of hatred, directed against the widest variety of groups. But, in its most extreme forms, it can become a death drive in its purest form, embodied by what is known as *the contemporary 'amok'*: "the act of an individual who enters a school, a university, a cinema or another public place, fires at point-blank range at those present and, ultimately, usually commits suicide" (JAPPE, 2021, p. 246). Here, destruction and self-destruction cease to exist merely in potential or in diffuse forms, and instead manifest themselves explicitly. Jappe argues that such events have likely become more widespread due to the breakdown of the psychological barriers that previously restrained such acts.

This weakening of internal censorship can be illustrated by the end of the so-called 'society of discipline', when authoritarian education (based on the internalisation of repression) was gradually replaced by an education characterised by indifference and the disposability of objects and people, exacerbated by the handing over of children to technological devices. This form of socialisation reinforces the regression of psychological development, leading to a lack of boundaries in the face of childish omnipotence (JAPPE, 2021). Thus, the lack of emotional balance triggered by the erosion of values, resentment and the suppression of individual repressive restraints are, in Jappe's (2021) view, factors that fuel destructive acts.

The rise in violence that marks the decline of capitalism and the subject-form ushers in a period characterised by looting and direct atrocities, similar to those that underpinned the so-called primitive accumulation of capital. Whilst, during periods of the ordinary functioning of the value-form, the subject tends to channel their aggression into socially accepted forms, such as the elimination of the other through competition; at this juncture of collapse, where competition ceases to be merely economic and becomes existential, "the disposition to destroy the other in competition culminates in a generalised hatred of the whole world, a world that this competition has reduced to nothing, including the subject itself" (JAPPE, 2021, p. 286). Whilst capitalist subjectivity was initially forged by direct violence and forced submission to the discipline of productive labour, violence now becomes the consequence of the collapse of the society of labour and the progressive tearing apart of the straitjacket embodied by the subject-form.

4 The legal constitution of the subject-form: Jappe and Pashukanis

The aim of this section is not, of course, to develop a theory of law based on the thought of Anselm Jappe. Rather, it is a matter of identifying possible points of contact or dialogue between Jappe's theory and Pashukanis' critique of the legal form, without ignoring the existence of substantial differences between the authors, such as the fact that the Soviet jurist does not regard value as a total social form, nor does he conceive of a theory of capitalist collapse. Despite these differences, legal subjectivity can be regarded as a central feature of the subject-form.

4.1. Evgeny Pashukanis and the fetishism of legal form

The jurist Evgeny Pashukanis is the leading theorist of law within Marxism. The importance of his thought stems from the fact that he undertook an analysis of the legal phenomenon based on the theoretical categories presented in *Capital*, which culminated in his most prominent work, *The General Theory of Law and Marxism*, published in 1924.

The Soviet legal scholar distinguished himself by revealing that it is only in capitalist society that individuals take the form of subjects of rights, thereby acquiring legal subjectivity. This is because commercial exchange requires not only an equivalence between the values of the commodities being exchanged, but also a subjective equivalence between their owners, who must recognise one another as formally equal, free and autonomous subjects (possessing autonomy of will), capable of assuming reciprocal obligations (PASHUKANIS, 2003).

Otherwise, if the socialisation of production were carried out in the light of hierarchies or direct domination, there would be no exchange of equivalents, but rather the subjugation of labour and its products by arbitrary means, which would undermine the premises of the market. Thus, intersubjective equivalence is realised by taking legal subjectivity as the common denominator that allows concretely distinct individuals to be treated as equals. The legal subject is, therefore, constituted in a practical and relational manner (and not as a consequence of idealised norms), as a mirror of the commodity form, insofar as they are an indispensable link for the realisation of contractual ties, including those that constitute relations of production (PASHUKANIS, 2003).

Thus, "at the same time, therefore, that the product of labour becomes a commodity and a bearer of value, man acquires the capacity to be a legal subject and a bearer of rights" (PASHUKANIS, 2003, p. 112). Legal fetishism complements commodity fetishism, for, in order for things to circulate, it is necessary for people must acquire a social status as legal subjects, as if such an attribute were inherent to their physical body. Just like commodities, human beings become sensible-suprasensible units; that is, people who possess concrete particularities but, within the sphere of exchange, are defined by the abstract (and legal) character of their subjectivity.

