Canadian Journal of Political and Social Theory

Revue canadienne de théorie politique et sociale

Johann W. Mohr
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LEO STRAUSS AND THE PROBLEM OF THE MODERN

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POST-CARTESIAN TRANSFORMATIONS: THE CLOUD OF KNOWING

Johann W. Mohr

CAUTION:

DO NOT READ. Walk through the text as you would through the streets of a city, or on the beach or in fact anywhere. If some thing attracts you, stop and look; if not, walk on. You can always come back. The sequential numbers are addresses only.

DO NOT UNDERSTAND. Stand if you please and let your thoughts and memories speak. This is not a history, there is no order in time. This is not even a story, there is no point — only vistas, no build-up — only buildings. Hopefully children still play games there.

I. HIDE AND SEEK

And he said, I heard thy voice in the garden, and I was afraid, because I was naked; and I hid myself.
(Genesis 3,10)

1.1 Nakedness hides after having known. The finitude of desire is intolerable in the face of infinity. Finitude is tolerable only in affinity. We appear in affinity and disappear in infinity. Language allows us to hide and to call forth, but the word is beyond definition.

1.2 What we must hide from, we must hide from each other. Man alone, we have been crying for years, it seems ages, it seems our whole time is enshrouded in it. And because it seems so, it is so. The cry has many forms, most of them soundless.

1.3 Man alone, the desire when desire is spent after knowing. Only in hiding can we hide what we know. But hiding our selves needs elaborate garments to hide our dismemberment. Knowing dismemberment is anxiety, Angst, and so we huddle together (see our cities, see Jane see); tragedy is the bleating of goats.

1.4 History moves forever beyond the intersection of known signs. What repeats itself is what did not happen, what was hidden by appearance. Only in certain moments, or acts, or words is the division between hiddenness and appearance suspended and they signify each other. Only then is the hidden no longer the denied, the repressed history which haunts us but the memory which re-members us.

1.5 History is the high story of our estrangement in the mind, the hiding place. Descriptions of what is and what has been and what shall be and what is elsewhere emmanate from the stranger. Madness is only possible in a positive world which hides the resentment of history; the in-dividual hides the dividual, the mind hides the body.

1.6 Becoming is dis-covering the child one has not been. The child that fully is, is lost. The transmission between generations and the transmission between ages is of that which has not been. What has not been is the future, the conditional past, 'it could have been' as 'it shall be', the nature of the imperative 'Be!'.

1.7 Christianity is rooted in the body. This is my body and this is my blood. The crucifixion is a crucifixion of the body even though the resurrection may well be more. Remembering and membership is in the sharing of the body and the blood.

1.8 The body, our manifest particular. Every step from the body is a step into the general. But body too can be generalized in body management from medicine to sex education to tranquilizers and deodorizers. Like a patient etherized upon a table.

1.9 Good and evil like appearance and hiddenness is a zero sum game. The more claims we make on becoming better, the more we ascribe evil to others. The more we insist on doing good, the more evil must in fact appear to keep the equation in balance. Good and evil cannot be input measures, only outcome measures — non-redeployable. Good and evil is not what we are, but what we are in. Perfection is the end of time.

* * *

2.1 Deus absconditus, mundus in orbit, the ego split from the sum in which it has been contained. We have gone out (ex-ire) and existence can only be maintained in the mirror, the looking glass. Radical doubt extended beyond Decartes' imagination. Life, one's life, a project (projet), structure at will from destruction of being. Man is reborn in power beyond knowledge.

2.2 Ego (1824) is derived from egoism (1785) already generalized from égoiste (1755). Modernity becomes possible in the centrality of the ego. The individual and the a-tomos are no longer unsplittable.

2.3 Ego and identity, arrived at by definition from their boundary, border, box and prison. Lienation not to ground but to boundary becomes alienation. Understanding becomes standing against, obstat; in increasing resentment — throwing against, objecting, objectivity, object. Identify as task and definition; ego in splendid isolation.

