At the roots of transparency: a public-ethics perspective

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Among the broken promises of democracy,
the worst, the most ruinous, is the transparency of power.

(Norberto Bobbio)

In this essay I explore some of the semantic roots of the concept of transparency in order to identify a set of challenges for its present and future use as the founding principle of public administration. After a methodological premise showing sometimes evocative and elusive use of the term (§ 1), I concentrate on its etymology and fundamentally on the history of its denial, which since the dawn of western modernity has been a sort of guarantee for the exercise of power (§ 2). I shed light on certain defining historical features that help make transparency the fundamental principle that has legitimated judicial and political power since the second half of the eighteenth century (§ 3). This is the premise for identifying some of the challenges that still accompany its use and link it with other values and principles necessary for democratic coexistence (§ 4).

1. The known and the unknown – a premise

In the introduction to one of his main works, *The Phenomenology of Spirit*, Hegel wrote a passage that would remain paradigmatic: «What is familiar and well known [*Das Bekannte*] as such is not really known [*erkannt*] for the very reason that is familiar and well known. In the case of cognition, the most common form of self-deception and deception of others is when one presupposes something as well known and then makes one's peace with it»[1].

Although that expression was used in a different context, it seems applicable to ours. The concept of transparency seems to fit the same paradigm, namely that sort of universal *familiarity* that often prejudices deeper, fuller and more critical *knowledge*. Transparency is undoubtedly a familiar concept. To a first approximation, one could say that transparency suggests the linearity of the behaviour an individual who «says what he does» and therefore «does what he says». It is a term in common usage which connotes interpersonal relations but extensively is one of the most recurrent terms in current debate on innovations in the public administration, with reference to public relations or public service, and hence to the linearity, simplicity and efficacy of how the public administration interprets, conducts and reports that service.

However, the fact that the term is used and applied to almost all possible lines of action of the public administration calls for a definition of the object and field it refers to. To mention just some of the more explicit references, one can speak of transparency with reference to access to documents, processes, results, balances, contracts and criteria for assigning functions and payment. With more direct reference to Italy, it is also worth recalling that one of the most challenging fields for the exercise of transparency is open government, and especially generalised civic access, introduced in Italy with legislative decree no. 97/2016, which finally brought national law into line with the *Freedom of Information Act* (FOIA), the law of reference on freedom of information and right of access to the acts of the public administration[2].

For a more theoretical idea, transparency is another of those peculiar concepts that can be termed «molecular», to indicate its form in common public discourse[3]. If we think of an ideal «social chemistry», it could be said that transparency is rarely found in nature in its elementary (pure, atomic) form. More often it is found in molecular form, namely combined with other concepts, such as *integrity, impartiality, responsibility, efficiency, efficacy* and so forth. These are definite combinations, primarily proposed by the legislator, and are widely plausible and acceptable, but often not completely evident or explicit in method or content.

The first assumption of this essay goes in this direction. These combinations are perhaps worth pondering, since they can confuse understanding and hinder critical knowledge of a term while favouring presumed or ambiguous familiarity, which tends to take for granted its meaning and assume that its problematic aspects are clear from the outset.

Here I re-investigate the original, historical-theoretical, «atomic» or etymological profile of transparency in order to remove its patina of presumed obviousness or the Hegelian *familiarity* that seems to surround it.

I therefore make a synthetic critical analysis of the term, to renew *knowledge* of it, since a better understanding of the history of a word and it theoretical profiles helps the work of transformation and accompanies the need for innovation.

2. *What is transparency*? A first framework

2.1 *Latent awareness*

The first step to go from presumed familiarity to a more cautious and certain knowledge of a term is to examine the original semantic root of the word, in this case the Latin root.

The word alludes directly to an optical effect. It is derived from the Latin verb *trans-pareo*, or «appear through». This is the action of a body that is evident to the sight of an observer, despite the fact that another material element lies between the two. In this first fundamental meaning, «transparency» indicates «the quality or state of being transparent», that, in turn, alludes to «the property of transmitting light without appreciable scattering so that bodies lying beyond are seen clearly»[4]. Transparency is therefore a natural property, but we can say that it is not very common: not many bodies and materials allow the passage of sufficient energy (in the form of light) to enable objects on the other side of them to be seen.

Although transparency may not be common in nature, it can certainly be created in relations between humans. It is therefore an artificial product in human institutions, created to organise coexistence. Indeed, it is tempting to say that it is a «product», a rather complex theoretical construction of recent constitution, affirmation and consolidation on the contemporary institutional scene, which however is the fruit of latent and ancient awareness within the history of ethics and politics.