The legal subject is nothing more than the *personification* of the fetish form of value, whose abstract character (that of abstract labour) is transferred to people, rendering them as its subjectivised reflection, that is, as "living equivalents, equal values" (EDELMAN, 1979, p. 94). Once abstracted from their differences (class, race, condition), subjects appear as bearers of an equivalent and undifferentiated will, driven by the need to reproduce the circulation of commodities (KASHIURA, 2009).

With Pashukanis, it is possible to observe that the legal layer of subjectivity establishes a necessary intertwining with the narcissistic layer. Derived from the same source—value—both strip human beings of their concrete and historical particularities, giving rise to a complex of interlinked social practices. From a psychological perspective, the narcissistic dimension annihilates people's content and specificity, turning them into manipulable extensions of the *ego*. From a legal perspective, people are reduced to abstract predicates (free, equal and property-owning) that govern their social recognition. Whilst the psychological drives the instrumentalisation of the other through selfish fantasies and projections, the legal dimension reinforces indifference towards their concrete realities and particularities, given that people are regarded as mere 'necessary means' for commercial exchange. The legal form thus gives vent to fetishistic-narcissistic subjectivity, insofar as it forges relational – contractual – rituals in which social interaction is constituted in a superficial manner, in accordance with private designs, whilst at the same time establishing an amalgam of selfish interests dimensions.

4.2. Jappe and the legal form

The legal character of the subject is not overlooked in Jappe's theory. In analysing capitalist subjectivity in general, without yet delving into its psychological specificity, the German author notes that this form of sociability has always encompassed *lesser subjects* and *non-subjects*. On the one hand, Jappe uses the term *"minor subject"* or even *"subject with lesser rights"* to explain that, due to the persistence of feudal elements in Marx's time, in the nineteenth century, workers were not regarded by the state as subjects formally equivalent to capitalists, given their inability to make use of strikes and associations to ensure that labour power was sold at a higher price. Indeed, it was the surge in the class struggle at that very moment that enabled the working class to secure an "equal" right, thereby integrating it into the automatic movement of value. Since then:

> In effect, the labour movement abandoned its initial radicalism once the representatives of capital showed themselves willing to compromise, renouncing certain forms of domination that were often irrational from the point of view of capital itself and which, more accurately, were the result of an outdated mentality (JAPPE, 2021, p. 166).

On the other hand, despite the integration of workers and the totalitarian tendency of value, the functioning of capitalism is conditioned by a sphere of "non-value", comprising activities that do not qualify as "productive labour" but are necessary for the reproduction of value. This space, situated on the margins of the market, in turn gives rise to a contingent of *non-subjects*, devoid of autonomy and equality vis-à-vis economic agents. Women's domestic labour is a historical example of non-wage reproductive practice, insofar as it organises the daily regeneration of the male labour force within a sphere dissociated from the market (JAPPE, 2013):

> These activities are indispensable to the production of value, but do not produce value. They play an indispensable, yet auxiliary, role in the society of value. This society consists both of the sphere of value and the sphere of non-value; that is to say, it is founded on the combination of these two spheres. But the sphere of non-value is not a 'free' or 'non-alienated' sphere; quite the contrary. This sphere of non-value carries the status of 'non-subject' (and this has long been the case, including in legal terms), because such activities are not considered 'labour' (however useful they may be) and do not appear on the market. (JAPPE, 2021, p. 310)

It is the case that, once integrated into the market, women too have come to be moulded according to the subject-form over the last few decades, even though the price of this has been the need to cope with a double shift, combining labour and domestic tasks. However, Jappe points out that, as a result of the shaping of new subjects, "new forms of exclusion are created, notably in times of crisis" (JAPPE, 2021, p. 311). In other words, whilst the status of a subject depends on integration into the labour market, the replacement of jobs by technology excludes a growing proportion of people from the sphere of value and, consequently, from the subject-form. These "new" *non-subjects*, however, are no longer deemed necessary, as they once were, to reproduce the labour force or to provide support for its reproduction. On the contrary, they are utterly superfluous or disposable individuals, devoid of social utility.