2.4 And yet: One should both take to heart (say) and thank (think) that being is (Parmenides/Heidegger). Being is, existence appears. Why more? Corpora sunt (if it has to be said that bodies are) but why the empty affirmation that deus est (that God is without doubt) and the emptier one of ego sum cogitans that I am in my mind and no longer when out of my mind?

2.5 I am because I make myself up. I am make-believe as mirrored by the mind. Is-ness is no longer for itself but for me. The I am is the I is and the It is the It am. The birth of subjectivity which subjects the I am to the mind and objectivity which makes the other (and the self) into my object, my objection.

2.6 The 'it am' reverberates in the id and the 'I is' in the superego. Das Es, das Ich und das Über-ich. Das Es is 'the it' (English sensibilities softened the it to the id, another German formation [Weissman 1893] denoting germ plasm or idioplasm), das Ich is 'the I' captured in 'the ego' to tame the embarrassing Freud. Das Über-ich, the 'over I' glorified as 'super ego' (which Freud did not use very often) is super only for the ego in Ego-psychology.

2.7 Only in a Cartesian conversion (which Freud set out to overcome) do things of the body become ego systems, as structure, topology and hierarchy.

It is said that we are driven by our drives and bounded by our conscience. But are our drives, our desires limitless? Only in the mind. The mind hides the limits of the body's desires which are soon spent. We are bound and bounded by the body. Conscience (con-science) can hide the primary insult and injury to the ego, the body's limited potency and potentiality. Conscience as capital to maintain desire in the mind; super-ego as authority under conditions of scarcity, a service station for the ego as narcissus. Appollo hides the limits of Dionysos.

2.8 The splitting of the I-thou from the I-it (Buber), a late and failing humanism, failing to distinguish between narcissism and recognition, between reflection mediated by the mirror and reflection in knowing the otherness of the other and the limits of the bounded body.

2.9 Cognition transforms is-ness into I is, the subject into the object which exists as a project. Gestalt psychology has shown nothing more than the inattention in our time, the predominance of assumption over appearance, the precept over the percept. Gestalt and idea can only appear in speed, in the gloss, in cognition which bounds recognition, in method (the way beyond), which bounds theory (the gaze), which is turned in on itself. The speed reader's dream. I am okay you are okay.

* * *

3.1 Breathing (psychein) the steadiest exchange with the world. Not to breathe, not to breathe freely the great anxiety. The sigh, an inordinate amount of breath taken in and released; in crying, breath taken in reluctantly and staccato and pushed-out the same way in the sob, or used for the cry.

3.2 To cry (quiritare) to implore the aid of citizens; the anxiety not to be a citizen, not to be embedded in the taken for granted, the cry in the wilderness without human echo. When did crying become private and shameful? When did the evocation and invocation of others become an injury to the ego rather than the healing of the self? The free crying of the Greek hero is long behind us.

3.3 Identity has replaced sensibility. Identity (idem) the eternal recurrence of the same makes science possible and technology and structure as the idol. Sensibility is of the senses rooted in the body as humans are rooted in humus. The tilling of this soil is culture (colère). Nature is only natus, being born into this world (wer-eld — the age of man, the course of time). Identity is sameness; difference only its counter-measure, its mirror. Change is madness and injury

(Indo-European *mei- the root of change; Latin mutare — change and injury). What a history and spectrum madness has, from wild enthusiasm and desire to fury and anger and foolishness uncontrolled by reason. Only now substantive and adverb coming from a verb of definitive action.

3.4 Identity, sterilized and frozen madness, ego the great sterilizer. Even Freud, the magnificent (though incomplete) breach with Decartes, has been brought back into the service of the ego. The only legitimate furor left is the furor therapeuticus, the frantic activity of sterilizing the return of the repressed. The living god, who breathes in humus and culture becomes the deus ex machina who is dead. The ego should now be protected from His infinite injury. Why does the body still cry?

