

ALDO LIGUSTRO*

**THIRTY YEARS AFTER THE FALL OF THE BERLIN WALL: THE AFTERMATH IN
GERMANY, IN EUROPE AND IN THE WHOLE WORLD**

SUMMARY: 1. The Cold War and the Berlin Wall. – 2. The Beginning of the End of the Wall. – 3. *Die Wende*: The Incredible Night of November 9, 1989. – 4. The aftermath of the Fall of the Wall in Germany. – 5. Europe after the Fall of the Wall. – 6. The World without the Wall: from the End of the History to the “Fragmented Third World War”.

1. The Cold War and the Berlin Wall

I had the privilege of witnessing the fall of the Berlin Wall “live”, a historic event which was without doubt the most important since the end of the Second World War, and which celebrated its 30th anniversary last year; not only in Germany but around the world. I bore witness to this event almost by accident, thanks to a journalist friend of mine who, for months, had been closely following the political events, which led to that fateful date: 9 November, 1989. It was she who called me on the evening of the 9th to give me this incredible news; practically forcing me to go and meet her at the Brandenburg Gate. I was amazed and incredulous. Like its construction, the collapse of the Wall was in fact an event that had come to fruition well in advance but, at the same time, had been unexpected and surprising.

The Wall had long been meditated by the DDR (the German Democratic Republic) authorities, who were under pressure from Moscow to end the biblical exodus of its people to Federal Germany (in 12 years from 1949, two and a half million East Germans had taken refuge in West Berlin). Its creation was repeatedly denied with one of the greatest lies ever uttered in history being that of the East German Prime Minister Walter Ulbricht: «Nobody has any intention of constructing a wall. The DDR builders are otherwise occupied with building houses!». Instead, at 1am on the night of 13 August, 1961, with all public lights turned off, the meticulously planned “Operation Rosa”, as was its code name, burst onto the scene. Thousands of soldiers from East Germany, “protected” by Soviet soldiers and panzers, began to unroll barbed wire along a 156-kilometre line around the western quarters

* Full Professor of International Law, University of Foggia, Italy.

of the city, and shortly thereafter, they were to erect the concrete barrier that would divide Berlin for 28 years.

After the Second World War, there had been an initial period of collaboration between the victorious powers on German soil. This was enshrined in the 1945 Yalta and Potsdam Agreements – in which Germany and Berlin were divided into four areas administered by the United States, the United Kingdom, France and the Soviet Union – and pursued within the framework of a common body, the Control Board.

The erection of the Wall was the final act in a period of high tension. It followed the collaboration between the powers and the emergence of the Cold War when the powers divided into the communist bloc and the bloc of the western countries, leaving the world watching with bated breath on more than one occasion, and in fear of the outbreak of another world war.

One of the most dramatic episodes was the decision to blockade both road and railway. This decision was made by Stalin on 24 June, 1948, and took place around the area of West Berlin, with the intention of conquering it “without the use of weapons”, paralysing it and provoking hunger and suffering from the cold. This was in reaction to the monetary reform that, in the western territories and in West Berlin itself, had replaced the old Reichsmark with the Deutschmark, effectively starting the construction of a unitary Western Germany, without Moscow's consent. The West's response (for many, it is precisely at this time that the West came to be a political and ideal entity) came in the form of airlifts to provide Berliners with supplies, with flights also coming from Australia, South Africa and New Zealand. The blockade would only end after 15 months (and the death of 73 pilots!).

The period immediately following this led to the emergence and the stabilisation of the two Germanys, both founded in 1949. However, neither the German Federal Republic (*Bundesrepublik Deutschland*: BRD) nor the German Democratic Republic (*Deutsche Demokratische Republik*: DDR) gave up on the idea of reunification. This was to be achieved, however, based on each Republic's own conditions and in compliance with their own principles; they both considered themselves the only legitimate part to represent the German people. Those first years of the division were thus characterised by lack of communication and hostility between the two countries, while the status of Berlin, which was still divided into four administrative sectors, each one run by a great power, remained uncertain. It was precisely the construction of the Wall, in 1961, that would cement (even in a literal sense!) the division between the western and eastern sectors, preventing the freedom of movement between these two sectors in a way that appeared to be definitive at this point. It would also solidify the division between the two Germanys. At the same time, a new policy became necessary, which aimed to manage this dual statehood, also in order to improve the living conditions of the families divided by the Wall.