2.2 *Obscurity as guarantee of power*

Let us recall that regarding the political sphere, the optical metaphor is constitutional of our cultural history. It can be traced back to the first and most organic treatise of political theory of western thought, Plato's

The Republic. Let us consider the cave allegory at the beginning of the seventh book[5]. A group of prisoners, chained in a cave, can only see shadows projected on the cave wall, by the light of a fire. The shadows are those of objects held up by others who are hidden from the prisoners' view. The symbolism and meaning of the myth are extremely complex. Plato alludes to the need of the philosopher (the only figure to have this task) to find a way out of the cave in order to see the sun, or to be free of his bodily chains and perceive the supreme idea that informs all others: the idea of good, the only idea that should guide and model the State. Throughout this fascinating work, which becomes a foundation stone of western political culture, Plato discusses the organisation of the State.

Apart from Plato's allegory, however, reference to the semantic area of *seeing* and the ideal of *visibility*, which we can only frame here from the viewpoint of its most expected consequence, i.e. control, constitutes a founding element for political theory and practice in subsequent centuries. This element becomes paradigmatic at the time of the most mature elaboration of the idea of State, on which various considerations are worthwhile. The point may be framed in the following terms: the concept of the modern State develops from full awareness of the risk that transparency poses for the exercise of power. To ensure the stability of his realm, the king and his court must be simultaneously *all-seeing* (able to control the life of his subjects in every important situation) and *invisible* (i.e. all the workings of his rule must be completely hidden from the people's sight and hence from all possible forms of control). The king's power lives and functions in full awareness of the crucial nature of the visual element for all forms of political management, which is why it must be held exclusively and asymmetrically: it means seeing everything and everyone and simultaneously not be seen by anyone, as concerns activities fundamental for ensuring the absolute, arbitrary and unverifiable nature of his command[6].

The principle of «State interest» first theorized by Giovanni Botero is framed in the same logic: «State is firm dominion over people and State interest is familiarity with the means to found, conserve and widen such dominion»[7]. A means of fundamental importance in the wide articulation of State interest is the systematic use of secrecy or even dissemblance and untruth.

Incidentally, reference to State interest constitutes what Arnold Clapman, in his famous essay *De arcanis rerum publicarum* (1605)[8], calls *ius dominationis*, or the sovereign's right to go beyond (or if necessary against) the ordinary *ius commune* in order to promote and ensure the good of his State. It is the clearest legitimation of exceptional *ex lege* use of

the sovereign's discretional power, whenever he considers it opportune to ensure the «supreme health of the *res publica*». This exercise of power serves the *arcana imperii* (secrets of power or principles of the state), the other key for understanding seventeenth century theory of the State. According to the definition elaborated by Clapman from the original words of Tacitus, with this key, the «intimate and hidden reasons and plans of those who command the State» must be understood («*intimae ed occultae rationes sive consilia eorum qui in republica principatum obtinet*»). Their aim is to conserve the sovereign's dominion and the existing form of the State.

These procedures are flanked by the *arcana dominationis*, which are further «reasons» and ways of preserving not so much the form of the State as the existing form of government, thus avoiding the process described as «degenerative». This seems to have been how the origin and management of power became wider, slowly asserting itself over the centuries: from monarchies to aristocracies to the various interpretations of democracy in the states of Europe.

3. *Publicity* and the rule of law: the origins of transparency

3.1 *The public nature of power*

So far we have seen the typical dynamics of power at the origin and during consolidation of the State in the modern and European sense of the term. We can say that sovereign power is based on exclusion from visibility and on refusal to account for its actions: it does not explain its conduct. Sovereign power attempts to avoid public visibility on its conduct, being decided by the few or very few and translated into command without giving any justification and imposed beyond any effective assumption of responsibility. This way the state system and the permanence of the king in absolute power becomes more solid.

This very trait is directly opposed, and punctually (though not easily) destroyed as the idea of constitutional State takes form and consolidates, and this makes the *public nature of power* its distinctive element and its fundamental criterion of legitimacy. The intrinsic complexity of the history of the word *transparency* can be understood in this sense. This history may sometimes be confused with the history of the idea of power, publicity, the public sphere and democracy. To foster

a more direct understanding, it is worth considering an apt definition by Norberto Bobbio who indicated the management of democracy as «the management of public power in public». In the same context, the philosopher specified:

> This pun is only apparent because «public» has two meanings depending on whether it is contrasted with «private», as in the classical distinction between *ius publicum* and *ius privatum*, transmitted to us by Roman jurists, or with «secret», in which case it means that it does not belong to the «*res publica*» or to the «state», but is «manifest», «clear», in other words «visible»[9].