II. BLIND MAN'S BUFF

> *But Jonah rose up to flee unto Tarshish from the presence of the Lord and went down to Joppa; and he found a ship going to Tarshish; so he paid the fare thereof, and went down into it, to go with them unto Tarshish from the presence of the Lord. (Jonah 1,3)*

4.1 Let us begin again. Why? Because not to begin is impossible; it is impossible to do nothing, even nothing must be done when one is. Is this a ground for beginning? There are only two grounds: necessity and desire. To begin in necessity ends in the will to power. To begin in desire ends in knowledge. Necessity is naked, desire is hidden. Knowledge seeks power in common corruption, in the service of the ego, the replacement for the Deus absconditus, the hidden god now legally declared dead.

4.2 Hölderlin saw the gods dying, Nietzsche signed the death certificate and Heidegger did not talk about it any more. All three raised in Jerusalem, emigrated to Athens.

Hölderlin's search for the purity of man. Punishment: 40 years in hiding. He did not go gently into the night.

Nietzsche saw that man, as he had become, could not be. Ecce Homo, the Übermensch as Untermensch. Man as master and slave had to be overcome. Punishment: 11 years' silence.

Heidegger became guilty by association (with the Untermensch as Übermensch) and accepted his own banishment into being for life.

4.3 The spirit of revenge: my friends, that was until now man's best reflection; and where there was suffering there will always be punishment (Nietzsche, On Deliverance). Where id [it] was, ego shall be.

4.4 The furies are the price Athens paid for the idea, the independent existence. Jerusalem kept the covenant that vengeance was His and was preserved from total destruction although continuously destroyed as a reminder. Madness is Greek, death its Hebrew equivalent. (Thanatos — a linguistic cover-up). Only Christ opens Jerusalem to madness and cure. John of the Gospel becomes John of the Revelation and the revenge is fierce. The only madness among the Hebrews is the Messiah before the end of time. The graven image is forbidden, the Name must remain hidden.

* * *

5.1 Identity and sensibility, the mind and the body, the general and the particular, the momentum and the moment. Taking Deus est and corpora sunt for granted throws the radical doubt back on the sum, the I am. If we constitute ourselves in cogitation (in logic and structure) then the world too is reconstituted as logic and structure, as science and technology. Constitution becomes institution.

5.2 The nature of the sum which is constituted (instituted) by cogito was re-examined by Husserl. But sum had already become the ego and the only way out (but not in) was the transcendental ego. The things themselves had already become their structure, and intentionality could finally only be purified in the eidetic image, signification without sign, system closed.

5.3 Cogito also constitutes (institutes) the object. Phenomenology illuminates itself in the subject/object dichotomy. It recovers (re-covers?) the subject in relation to the object. Existentialism (to use these generalized signs in generalized times) grounds the objected subject and subjected object in apparent experience (Dasein) attempting to recapture a lingering pre-Cartesian memory of being in all the nothingness of the sterilized ego (Sartre) and of God in what is still left to being, despair (Kierkegaard). Pre-Cartesian becomes pre-Socratic in the search for further fragments of memory before the mind (Heidegger).

* * *

6.1 When all things began, the word already was. The word dwelt with God and what God was, the word was. The word then was with God at the beginning and through him all things came to be; no single thing was created without him. All that came to be was alive with his life and that life was the light of men. (John 1, 2-4)

6.2 The blunt assertion is: In the beginning was the word and the word was with God and God was the word. (John 1, 1) And the word was made flesh and dwelt among us. (John 1, 14)

6.3 The word is with the name that must not be named. You may read in between (inter-legere) as you may be in between (inter-esse). The light is in the space carved out by the letters and between the lines. Every word its own translation manyfoldover. Finnegan's wake at the birth of the word.

The word became flesh and the flesh through the senses (the doors of perception and conception) becomes word as callword and calling, address and speech (mot, parole, verbe); I say unto you.

6.4 Beyond the word the infinite calculus sediments into science. Beyond the flesh the Golem; the non-human made human becomes inhuman. Constitution as institution, clock-work orange, the self-regulating machine, the system.

6.5 To humanize systems is to systematize humans, is to deny otherness and estrangement of institutions and the state. The state withers away in the corporation as the corporation must wither away in the body. Neither existentialism nor marxism can be a humanism; no 'ism' can be human. Humanism is anthropomorphism, is narcissism when it extends beyond the body.