It can be inferred that Jappe's conception of the subject constitution can be likened to Pashukanis's reflection on the element that immediately enables the recognition of the form of legal subjectivity. This is because the Soviet jurist takes the view that it is the character of the private owner that gives rise to freedom and legal equality, attributes which are essential to the figure of the legal subject. After all, one can only exchange that which one possesses as an owner:

> Property as appropriation is the natural consequence of every mode of production; but only within a particular social formation does property take on its logically simplest and most universal form as private property, determined by the simple

> precondition of the uninterrupted circulation of value (...). (PASHUKANIS, 2003, p. 45)

A person who has nothing to exchange, therefore, finds themself outside the social basis governed by formal equality and the autonomy of the will, being unable to place themself on a formal footing with other subjects. In other words, this person, excluded from the market, becomes a *non-legal subject*.

Nevertheless, it would still be possible to develop the following line of reasoning: given that, virtually, all people are owners of the commodity "labour power", the status of legal subject would tend to be universal. However, from Jappe's perspective, such a conclusion is premature. In times of collapse, there are a myriad of people who no longer have any opportunity or scope to sell their labour power. In such cases where the "somersault" of the commodity does not take place (CASALINO, 2019), the superfluous possessor will be only a potential subject, given that they will not be entitled to the social form that enables them to establish social bonds in their *immediate* capacity as a subject: money (JAPPE, 2021). Translating this analysis into Pashukanian terms: if the individual fails to convert their commodity into money, "then the potential of the subjective representation of value does not become an act, and their biological structure does not realise itself as a person or legal subject" (CASALINO, 2019, p. 2918).

It should be noted that Robert Kurz, a major influence on Jappe's thinking, had already explicitly pointed out this relationship between legal subjectivity and the form of money. In the text *The Paradox of Human Rights*, Kurz states that:

> Only a being who earns money can be a legal subject. The capacity to enter into a legal relationship is therefore linked to the capacity to participate in some way in the process of capital valorisation. According to this definition, a human being must be capable of working; they must be able to sell themself or something else (if necessary, their own bodily organs); their existence must satisfy the criterion of profitability. This is the tacit assumption underlying modern law in general, and thus also human rights. (KURZ, 2003).

Kurz elaborates on this relationship by emphasising that recognition of the abstract nature of the legal subject implies a relative non-recognition of their characteristics (cultural, physical, social) and concrete needs. However, at any moment this non-recognition may shift from relative to absolute; all that is required is for the human being to detach themself from the process of value creation, which will distort their legal subjectivity and, consequently, their status as a "human being in general". In this case, the only basis for recognising human status would be political expediency. Such expediency could either recognise superfluous people as subjects deserving of legal protection or, conversely, exploit the absence of any legal basis to exclude them permanently (KURZ, 2003).

5 Conclusion

This article has examined Anselm Jappe's interpretation of fetishism, which analyses how a society structured by the value-form leads to the prevalence of the abstract over the concrete, such that objects become mere quantities in the service of capital reproduction, whilst subjects are transformed into puppets of the automatic Subject (value). The symbiotic relationship between the value-form and narcissism was then addressed to justify the centrality of this psychic trait in the figure of the subject. Finally, attention was focused on the self-destructive nature of value fetishism, whose movement ultimately tears apart the very basis of its own reproduction, namely, living labour. As a result, capitalism and the subject-form (including in its legal character) enter a cycle of collapse.

It can be concluded that, from this perspective, the collapse of capitalism signifies not only the self-destruction of value and the spread of barbarism across all spheres, but also the annihilation of the social form that subjectivises value, namely, legal subjectivity. After all, the inevitable increase in the organic composition of capital means that, progressively, more human beings are stripped of the economic foundation that would guarantee their status as legal persons.

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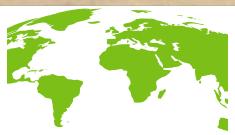
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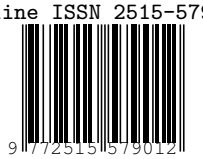


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