Going back to where we started, it is therefore a specific characteristic of any democratic regime to establish another opposite relation with the optical perspective and the dimension of visibility. From this viewpoint, one could sustain that the link between the management of power and visibility remains unaltered in the passage from absolute State to democratic State, as if it were an insuperable obstacle, an ontological structure of the way we think and implement the organisation of coexistence. The «only» (but radical) thing that changes is the number of subjects included as personal holders of power. Since power is not held by a single person but constitutionally «comes from the people», the «capacity to see» the management of the *res publica* must be extended to the whole population, i.e. it must be able to extend to all citizens of a State.

Democracy can therefore be properly defined as «the rule of visible power» or as a system in which power is exercise by the people, with the people and for the people, through their representatives. The latter must therefore act with maximum transparency, i.e. they must ensure the possibility of explaining and motivating the decisions made and the objectives achieved. The same must be said for the procedures adopted, the means used, the subjects involved and the various costs sustained by the administration.

But one must also admit that it has not always been like this. Nor has the transition from absolute to democratic regimes been so immediate, sudden and clean. Indeed, it has been one of the longest transitions in western Europe, taking more than two centuries of its history. Here we cannot even sketch all its salient elements. I shall just mention two elements that are particularly significant. I include the first because it is too often unknown and in any case rarely present in the weave of histories and destinies linking the word *transparency* to the words *publicity* and

public sphere; I cite the second for the opposite reason: its presence and «familiarity» is so obvious, in a general sense, as again to run the risk described in Hegel's adage quoted earlier: the familiar, just because it is familiar, is not known.

3.2 *Publicity* in the judicial sphere - A historical root

The two elements hail back to the Enlightenment. We know that in this period, there was a special sensitivity for *publicity* regarding the judicial dimension, which marked a decisive point of no return. The position taken by Bernardo Tanucci, minister of the Kingdom of Naples at the time of King Ferdinand IV, was paradigmatic. From 1734, he sought to reform the administration of justice several times. His efforts culminated in the famous *Dispaccio* of 12th September 1774, which made it obligatory to motivate sentences, an idea considered unprecedented and almost revolutionary at the time[10].

Similar provisions were also declared in France (1790) and Prussia (1793)[11], but Tannucci's stand remained a point of reference and sparked heated debate, in which among others the celebrated jurist and philosopher of law Gaetano Filangeri played a primary role[12].

The obligation to motivate sentences, today completely *familiar*, even obvious, was a milestone towards the guarantee of the objectivity and impartiality of justice, as well as the accountability and if necessary the revisability of its exercise: since the motivations had to be published and printed, the sentence was exposed to the critical evaluation of public opinion (though still subject to many objective limitations)[13]. The outcome and the long-term repercussions are well-known: undoubtedly this obligation invited judges implicitly and explicitly to abandon discretionality, which was often at variance with simple application of the law and influenced by pressures of various kinds[14].

3.3 *Publicity* in the political sphere and in the production of laws - A historical root

The second element to underline here directs our attention to the same period but a different context. The greater profile of what we call the «public sphere» today, which began to take form in seventeenth century Europe, brought awareness that a State desiring to be seen as having the «rule of law» required what Kant called the «transcendental principle of the publicity of public right»: *publicity* of the topics discussed and the decisions taken[15]. The

author introduces this point in the second *Appendix* to his essay *Per la pace perpetua*, in a context focused on elaboration of a single legal bond and rational thread uniting the moral, political and legal spheres:

> One can cite the following proposition as the *transcendental formula* of public right: «All actions that affect the rights of other human beings, the maxims of which are incompatible with publicity, are unjust». This principle is to be understood as being not only *ethical* (as belonging to the doctrine of virtue), but also *juridical* (as concerning the rights of humans). If I may not *utter* my maxim explicitly without thereby thwarting my own aim, if it must rather be *kept secret* if it is to succeed, if I cannot *admit it publicly* without thereby inevitably provoking the resistance of all others to my plan, then the necessary and universal and hence *a priori* understandable opposition to me can be due to nothing other than the injustice with which my maxim threatens everyone[16].