6.6 To turn flesh into meat is obscene. Only the flesh can be known. The ego cogitates the object. Cannibalism, prostitution and incest are obscene only as narcissism or objectification.

This is my body, flesh to be eaten. Sarah prostituted Hagar but Hagar also became the mother of generations. Lot's daughters conceived of their father after Sodom, where men wanted to know the visiting angels.

6.7 The corporation, the body (corpus) generalized. The ego as opus, as system of thought. And thought as system, as Summa, as Leviathan, as Critique beyond all Reason, as Encyclopedia. Between Being and Nothingness, Being and Time the Dialogues become texts and the word is frozen. Man desires by nature to know (Aristotle) but knowledge systematized freezes the word into concept, ready for artificial insemination. The story becomes history.

6.8 Every throw of the dice is a new possibility un-determined by all previous throws; and yet their series will be a known order. The molecule in random movement unpredictable and yet measurable as mass. Probability approaches certainty through increasing consistency and massification. Death of the multitudes is insurable and so are accidents. How many will die in this city this year? The actuarians are rarely wrong. When will I die? Who knows?

* * *

7.1 To be in one's body is to desire to know. To be shut up in the mind is to be out of one's mind. The mind is what we mind and what minds us. What reminds us is experience negated. The self which minds itself freezes in the mirror. The unknown in the equation replaced by itself dissolves into zero.

7.2 Experience is in-dividual; man can be divided in many ways. Whatever we may be, we live the experiences we have not lived, and we live in the experiences we have lived. Our experiences are our memory which remembers us. Experience is the body remembered; the mind only reminds us. Socrates, the great reminder, became a memory through the death of this body. Plato was then bound and freed to deny the body and to recreate the world in the mind, a world which Aristotle then called nature. But physis has now turned into physics, constitution into institution, seeing into theory, being into form. The way back to the body blocked by the death of Socrates, repressed as calamity, the way beyond (meta-odos) constricted by structure. Physics *is* meta-physis; metaphysics is the way into nowhere, into nothingness. Logos (the world) has turned into logic.

7.3 Sensibility and experience, the body in touch. The mind is the limit of the body. Each experience is limited unto itself, in-dividual; it can transcend its limits only in the mind, the unlimited. Experience is in the body as Pavlov recognized, a condition sine qua non. The body, the human condition sine qua non.

7.4 A structure of experience can only be cast in the mind. The body like the word is forever polymorphous. What we mind are the limits of our experiences and their isolation. The mind and what we mind is space and time and the body's contingency. The sentiment of the body is re-sentment in the mind. Being-in-the-world is forever made to nothing in the possibilities of the mind and what may have been. And to be nothinged is the ultimate despair. We have to limit the mind which is itself the limitless limit of the body.

7.5 The body in the mind is the idea, the body's perversion (Umkehr). Perversion is the body in the mind re-senting the limits of desire and experience. Logic and structure limit resentment and sterilize the self (idios) into the idea, the private (idios) into the common. In-dividual experiences can now connect, like trains connect on a journey (Er-fahrung) according to plan and logistics; time can be controlled by timetables and space measured beyond the foot which walks and sets the pace. The limits of the body's pace can be surpassed with ever-increasing speeds; the sky is no longer the limit (and heaven has disappeared). The walker did not have to make connections, connectedness was in the walk.

7.6 In the mind structure, experience can be denuded from what it has not been. It can be stored for safekeeping in the co-ordinate system and the infinitesimal calculus. The metaphor as analogue and the letter as digit; the idea as idol. Some voices remain, but Vico's old science is a dowdy construction, Blake's warning a curiosity. The Golem's mushroom is mightier than the cross. Space becomes outer space and time the dying of carbons. And space/time is speed and the ultimate speed is the disappearance of the body, the matter which matters.

7.7 Mind control is not control over the mind (this is impossible, the infinite cannot be controlled) but control of the mind. Mind control, a technique to institute the idea as ideology, the perverted body as common structure, finally succeeds only in the torture of the real body. Schooling does not capture the mind, it captures the body which must submit to structure as timetable and class. Law is the maintenance of the mind's order as ideology. It too maintains itself finally as torture of the body.