Mutual recognition and the commitment to respect the sovereignty of the other Germany occurred with the launch of the new *Ostpolitik*, which was based on the idea of a “détente” provided by the former Social Democrat of West Berlin, Willy Brandt, after his appointment as Federal Chancellor on 21 October, 1969. This *Ostpolitik* culminated in the stipulation of the Basic Treaty between the four administrative powers of the city in 1973. In the same year, both Germanys became part of the UN. In 1975 they signed the so-called Helsinki agreements (which are effectively, as it is known, simple, non-binding political understandings) stipulated in the framework of the Conference on Security and Cooperation in Europe. These agreements affirmed the commitment to respect human

rights as well as freedom of movement. This commitment was largely ignored by the GDR however, despite the conclusion regarding bilateral ad hoc agreements with the other Germany.

The policy of détente earned Willy Brandt the Nobel Peace Prize in 1971, but it did not spare him harsh criticism at home by the conservative opposition. It also did not spare him the appeal (at the request of the Government of Bavaria, led by the CSU of Franz Josef Strauss) of the Basic Agreement before the Federal Constitutional Court for violation of the commitment to pursue the reunification of all German territories enshrined in the *Grundgesetz*. This was, however, excluded by the Karlsruhe judges. The agreement was also deemed incompatible with the thesis of BRD “continuity” with the Reich, that prevailed in the passionate debate about the origin and nature of the Bonn Republic between German politicians and jurists, which had seen jurists of the calibre of Hans Kelsen and Carlo Schmid on opposite sides. The former was inclined to consider the allied occupation as a *debellatio*, and so the Reich as now extinct. The second instead claimed full continuity with the Reich, (although not with National Socialism), therefore believing that Germany had never disappeared under international law after the military defeat; instead it was only temporarily unable to act¹.

2. *The Beginning of the End of the Wall*

The policy of détente meant if not acceptance then at least acknowledgment of the existence of the Wall. Its stability was left untarnished following both the appeal of the President of the United States of America John F. Kennedy on June 26, 1963 and by the equally well known speech by another US President, Ronald Reagan, on June 12, 1987, on the occasion of the 750th anniversary of Berlin. The former, in favour of the freedom of Berliners, concluded with the famous phrase «Ich bin ein Berliner» («I am a Berliner»); the latter, in his speech before the Brandenburg Gate, said: «Mr. Gorbachev open this gate. Mr. Gorbachev tear down this wall!».

The end of the Wall came two years later; it was unexpected, yet, as has already been said, also anticipated following a long incubation period. Its remote roots perhaps lie even in the Soviet Union’s invasion of Afghanistan in 1979; this was in support of the local communist government in an internal conflict, which, lasting for many years (until February 1989), bled the USSR economy (as it happened in Soviet Vietnam!). This accentuated the gap between them and the western world and determined both the decline of this country as a superpower and its eventual future collapse². It is certain that, without this background, some decisive historical developments immediately prior to November

¹ Regarding this topic and also for the real implications of these theses, see the recent F. D’AMELIO, *Solo una questione di teoria del diritto? Un’altra Wiedervereinigung e il conflitto per l’identità della nazione tedesca dalla divisione del 1949 alla Repubblica di Berlino*, in CHR. LIERMANN TRANIELLO, U. VILLANI-LUBELLI, M. SCOTTO (Hrsg.), *Italien, Deutschland und die europäische Einheit. Zum 30-jährigen Jubiläum des Berliner Mauerfalls*, Stuttgart, 2019, p. 55 ss.; U. VILLANI-LUBELLI, *1919-1949-2019. Continuità e fratture nella storia della democrazia in Germania*, ivi, pp. 39 ss.

² Incidentally, according to some, in Afghanistan both superpowers would have effectively ended, but also lost the Cold War, given that with the support given to the anti-communist opposition of that country, including those inspired by Islamic fundamentalism, even the United States and its allies would have ended up “arming the rifle”, which would later be aimed at the West.

1989 can not be fully understood. These were developments such as the democratic reforms in the Soviet Union (*Glasnost* and *Perestrojka*: transparency and change), which were initiated by Mikhail Gorbachev who took office in the Kremlin in 1985, and to which he linked the Soviet renunciation of the armed "defence" of the European communist regimes. An example of this had happened in East Berlin on June 17, 1953, when tanks sent from Moscow opened fire on the population to suppress an ongoing strike. Paradoxically, the first strike by construction workers against the government (of a State that claimed to be "of the workers and peasants", and indeed called itself as such) was a strike caused – another paradox – by Moscow itself, after Stalin's death in 1953. This was to initiate economic reforms that favoured the improvement of the workers' living standards, but the German government focused, above all, on increasing productivity; resulting in the worsening of working conditions.