Extending the Kantian revolution to this theme, the principle of State interest and the secrecy of public action considered above are completely overturned. The «observers» of the *res publica* can only be the citizens, and from their point of view, any public act at variance with the principle of *publicity* contradicts and substantially demolishes the legitimacy of any exercise of power.

At least three aspects are worth noting here. In first place, the author qualifies the principle of *publicity* as the transcendental principle of public right. To fully understand the implications of this expression implies turning to the most fundamental dictionary of Kant's ideas. First and foremost it is a «principle formula» i.e. a normative structure valid in any time and place. Not by chance did Kant repropose here a full consonance with the idea of the categorical imperative, which is embodied in a formula («act in such a way that your maxim can become the principle for a universal law») and institutes a command valid and obligatory for any thinking being, i.e. let us say a command of unchallengeable juridical reasonableness: «Always act so as to avoid any action whose maxim cannot be admitted publicly»[17]. It is also «transcendental» in the sense of not being derived or derivable from the history of some administration or from the personal experience of some public official; to the contrary, the purpose of the measure is to enable any future history or experience by setting it up and directing it according to said principle.

In second place, the formula, still in consonance with the categorical imperative, implicates a maxim, namely what in Kantian terms

qualifies «the subjective principle of acting», the rule an individual chooses and on the basis of which he sets up his individual action. Again in this case, the ethical root of the formula is clear: *entrust* the concrete and stable adoption of the rule *to the responsibility of the individual*, whether it is commanded by administrative authority, or whether the motivation for its adoption originated autonomously in the actions of the public official.

In third place, it should be noted that through the incisive agency of those words, the principle of *publicity* - today we would say *transparency* - becomes an essential need in order to be able to speak of law or of any procedure (abstract) or activity (concretely pursued by public officials) directly related to that sphere. Everything that concerns the organisation and management of coexistence must be made known to the citizens themselves with the greatest possible evidence and continuity. Should someone consider it opportune to hide a fact of ordinary administration from the people (excluding questions that could threaten national security), he cannot avoid the stain of operating unjustly to favour some and damage others.

From this point of view, it is significant to go back in time and reflect on the same concern expressed in the context of the revolution of the Kingdom of Naples in 1799. A Catholic bishop and intellectual of the time, Michele Natale, who joined the Republic and became mayor of the municipality of Vico Equense, was executed in Naples on 20th August 1799, reflecting the difficult political moment. He wrote words of particular acumen in his *Catechismo repubblicano:*

> Is there nothing secret in Democratic Government? All the operations of the governors must be known to the people, except the odd public security measure, which must however be made known when the danger is past[18].

Although the author belonged and referred to a unique moment in history, these words seem surprisingly topical, especially today, when almost all world States are still struggling with the COVID-19 pandemic and with the complex phases of recovery from that upheaval. They certainly advise caution on the part of the public administration, perhaps in some cases postponement of the principle of transparency in relation to public health plans, but certainly not its abdication. Publicity remains the first rule, secrets (admitted only if of limited duration) are the exception and always confirm the rule.

4. The infinite task of transparency

At least since the Enlightenment, publicity or the public verifiable declaration of the procedures, contents and aims of the decisions that guide the actions of the State through its (central and peripheral) administrations and its representatives has been the principal theoretical pillar on which the legitimacy of public power in modern democracies is based[19].

This principle is clear, justified and completely reasonable. Since Kant, its ethical-public validity and inevitability has never been denied in the institutional history of the countries of the European Union. However, there is objective difficulty in implementing it in administrative practice. In other words, as we know, the passage from the *rhetoric* of assertion of a principle to its *pragmatic* implementation in all aspects of the practice of the public administration is difficult.

However, in coming to the attention of the public sphere in the broadest sense, and also in asserting itself as the principle of any political action that aims for legitimacy in democratic spheres, we rediscover the intrinsic «molecular» nature of transparency. Transparency attracts other dimensions of social living; it is open, available and needs to be part of a wider and more complex value system, typical of democratic coexistence[20]. Although this is not the context for discussing such a system, we can name at least three possible «molecular bonds» that transparency immediately regenerates and which are directions for further study.

On one hand, the call for transparency filters down to individual public officials in the same way as it affects the administration as a whole, as far as *trust* and *security* of action, and in acting, are concerned. In particular, if the official and the administration genuinely wish to pursue transparency, can they be more than mere «consumers» of trust, i.e. trustworthy subjects in whom trust is reposed by the citizen, but who repay him with a product vastly inferior to what he might expect? Can the official and the administration be «producers» of trust, generators of positive expectations on the part of the citizen, while observing security requirements and protecting their function and actions in the service of the State?