III. EENY, MEANY, MONEY, MOE CATCH HIM NAKED BY THE TOE

And I gave my heart to seek and search out by wisdom

concerning all things that are done under heaven: this sore travail hath god given to the sons of man to be exercised therewith. (Ecclesiastes 1,13)

But put forth thine hand now, and touch his bone and flesh and he will curse thee to thy face. (Job 2,5)

8.1 Theories are not the invention of scientists and philosophers. The most theoretical occasions are the beer house talk and the mass (sic!) media. Theory (long separated from seeing) has become the redemption of slaves and the promise for would be masters. The category is down in the marketplace (kata agora).

8.2 Typing is the transformation of the body into mind form, (the perverted body), the transformation of the word into letters. Letters as ideal types, as ideo-grammes, as traces of the self. The word can only emanate from a speaker. Cast into type it becomes independant, the golem that can last and do his own work.

8.3 Typification of humans, the foundation of ego and identity, the graven image, the idol. Assemblage of pieces which are easily exchangeable and reduceable to the binary world of digital computers.

8.4 Science rests on regularity and where science ends, technology begins to extend regularity. Nature like experience does not produce sufficient regularity and predictability to make us safe. Science completes itself (and us) in the model, the system, in structure and typification. Its reduction is reduction to regularity. The rarer the event the less incorporated in science. Chance is systematically ruled out in the order of one in twenty, one in a hundred, one in a thousand. Events below that order become non-events in science. Experience registers events of once.

8.5 Science covers its limits by technology, the expression of its arrived structure without its search; human science fulfills itself in typologies; everybody as somebody as nobody. The rare event is excluded and since we are the most rare of all events we are all excluded. We are the chance of one in billions. We are the wager.

8.6 Theory and typology are not inventions of science but our most common response to our limits in the face of the unnameable; the hiding of our limits, the cover to our nakedness. The transparent garment of language

becomes armour through science. Human science completes our aspirations as work of the stranger, as seeing outside the gaze; de-fining our finitude.

8.7 Human science does not find us, but our estrangement in the mind. If we could face it as our perversion (Umkehr) it could lead us back to the body. But human scientists caught in humanism rather than the human, share (with rare exceptions) in the conspiracy of vanity. Findings, hiding the question in the answer, become reified, the world (and the word) become reconstituted as institutions and types. Idios, (the private, the self) which has been transformed into the idea in the beginning of science is fashioned into the ideal type.

8.8 Only now can we busy ourselves with psychology and psychiatry and sociology and anthropology to re-form the world in our own estranged image. Little men in white coats measuring behaviour, in blue coats telling us what to do, in black ones judging us and the many grey ones in between directing the paper:

Your name
Your address
Your sex (?)
Your age
. . . . .

Anamnesis and analysis. The story becomes history and science positive. The question becomes the answer and the body's experience classified in statistical structures. The average family has two and a half children, pity the half one, pity us all. Where are the dappled things? (the glory to God)?

* * *

9.1 Anguish comes in curious ways and through curious messengers. And curious is a curious word because what is at stake is curiosity. Anguish as barred curiosity, angst and anger. Anguish is that it could be otherwise.

9.2 Rationality and science mirrored by the faceless crowd, the fleeting passerby sensed by Baudelaire through the poppy, captured by Poe in the grotesque which caught up with Benjamin at the Spanish border.

9.3 Science as doxa conceals the paradoxa until the measured world breaks in the absurd. The infinity of the mind and the death of the body can only be imperfectly concealed by the compulsion to science, le degré zéro, die

entzauberte Welt. Even theory elevated to critical theory and reflex to reflection cannot escape the crisis of infinite regression.

9.4 Marx turned Hegel upside down to stand him on his feet. (Hegel asked for it). Kierkegaard turned Hegel upside down to stand him on his head. (Hegel asked for it). But how did Hegel stand? And where? You must understand: The Prussian Minister of Culture offered: 2000 Thaler and Expenses. Hegel negotiated further assurances on rent, produce and life insurance; lecture fees were good. So far Marx is vindicated, the body wins; but how can the state that feeds us so well wither away? The body is private property and the means of production (Freud); only the mind can be nationalized. And the state can no longer be turned upside down (Poor Marcuse). And Kierkegaard still standing on his head discomforting us.