The repression had caused the death of 267 people (in addition to those 200 "traitors", who would later be executed). It had also injured more than a 1000, while 4000 were arrested and 1400 were sentenced to life imprisonment (the large road, named after June 17, which connects the Victory Column to the Brandenburg Gate, and crosses the huge green area of the Tiergarten, is dedicated to this dramatic event in Berlin). Then, as is well known, there were the bloody interventions in Hungary in 1956 and in Czechoslovakia in 1968, against the "springs" (the reforms of the socialist regimes of the Stalinist mould) which were launched by local governments.

However, the real "beginning of the end" was determined by a number of declarations made by Gorbachev, throughout the course of 1989, according to which "relations between the two Germans" were no longer considered a matter of Soviet pertinence. This new orientation was affectionately referred to as "Sinatra Politics", (referencing the song *My Way* by singer Frank Sinatra), and it meant that every country belonging to the Warsaw Bloc should now follow "its own way", in full autonomy from Moscow. The previous year, the very same Gorbachev had announced to the UN his decision regarding the unilateral and unconditional withdrawal of half a million soldiers, 10,000 tanks and 800 Soviet aircraft from Europe.

The subsequent effect was the acceleration of the dismantling of the "iron curtain", which began with new reformist regimes taking office in Poland, Czechoslovakia and Hungary. In particular, on May 2, 1989, the Hungarian government removed the barbed wire at the Austrian border, where thousands of East Germans (who, within the Soviet bloc, had more freedom of movement at least) quickly poured in. Many others took refuge in the Western German embassies of Budapest, Prague and Warsaw, shouting out *Wir wollen raus!* (we want to get out!): towards freedom and wealth.

But next to those who wanted to escape, a surge of those who wanted to stay was growing (*Wir bleiben hier!*: We're staying!; *Wir sind das Volk!*: We are the people here!), but they asked for democracy, free elections and freedom. Various civil rights movements came about – *Neues Forum* (New Forum) and *Demokratie Jetzt* (Democracy Now) being the main ones – which were capable of mobilising hundreds of thousands of people.

The demonstrations in the squares, invoked by the crowds who mobilised an unauthorised procession and shouted "Gorbi! Gorbi!", even ruined the solemn celebrations of the GDR's 40th anniversary, which took place on 7 October in the presence of Gorbachev. This is another paradox in the history of Wall, which now saw the Soviets unexpectedly becoming the liberators of the German people, liberators from the stubborn orthodoxy of the SED, the Socialist Unity Party. On 18 October, Secretary General of the

SED Erich Honecker, who had been in office since 1971 (and who, even in January 1989, had prophesied that «The Wall will still exist, even in fifty or one hundred years»), would be forced by the Politbüro to resign in favour of Egon Krenz: his heir apparent. The SED and state authorities were no longer able to cope with the unfolding events. The fall of the Wall was now far from unexpected. The decisive spark was provided by the presentation of a new bill regarding visas and transit to the West which, still being very restrictive, put more fuel on the fire of the protests. The Council of Ministers and the entire Politbüro were forced to resign, while a new bill on the subject was announced.

3. Die Wende: *The Incredible Night of November 9, 1989*

Then came November 9: *Die Wende* (the “turning point”). At around 8pm, an announcement took place at the end of a press conference regarding new transit measures that would have ensured, «without particular formalities», the freedom of movement for East German citizens. Upon this announcement, the spokesperson and “number two” of the Politbüro, Günter Schabowski, urged by the questions of the journalists (and in particular of the Italian journalist Riccardo Ehrman, of the Ansa Agency) replied that these measures would have been operational «ab sofort» (immediately). He was actually improvising, having not received any indication on this particular point. The news circulated around the world, surprising everyone (the Wall had fallen!). The news arrived completely unexpectedly, even to those who would become the main protagonists of the reunification on the western side, Chancellor Helmut Kohl and Foreign Minister Hans-Dietrich Genscher, who were at that moment in Warsaw celebrating the inauguration of the new Polish reformist government the evening prior. Genscher had told Lech Walesa, leader of *Solidarność*, that he had publicly proclaimed the fall of the Wall and then of the USSR shortly before: «... before it happens, big trees will grow on our graves»).