Moreover, does transparency in this sense open the possibility of reconsidering the definition of *responsibility* of the public administration, understood as a logic of response to demand for service, which has clear, albeit hard to distinguish, ethical and juridical profiles? If administrations are glass houses, or aspire to become such, also through the technological innovations that they are able to organise for the purpose, does it become even clearer who is responsible for what, or is there the risk of reproducing a «collective» respon-

sibility that promotes a weakening of trust and an increase in the perception that bureaucracy shields the administration from taking responsibility?

Last but not least, can transparency always ensure a new response to new demands for integrity? In other words, can it offer the most authentically horizontal, impartial and inclusive access to the workings of the public administration, without cognitive, social or procedural barriers, with continuous self-innovation in a subjective (of the official) and objective (of the administration) sense, substantial and on the merits, thus combining integrity with integration and innovation of new administrative procedures, methods and objectives[21]?

These questions are constitutively linked to the conceptual arch of transparency and must be asked with awareness of their theoretical and applicative depth. But they are also questions that indicate a need for the most effective further reflection, in order to be raised to the level of the challenges that our time, with almost paradoxical balanced transparency, asks us to tackle with unprecedented speed.

Note

[1] G.F.W. HEGEL, *Phenomenology of Spirit* [1807], ed. by T.P. Pinkard, Cambridge University Press, Cambridge 2018, p. 20.

[2] As can be expected, each of these fields has its specific underlying legislative framework and is the outcome of a specific public debate, which we cannot analyse here. For an overall picture of the topic, part of a broad scientific debate of judicial profile, see the following studies: F. MERLONI (a cura di), *La trasparenza amministrativa*, Giuffrè, Milano, 2008; A. BONOMO, *Informazione e pubbliche amministrazioni. Dall'accesso ai documenti alla disponibilità delle informazioni*, Cacucci, Bari 2013; B. PONTI (a cura di), *La trasparenza amministrativa dopo il d.lgs. 33/2013*, Maggioli, Rimini, 2013. With special reference to *open government,* see E. CARLONI, *L'amministrazione aperta. Regole, strumenti e limiti dell'Open Government*, Maggioli, Rimini 2014, and the essay by P.J. Leerssen (*Lessons learned? How open government research can inform platform transparency*), in the present issue of *Etica Pubblica*. Regarding generalised civic access, see G. GARDINI - M. MAGRI (a cura di), *Il FOIA italiano. Vincitori e vinti*, Maggioli, Rimini 2019; B. PONTI (a cura di), *Nuova trasparenza amministrativa e libertà di accesso alle informazioni. Commento sistematico al d.lgs. 33/2013 dopo le modifiche apportate dal d.lgs. 25 maggio 2016, n. 97*, Maggioli, Rimini 2016, and the essay by F. DI MASCIO (*Exploring Patterns of Implementation of the Freedom of Information Act (FOIA) in Local Government: The Case of Italy*) in the present issue of *Etica pubblica*.

[3] My first reflection on this qualification can be found in A. PIRNI, *Un binomio (im-)possibile? Alcune considerazioni preliminari su verità e potere*, in ID. (a cura di), *Verità del potere, potere della verità*, ETS, Pisa 2012, pp. 11-26.

[4] «Transparency» and «Transparent» [*ad Vocem*], on Merriam-Webster Dictionary (https://www.merriam-webster.com).

[5] PLATO, *The republic*. Edited by G. R. F. Ferrari; translated by Tom Griffith, Cambridge University Press, Cambridge texts in the history of political thought, Cambridge 2000 (3rd edition 2018), Book 7, 514a-520a, pp. 220-226.

[6] For an overall picture of this point, see N. BOBBIO, *La democrazia e il potere invisibile*, in Id. *Il futuro della democrazia*, Torino, Einaudi 1995[3], pp. 85-114. For an original critical-theoretical discussion on the topic, see V. SORRENTINO, *Il potere invisibile. Il segreto e la menzogna nella politica contemporanea*, preface by P. Barcellona, Dedalo, Bari, 2011, pp. 119-170 and 271-306.

[7] G. BOTERO, *Della ragion di Stato* [1589], ed. it. a cura di C. Continisio, Donzelli, Roma 1997, Appendice I [ed. del 1590], p. 231 (*The Reason of State*, ed. by R. Bireley, Cambridge, Cambridge University Press, 2017). For a specific deepening on this point see F. MEINECKE, *Machiavellism: The Doctrine of* Raison d'Etat *and Its Place in Modern History* [1963], ed. by D. Scott, Routledge, London 2017[2].