IV. FROM BUILDING BLOCK TO MECCHANO SET

And the whole earth was of one language and of one speech. (Genesis 11, 1)

And they said, Go to, let us build a city and a tower, whose top may reach unto heaven; and let us make a name, lest we be scattered abroad upon the face of the whole earth. (Genesis, 11, 4)

10.1 From the catacomb to the cathedral, from the vault to the soaring bank, the outstanding is the outstanding. Saviour and savings as trust, as surplus value and debt. The sacred and the profane, meaning and meanness as means.

10.2 The money lender's bench thrown out of the temple becomes the temple. Moneta, goddess and temple, structuring substance in coinage, transubstantiation; the pure idea from rare substance to image and print, to electronic transfer. The promissory note and the promised land, bride price and consideration, contract and convenant.

10.3 To have is to be had; to take is to be taken and to possess is to be possessed; the yield is guilt. Usury is forbidden. To have an interest in what one is not interested in, to have a share in what one does not share is purely from the head — capital.

10.4 Capitalism is head-stuff is mind-stuff, matter in the mind, the perverted thing. Money the pure exchange item, the opiate of the people, the limitless fantasy, the Messiah before the end of time.

10.5 Materialism the logical antidote. But in what we call materialism, it was not matter that mattered it was the mind that mattered and was made matter. Materialism yoked to science lacked its own contradiction and lost its objection in objectivity, its dialectic with history became (again) the resentment of history.

10.6 The Reformation as transformation. Luther, the father of Marx (Rotstein) and Protestantism the mother of capitalism. Unlimited progress became possible in the temple of rationality and positive science for which Comte peddled his handbills. Socialism was the faith of engineers from the beginning (St. Simon); only machines can bring liberty by breaking the limits and bonds of the body. Only machines can symbolize full equality of exchangeable parts (in the absence of cloning) and fraternity only works smoothly in the sameness the machine guarantees. The company one keeps becomes the company by which one is kept. Planned perfection is proficient, is profit.

* * *

11.1 Structure, born in the perfection of the mind compels the past perfect and future perfect function. Perfection, the perfect defence against the limitlessness of the mind and the limits of the body. Structure, the perfection of the thing which has voided itself of itself and time. Perfection, the possibility of standing still in rapid progress, of escaping the resentment of history, of what has not been and what may not be.

11.2 Structure, the fulcrum of Athens after Socrates' death. In the dialogues already a sense of knowbetterness yet still balanced by a challenge to presumed knowledge, by negativity — I know that I do not know. The Socratic method now alive in Schools of Law with the same result — the purification of structure and rule, the emergence of law as a thing in itself.

11.3 It is well that Socrates did not write. Writing before him, orphic and awesome, fragmentary not only through the forgetfulness of history but in its openness. The Gods were still alive and the word a memory trace and not a building block of a mind system. The question born on the boundary of

experience towards what has not been, not yet a prelude to an answer which hides what eludes us, what tests and overtaxes our response-ability.

11.4 Socrates, the great teacher with nothing to teach but to unteach, a menace to education and the state. A Republic can not survive the acid test of the Dialogue. The philosopher king would have to know nothing. The state, which is a state of mind made positive could not survive its own perversion (Umkehr) made obvious. Civilisation would drown in its dis-content which is the uneasiness in culture.

11.5 The mind is a tabula rasa (memory is not) inscribed with dis-content, the resentment of history which has not been. Teaching transforms dis-content into content and contentment. Teaching makes sense apart from the senses; where id has not been ego shall be. Teaching provides the token, the sign and consideration for the undertaking which lays the question to rest. Explanation emanates from the plane, the plan, the norm and the common, the (closed) system. The body refuses to stop aching after all explanation.