The citizens of East Germany learned the news only as it spread from the news programmes of western televisions; without having a definite confirmation from their government authorities who, indeed, had deployed thousands of soldiers to the borders, but had done so without giving them clear commands. The tension was sky high. The scene I witnessed at the Brandenburg Gate, where I had rushed to by taxi and where, by late evening, there would be no more than about 50 people present, almost all of them journalists, including five or six Italians, initially seemed inexplicable to everyone.

Through the colonnade of the Gate, a few dozen people could be glimpsed; they were slowly taking a few steps beyond the “border”, scrutinising the Vopos (the “people’s police”) who were lined up motionless. Once their impassiveness was ascertained, these people went back; they disappeared. They did not open fire, contrary to what had happened in February of the same year, when 21-year-old Chris Gueffroy, the last victim of the *Schiessbefehl*, had been killed following “the order to shoot”. The permanent disposition given by the Minister for State Security, the notorious STASI, Erich Mielke, to the military of the GDR in charge of border control since 1960 was revoked only in April 1989. It was commented among those present that this retreat signified strange behaviour on the part of people who had been waiting for freedom for 28 years and who had been recklessly taking to the streets for months, claiming freedom. It was only after a few minutes that we understood: these people were actually the courageous “advance guard” of a multitude of friends and relatives, who were waiting at a distance and who would soon, when reassured,

pour into the western sector by the thousands.

The subsequent scenes had nothing to do with the images of cheering crowds and pickaxe strokes made against the Wall, which made their way around the world the following day. That evening, and all through the night, there was instead an invasion of “ghosts”, who wandered silently and astonished through the streets of West Berlin, incredulously admiring the buildings and emblems of the opulent West. Up until that point, they had only seen these sights in television broadcasts from the West. It was only at the first light of dawn, as the “brothers” of the western sector pushed them to do so, that disbelief loosened into a festival of the people, complete with liberating songs. One of these in particular was *So ein Tag, so wunderschön wie Heute*: «Such a wonderful day like today»: the main leitmotif of the singing repertoire used by the Germans on special occasions. Then, on the second day, a million people crossed the border; as they did, they received their “welcome money” of 100 Marks each. This had been made available by the BRD and indeed, served as a welcome to them as they entered.

Such a happy ending in the history of the Wall, and this “incredible night” of November 9 was, however, far from obvious. Meanwhile elsewhere, things were going a little differently. For example, at the *Bornholmerstrasse* crossing, in the district of Wedding, where carnage was about to happen. The border guards, without clear orders, were in fact almost at the point of shooting into the crowd, when the commander of the department, Harold Jaeger, took the decision to open the border. This happened after repeated but unsuccessful requests for instructions from the high commanders; he assumed responsibility (and of course, the risk of then having to answer to his superiors). This episode was recalled on the 25th anniversary of the fall of the Wall in a film, *Bornholmerstrasse*, which was broadcast on German state television. Some time later, a street in Berlin was dedicated to Harold Jaeger.

4. *The Aftermath of the Fall of the Wall in Germany*

The fall of the Wall not only radically changed German history, but also that of Europe and of the world. The change did not happen without complications and problems, and its long-term effects are complex and controversial.

First of all, as far as German history is concerned, the unification between the two Germanys was not immediately taken for granted. This was especially true for the political class of the GDR who, headed by the new secretary of the SED Egon Krenz, made a desperate, but not-so credible attempt to be accredited, in the eyes of the people, as the creator of a reformist turn of the regime. These were people who, now in permanent mobilisation, were asking for radical changes and could not be satisfied simply with Honecker’s resignation (nor were they satisfied later, with his expulsion from the party, together with that of Erich Mielke and nine other leaders).

Instead, the regime became overwhelmed and it quickly dismantled under the blows of unstoppable waves of protest. Thus, on December 1, the Parliament of the GDR removed the article of the Constitution which guaranteed the SED a leading role within the entire state. Egon Krenz (“the short”) resigned two days later (and was replaced by the lawyer Gregor Gysi), and along with him, also the entire Politbüro and the Central Committee. The first free elections were held on March 18. A coalition of the CDU and

Social Democrats elected Lothar de Mazière as Prime Minister on April 12. On May 18, the Treaty for the Monetary, Economic, and Social Union was concluded between the two Germans. On 1 July, the eastern Mark was replaced by the *Deutschmark*. On 31 August, the Unification Pact was signed; the unification was set for October 3, the date on which the BRD legislation was also extended to the five *Länder* in the East.