[8] A. CLAPMAN, *De arcanis rerum publicarum*, Ienae, Bircknerus 1605 (1665[2]).

[9] N. BOBBIO, *La democrazia e il potere invisibile*, cit., p. 86, our translation.

[10] Tannucci's *Dispaccio* was recently reprinted in appendix to M. TITA, *Sentenze senza motivi. Documenti sull'opposizione delle magistrature napoletane ai dispacci del 1774*, Jovene, Napoli 2000, pp. 135-137. For an overall picture of the debate it elicited and for an analysis of its legal-philosophical meaning, also with reference to the coeval European context, see P. BECCHI, *Da Pufendorf a Hegel. Introduzione alla storia moderna della filosofia del diritto*, Aracne, Roma 2007, spec. pp. 60-75.

[11] As underlined by Becchi (*Da Pufendorf a Hegel*, cit., p. 63), it is not irrelevant that this obligation cannot be found in the proceedings of legal systems of *common law* countries, though motivation is the practice.

[12] G. FILANGERI, *Riflessioni politiche su l'ultima legge del sovrano, che riguarda la riforma dell'amministrazione della giustizia* [1774], critical note by R. Ajello, Bibliopolis, Napoli 1982.

[13] Regarding the complex history of the public sphere as the place where public opinion is formed, the following studies remain as constant references: J. HABERMAS, *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society* [1962], transl. by T. Burger with the ass. of F. Lawrence, MIT Press, Cambridge MA 1989; and W. LIPPMANN, *Public Opinion*, Brace and Company, New York 1922.

[14] In his *Riflessioni*, Filangeri noted and underlined with particular political acumen, the *garantist* role that the obligation to motivate sentences could have: «Making the citizenry, i.e. public opinion, the recipient of judicial account meant revealing the *arcana iuris* and emancipating the citizen from the condition of subject. Thus the citizen acquired the right to know the mechanisms of power: overcoming the *arcana iuris* (secrets of law) also exposed the *arcana imperii* (secrets of power)» (P. BECCHI, *Da Pufendorf a Hegel*, cit., p. 66), our translation.

[15] AK VIII: 381-386. English translation: I. KANT, *Toward Perpetual Peace: A Philosophical Sketch* [1785], in ID., *Toward Perpetual Peace and Other Writings*

on Politics, Peace, and History, ed. and with an intr. by P. Kleingeld; transl. by D. L. Colclasure, Yale University Press, New Haven 2006, pp. 104-109. For a broad analysis of the topic, see G. MARINI, *La filosofia cosmopolitica di Kant*, Laterza, Roma-Bari 2007 and I. Kant, *Per la pace perpetua. Un progetto filosofico* (1795), in I. KANT, *Guerra e pace: politica, religiosa, filosofica. Scritti editi e inediti (1775-1798)*, a cura di G. Cunico, Diabasis, Reggio Emilia 2004. For an outline of Kant's reflections on cosmopolitical philosophy, see: A. PIRNI, *Kant e la filosofia cosmopolitica*, in B. HENRY, A. LORETONI, A. PIRNI, M. SOLINAS (a cura di), *Filosofia politica*, Mondadori, Milano 2020, pp. 107-124.

[16] I. KANT, *Toward Perpetual Peace*, cit., pp. 104-105.

[17] *Ibidem*.

[18] M. NATALE, *Credo in Dio e nella democrazia. Catechismo repubblicano per l'istruzione del popolo e la rovina de' tiranni* (1799), a cura di G. Acocella, Edizioni Lavoro, Roma 1998, p. 71.

[19] On this topic, see again W. LIPPMANN, *Public Opinion*, cit., spec. capp. II, VI, VIII; see also M.C. PIEVATOLO, *I padroni del discorso. Platone e la libertà della conoscenza*, Plus, Pisa 2003, spec. pp. 35-117.

[20] For a broader picture on this point see A. PIRNI, A. CHIESSI (eds.) «Fiducia, corruzione, legalità. Etica pubblica e logiche della convivenza democratica», *Lessico di etica pubblica / Lexicon of Public Ethics*, 2021, 12, n. 2.

[21] In F. MERLONI, A. PIRNI, *Etica per le istituzioni, Un lessico*, pref. di R. Cantone, Donzelli, Roma 2021, we offer a broader picture of this same problem.