11.6 Beyond all structuring and structure the body retains its memory of pleasure and pain in the experience of what has and has not been, fused in the dream, the kindled and kindred spirit. The dream, pregnant fluidity which hides its body origin from the mind but opens itself to the question of being; the dream, spirit to the body, ghost to the mind.

* * *

12.1 Where is the spirit in the Phenomenology of the Mind? The cognitive structure which supersedes the taken for granted deus est and the empty body in space is augmented by the dialectic function of becoming and estrangement, of the spirit which fulfills itself in the course of time, in history. (The German "Geist" covers up the disjunction and English translators are forever in trouble between spirit and mind).

12.2 The spirit's reflection in the mind (Schein), the cave of the ego, the ghost in the machine; but Hegel's words curiously alive and close to the body. What is promised is a System of Science in Consciousness and Self-consciousness in Reason and Spirit, Religion and Absolute Knowledge. The system remains incomplete in every respect, the body's language could not be sufficiently sterilized for a perfect mind function. The germinal matter (humus) remains but the dream is hidden.

12.3 Descartes was no stranger to the dream and the living body but his mother died early and the loss of the breast was never forgotten. The subsequent attempt by the men of the Company, the Schoolmen, to heal the loss by a bricolage of the mind was never forgotten; the disappointment of the body and the uncertainty in the mind were deep and the answer formidable:

12.4 . . . but that the human body inasmuch as it differs from other bodies is composed only of a certain configuration of members and of other similar accidents, while the human mind is not similarly composed of any accidents, but is a pure substance. (Meditations, Synopsis)

12.5 And the answer arose in a dream and came from the Virgin Mary, the pre-oedipal mother, after the body's action in fencing and the body's repose in music and the sold body as soldier and the estrangement of travel and war could not put Humpty Dumpty together again. In the birth of the ego the body becomes une chose qui pense, res cogitans. But only in the mind, (the body's perversion):

12.6 . . . For, as regards to the conduct of our life, we are frequently obliged to follow opinions which are merely probable, because the opportunities of action would in most cases pass away before we could deliver ourselves from our doubts. (Principles, III)

12.7 The Body and the Dream remain private domains: Sir, I rubbed my eyes to see whether or not I was sleeping when I read in your letter that you were planning to come here; and even now I dare not rejoice at this news otherwise then as if it were only a dream. — Moreover, I must tell you that I await you here with a little bundle of dreams which will perhaps not be displeasing to you —.

And the satisfied senses are in no sense in doubt: Every day I take a stroll amid the confusion of a great crowd —. Even the noise of their comings and goings does not interrupt my daydreams any more than would the sound of a brook. If at times I reflect on their acts, I receive the same pleasure that you would have in watching peasants cultivate your fields: for I see that all their labour serves to adorn the place of my abode and to prevent me from lacking anything I need. (Letter to M. deBalzac, May 15, 1631)

12.8 The chose qui pense must live well. When the wily Galileo (who also liked to live well) was apprehended for his heresy concerning the earth's motion, Descartes protected his body securely: — and although I thought, they were based on very sure and obvious proofs, I would not for anything in

the world uphold them against the authority of the Church. — I am not so fond of my thoughts to wish to make use of [such] exceptions in order to be able to maintain them; and the desire I have to live in peace and to continue the life which I have begun by taking for my motto: bene vixit, bene qui latuit (he lives well who lives a retired life) —. (Letter to Father Mersenne, January 20, 1634) I have my principles, if you don't like them I have others. Even the gentle Einstein urged the atom bomb.

12.9 The ego safe in the mind, god neutralized in perfection, the body dismembered in strangerness: What other spot in the world could one choose, in which all the conveniences and curiosities of life one could desire are as easy to find as here? What other country in which one may enjoy such complete freedom, or sleep with less uneasiness; where there are always foot-soldiers available for the express purpose of protecting us; — (Letter to M. deBalzac)

The perfect model for modernity.

* * *

13.1 One hundred years after faith was liberated from labour (and labourers were rebound), thought was separated from the body (which could now be sold for piece work and time). Capital (relating to the head, deadly, mortal) is finally unencumbered and can generate itself through minding, institution and structure.