Even on the side of the Federal Republic, there was initially resistance towards the reunification project, by both politicians and intellectuals (note the opposition of the Nobel Prize winner for literature Günther Grass, who was fearful that together with the reunited Germany, German nationalism could also be reborn). Internationally speaking, to overcome concerns caused by the strength of an eventual future “Greater Germany”, the acceptance of the 1945 borders was decisive; in particular the eastern one with Poland, made up of the Oder and Neisse rivers. Willy Brandt had already committed to respecting the aforementioned border acceptance, and it was reconfirmed by the Treaty on the final state of Germany (the so-called 2 plus 4 Treaty), which was concluded on 12 September, 1990 between the two Germans and the powers still present in the territory of Berlin. Furthermore, a treaty between the new Germany and Poland was also concluded.

The commitments made by the German government regarding the development of the European integration process and the project of a single currency were equally important (these points will be returned to shortly).

Once the initial obstacles had been overcome, the reunification was finally carried out, with surprising rapidity. «In less than eleven months, what many saw as being impossible was accomplished: without a war, and instead thanks to the popular ‘peaceful revolution’ in the East, first the Wall fell and then one of the two contenders surrendered, and eventually became part of the scope of the *Grundgesetz*»³. On a formal level, the path chosen by the new Government of the Democratic Republic as a consequence of the elections of March 18, 1990 (a choice later confirmed by the *Volkskammer* by approving the Treaty on the final state of Germany on August 23, 1990) was the one which was provided for by art. 23 of the *Grundgesetz*. This article offers the opportunity for other *Länder* to become part of the Constitutional Pact of the Basic Law⁴.

Another small, formal problem then arose: the choice of date for the national anniversary of the reunified Germany. Indeed, celebrating November 9 immediately proved impractical for the Germans, because the date was “compromised” by two embarrassing historical precedents. The first was November 9, 1918, when the abdication of Emperor William II took place following the First World War defeat; and November 9, 1938, which was the date of “Kristallnacht”; the pogrom against Jewish stores throughout Germany and a prelude to the holocaust. It was therefore necessary to fall back on the date of October 3: that of the administrative reunification of 1990, which then became a national holiday.

Obviously, however, substantial problems of an economic and social nature, posed by the reunification process, were much more serious. This process, especially at the beginning, was not entirely painless for the German people.

The formidable process of integration between East and West that ensued was paid

³ F. D’AMELIO, *Solo una questione di teoria del diritto?*, cit., p. 64.

⁴ This integration process for some, however, was more of an *Anschluss*, an annexation of the GDR by Federal Germany: the Italian scholar V. GIACCHÉ also expressed himself in this sense, in *Anschluss. L’unificazione della Germania e il futuro dell’Europa*, Reggio Emilia, 2013. *Adde*, recently, R. KNAEBEL, P. RIMBERT, *Allemagne de l’Est, histoire d’une annexion*, in *Le Monde diplomatique*, November 2019, pp. 1 et 14-15.

for, in the West, with tax increases and cuts to the welfare state, in particular following the so-called Hartz Plan made between 2003 and 2005 by the Social Democratic Government led by Chancellor Gerhard Schröder. It was to compensate for the weight of the financial effort which was necessary for the integration of the new *Länder*. In the East, it was paid for with the systematic dismissal, in the public sector, of all of the “compromises” within the communist regime, and with the dismantling of most state industries by means of the *Treibhand*. (These were industries often taken from the western ones, at nominal prices or even free of charge, only for the purpose of eliminating competition, and therefore soon closing or downsizing). It was also paid for with mass unemployment, which had been a completely unknown concept up until that point⁵.

The discontent that ensued in the years immediately following the reunification created quite a lot of tension and new trends. These included *Ostalgie* (nostalgia for the old world of the GDR), waves of neo-Nazism and racism, hostility between *Wessis* and *Ossis* (West and East Germans) and the resistance of the Wall “in the minds” of the people. It also provoked very different electoral tendencies between East and West; in the East (where the spirit of Nazism had perhaps never been exorcised in a profound way, as it had been in the Federal Republic), these tendencies often saw the affirmation of the parties that were heirs of communism or, on the contrary, of populist, nationalist movements and xenophobes, such as, recently, the AfD (*Alternative für Deutschland*)⁶.

After 30 years, however, most of these problems *seem* to have been overcome and the integration process of the new *Länder* can be considered an overall success. Contrary to what is happening regarding the Italian *Mezzogiorno*, the economic *gap* with the western *Länder* has had a tendency to decrease and, in 2017, for the first time after reunification, the movement of people from the West to the East was greater than those who journeyed in the opposite direction. Berlin has become a magical city and one of the most liveable capitals in the world: a few years ago, these characteristics earned it the definition of a city that is “poor” (for the accumulated debts) but also “sexy”. This definition came from Klaus Woworeit, who was Burgomaster of Berlin for 13 years.

5. Europe after the Fall of the Wall

No less controversial, and even more difficult to evaluate historically, are the consequences, both for Europe and for the whole world, of the fall of the Wall and the end of the Cold War.

In Europe, the most immediate effect was that of the fall of the other communist regimes (in Bulgaria, Lithuania, Czechoslovakia and Romania), however not always, unlike in Germany, in a bloodless way: «as if the Wall were a symbol, the first stone torn from that world would mean the whole of the East that falls»⁷. Even the heart of the “Empire”

⁵ On the evolution of the German economic and social system after the fall of the Wall, and also for a comparison with the Italian system, see CH. DIPPER, *Wachsende Ungleichheit, Schleichende Entfremdung. Italiens und Deutschlands wirtschaftliche Entwicklung, nach dem Boom*, in CHR. LIERMANN TRANIELLO, U. VILLANI-LUBELLI, M. SCOTTO (Hrsg.), cit., pp. 25 ss.

⁶ On these trends, and also for a comparison with the Italian political system, cf. E.G. HEIDEBREDER, *Nach dem Ende des Endes der Geschichte: Deutschland und Italien in der EU von Morgen*, in CHR. LIERMANN TRANIELLO, U. VILLANI-LUBELLI, M. SCOTTO (Hrsg.), cit., pp. 127 ss.

⁷ E. MAURO, *Anime prigioniere. Cronache dal Muro di Berlino*, Milano, 2019, p. 175.

was soon overwhelmed with the implosion of the Communist government of Moscow and the dissolution of the Soviet Federation between January 1990 and December 1991.

Other important consequences were the birth of the European Union, with the Maastricht Treaty of 1992, which replaced the European Community, and, above all, the institution of the Euro and the Eurozone, with all the problems linked to their “original sin”, which emerged dramatically with the economic crisis that erupted in 2008 and with the widespread intolerance that had been manifesting in recent years in all member countries towards European institutions and legislation; a phenomenon which culminated in the outcome of the Brexit referendum held in the United Kingdom in June 2016.

Indeed, the complex situation that led to these projects should be remembered; perhaps more based on geopolitical considerations than economic rationality. The end of bipolarism and the Cold War seemed to be an unmissable opportunity for Europe; to take on a more relevant economic and political role in the international arena. This would be an impossible step, however, without the committed participation of Germany which, after the reunification had taken place, seemed to want to disengage from the European integration process, in order to follow a policy of autonomous power in Central and Eastern Europe. The need to link Germany to the European project “using a double thread”, above all by the will of Mitterand’s France, however, led to a “flight forward” towards a single currency. This was under conditions substantially “dictated” by the Bundesbank; an expression of monetary rigor which was very dear to the governments of Bonn and Berlin and which had very high costs for the other countries of the Eurozone, or at least for those of Southern Europe, such as Italy. Indeed, following the fall of the Wall, Helmut Kohl had sworn that he did not want a German Europe but a European Germany. However, his Finance Minister Theo Waigel was «worried that the Euro was an enlarged edition of the German currency, rather than a true European currency»⁸.

Alongside the rift between North and South, the enlargement of the European Union towards the East, which was initially very attractive for the countries that had been freed from the Soviet yoke, however, also left visible fractures between East and West. Today these fractures constitute an even more serious threat to the future, and to the survival of the EU itself. It is, above all, a cultural divide. For Western Europe, nationalism was the reason for wars and for all oppression. For Eastern Europe, oppression first came from Pangermanism and then from Communist internationalism, while nationalism today takes the form of a long-awaited rediscovery of identity, as if it were a liberation. This explains the rejection of ethnic and cultural contamination constituted by Islamic refugees and the refusal to surrender sovereignty to Brussels. Thus, the political right is tinged with nationalism and the left, wherever it exists, finds it hard to shake off the heavy shadow of communism and Stalinism⁹. At the same time, not only in Eastern countries, but more generally in Europe (and in the world), in politics, traditional schemes of left and right often tend to be substituted in two contrasting ways. On the one hand, by movements and parties based on the green/alternative/libertarian value trinomial, more easily oriented in favour of European integration and transnational cooperation, and on the other, by those of a populist and sovereignist style, inspired by the traditional/authoritarian/national trinomial¹⁰.

⁸ A. BONANNI, *Le ferite dell'Europa*, in *La Repubblica*, 10 novembre 2019, p. 4.

⁹ A. BONANNI, *ibidem*.

¹⁰ Regarding this, see the study – now considered a “classic” – of L. HOOGHE and G. MARKS, *A Postfunctionalist Theory of European Integration: From Permissive Consensus to Constraining Dissensus*, in *British Journal*

6. *The World without the Wall: from the End of the History to the “Fragmented Third World War”*

For the rest of the world, 1989 was initially hailed as the beginning of a happy era, marked by greater cohesion and cooperation between States. Even since the first “Gulf War” of 1991 against Saddam Hussein's Iraq, there has been a significant revitalisation of the UN Security Council, in its role of guarantor of international peace and security; no longer systematically paralysed by the permanent members' cross veto games, which was typical of the previous period¹¹. Many, therefore, had bet, or hoped, that the design of the collective security system provided for by the UN Charter could finally be completed with the creation of a permanent army under the control of the Organization (art. 43 et seq.). Previously, this had been impossible to achieve in the climate of the Cold War. Even outside the UN system, the international community hoped to find moments of strong aggregation and cooperation around common fundamental values and interests, which were able to guarantee effective management of “global public goods”, even beyond the problem of international security and peace¹².

Meanwhile, Francis Fukuyama even proclaimed the “end of history”, in a world pacified by the triumph of the liberal model of democracy and economy, which was guaranteed by American hegemony¹³.

Relying on this belief, the West instead made the mistake of not reforming the *governance* of international politics and economics in an adequate way, in relation to the challenges and responsibilities posed by the new situation; it left too much space and power to the strongest States and to the freedom of the markets. In any case, history got back on track quickly, and Fukuyama's thesis was quickly contradicted by the rise of new military and economic powers, and above all by the global threat of Islamic terrorism. This was in order to make the “prophecy” of the “clash of civilizations” by Samuel Phillips Huntington appear more adherent to reality, as the Al Qaeda and ISIS phenomena and the numerous interreligious conflicts that have roused anger in different areas of the world have dramatically shown¹⁴. Yet what is even more meaningful today, is the definition of the current world situation, which was coined a few years ago by Pope Francis when he spoke of a “fragmented third world war”. The cultural and religious clash is in fact only one

of Political Science, 2009, pp. 1 ss. *Adde*, for a more up-to-date analysis, E. G. HEIDEBREDER, *Nach dem Ende des Endes der Geschichte*, cit. For a recent debate on the prospects of European integration focusing, in particular, on the role of Germany, also see the essays by P. SCHIFFAUER, I. JĘDRZEJOWSKA-SCHIFFAUER, B. BENOCCI contained in the volume edited by CHR. LIERMANN TRANIELLO, U. VILLANI-LUBELLI, M. SCOTTO, cit.

¹¹ Regarding this topic, see extensively P. PICONE, *Interventi delle Nazioni Unite e obblighi erga omnes*, and *Le autorizzazioni all'uso della forza tra sistema delle Nazioni Unite e diritto internazionale generale*, essays, respectively, from 1995 and 2005, last edited in the volume of the same author *Obblighi «erga omnes» e uso della forza*, Napoli, 2017, pp. 129 ss., pp. 387 ss. *Adde* A. LIGUSTRO, *Sessant'anni dell'Italia all'ONU: per una celebrazione senza retorica*, in *Dir. pub. comp. eur.*, 1/2016, pp. 3 ss.

¹² On the latter perspective, see the numerous essays by P. PICONE contained in the volume cited above and in *Comunità internazionale e obblighi «erga omnes»*³, Napoli, 2013.

¹³ See the famous F. FUKUYAMA, *The End of History*, in *The National Interest*, 1989, pp. 13 ss.

¹⁴ See the essays, also those well-known, written in response to Fukuyama's thesis, *The Clash of Civilizations?*, in *For. Aff.*, Summer 1993, and *The Clash of Civilizations and the Remaking of World Order*, New York, 1996.

element of the condition, which is defined by some as “neo-Hobbesian”¹⁵: a condition of widespread and permanent conflict that characterises the 21st century for various reasons. These include geopolitical conflicts, civil and international wars, trade wars, which undermine the functioning of an important multilateral institution such as the World Trade Organization, conflicts related to the race to hoard natural resources, racial or gender differences and economic and social imbalances.

In this context, after the initial revival expectations, the UNO highlighted new divisions within its organisation, up to the current Cold War regurgitations between the West and Putin's Russia, which are intertwined in a “second Cold War”¹⁶. The UNO proves itself to be unable to prevent and resolve wars and acts of violence and often gives way, regarding the management of international security and legality, to unilateral military initiatives by Member States, along with all the risks of abuse related to unilateralism¹⁷.

However, regarding one particular point, Fukuyama perhaps wasn't completely wrong; at least so far. Let us imagine we were to bring the concept of the “end of history” back to economic thinking and practices. The collapse of communism and the disappearance of competition between alternative systems (aimed at demonstrating that its own development model was not only efficient, but also socially equitable), on which the bipolar balance of the Cold War was based, left the field open to affirmation of the liberal “single thought” on a global scale. This happened in the decades following the fall of the Wall and also made room for the triumphal march of financial capitalism, in the context of the general processes of globalisation of the economy. It is precisely these phenomena, based on authoritative and increasingly widespread analyses, which would represent the real cause of the last economic crisis, which is serious and has not yet been overcome. This along with the abnormal growth of inequality, social disintegration and the emptying of democracy itself and the principles of Rule of Law, even within Western countries: a paradoxical epilogue for a war waged, from the point of view of the winners, precisely in the name of democracy and freedom¹⁸!

Perhaps it is true, as is increasingly being said of late, that the generalised reaction to this state of affairs is now leading to the end of a period of globalisation history that lasted 30 years. It is also leading to the decline of a certain world order, resulting from the collapse of the Berlin Wall and from the end of the Cold War,¹⁹ and therefore we have indeed reached the end of the end of history²⁰. It is also true, however, that we are faced with a scenario that even experts in international relations consider as being difficult to interpret,

¹⁵ A. SKODAS, *The Rise of the Neo-Hobbesian Age: Thirty Years Since the Fall of the Berlin Wall*, in *Zeitschrift für ausländisches öffentliches Recht und Völkerrecht*, 2019, pp. 469 ss.

¹⁶ To discover more on this topic consult the latest book by F. RAMPINI, *La seconda guerra fredda. Lo scontro per il nuovo dominio globale*, Milano, 2019. This second Cold War refers to that between the United States and China. On this point, also see one of the latest issues of the *Limes* magazine, n. 11/2019, entitled *China-Russia. La strana coppia*.

¹⁷ See, in this regard, the works of P. PICONE mentioned above, and in particular, the essays *La Guerra contro l'Iraq e le degenerazioni dell'unilateralismo* and *Unilateralismo e Guerra contro l'ISIS*, in *Obblighi «erga omnes» e uso della forza*, cit., pp. 515 ss., pp. 605 ss.

¹⁸ Regarding more information on this topic see, *ex multis*, especially the work of the Nobel Prize winner J.E. STIGLITZ, *The Price of Inequality. How Today's Divided Society Endangers Our Future*, New York, 2012, and P. PICONE, *Capitalismo finanziario e nuovi orientamenti dell'ordinamento internazionale*, in *Diritti Umani e Diritto Internazionale*, 2014/1, pp. 5 ss.; for a very critical slant, also consult the various interventions in the issue n. 6 of 2019 of the *MicroMega* periodical, which are entirely dedicated to the effects of the fall of the Wall.

¹⁹ This is, for example, the central thesis of Rampini's work which is cited above.

²⁰ E. G. HEIDEBREDER, *Nach dem Ende des Endes der Geschichte*, cit.

and whose developments cannot currently be foreseen.

In light of the complexity of the phenomena and the problems evoked, the brief considerations made here should therefore simply be taken as food for thought; devoid of any ambition of completeness and a systematic approach, and to be better explored elsewhere. Nor was it intended to diminish the scope and value of what was achieved by the German people, both on the incredible night of November 9, 1989, and thereafter; they fully deserved to celebrate the 30 years since their rediscovered unity.