13.2 Body and labour, means and production, the imperfect machine, imperfect output. It is insufficient to split faith from labour, to split body and mind; the body still has to be generated to provide a sub-structure and labour has generated customs, a super-structure which stands in the way of capital and its perfection.

13.3 The body needs to be borne and produced in labour, and sustained by parents (parere-produce) and kinfolk. The body born is not anybody nowhere, but somebody somewhere, particular and not particle, and ever more particular as it grows in the familiar with particular others. Parents had to be transformed into the parens patriae and family into the common wealth of nations.

13.4 Oikos (Eco-), the house, household and temple, relations and belonging. Oikonomia, the way the household is managed, the nature of care.

Economy and ecology speak of belonging together. Ethos, the way we behave to each other, body as character, house as home; ethics is human ethology.

13.5 Family is what is familiar, kinship and house, servant, slave and property, but first and foremost belonging together in whatever sense we may see it. As behaviour is what we have been, belonging is what we have longed for, binding and bond of the body, memory and membership.

13.6 Membership is always incomplete. Memory remembers what is continuously dismembered in consumption and retention. Belonging sediments into belongings, property. And proper is what belongs to oneself, or itself; and property, the self possessed, sediments into possession to stave off the revulsion of time and its 'it has been'.

13.7 Ego is property, and identity the self possessed. The body changes and separates in Eros and Thanatos. Pushed out from the comfort of the womb, taken off the nourishing breast, losing the hiding place of home and finally when the overwhelming world is somewhat known, losing it too. For men, the repetition compulsion of regaining what has been lost; for women, the compulsion of the repetition of losing what has been gained and for man both together. The pieta, the symbol of unity.

V. MR. WOLF, WHAT TIME IS IT?

> *I tell you this; unless you turn round and become like children, you will never enter the kingdom of Heaven. (Mathew 18, 2)*

14.1 At the end of Descartes' time was Freud. At the end of Descartes' life, before he died from the demands of the child mother, the master student, a final attempt to deal with the passions, separate from the body and yet in the body: — the ultimate and most proximate cause of the passions of the soul is none other than the agitation with which the spirits move the little gland, which is in the middle of the brain. (Passions of the Soul LI)

14.2 The great doubter, who sold subsequent centuries on the certainty of thought as cogitation and structure, falls back into the twaddle of received learning as if he never had discoursed on method, and misses whatever

meaning there was: — I do not see why they have desired to refer them [the passions] all to concupiscence or anger. (Passions of the Soul LXVIII)

14.3 The gland in the middle of the brain, the brain in the middle of the world, the world as mind, as ego and identity, as objectification and object. The dismembered body yet linked to the brain by nerves and: — what is here most worthy of remark is that all the most animated and subtle portions of the blood which the heat has rarified in the heart, enter ceaselessly in large quantities into the cavity of the brain. (Passions of the Soul X)

14.4 Descartes' desperate ending was in Freud's innocent beginning. Devotion to philosophy turned into medicine by apparent exigencies, into the study of the brain and science, dissection and analysis. (And why the chemistry of gases? Was it an echo of: — nerves which resemble small filaments, or little tubes, which all proceed from the brain, and thus contain like it a certain very subtle air or wind which is called the animal spirits. (Passions of the Soul, VII))

14.5 Hysteria speaks of place and time after the womb. Hysteria comes too late and must search for its beginning. Hysteria, emotion in the mind searching for a body, any body in any form but always finding the mind and its control. La grande hystérie est le grand hypnotism, power as knowledge, necessity as desire. The body's rejected knowledge as body of knowledge, as proof of the mind in the body's paralysis.

14.6 How many circumvented desires in the science of the mind? The author who becomes the authority and the authoritarian structuring the organic to increase regularity and control. The patient seeking (and receiving) the dominance of the doctor after the sell out of the self. The self-willed and spontaneous, the act without apparent cause (automatos) becomes the automaton, the mechanism of defense.

14.7 Hysteria disappears from the Salpêtrière after Charcot. Blanche Wittman (his star patient) as Blanche I returns to radiology as Blanche II and dies (as she has lived) a martyr to science. The primary authorities are men and the primary patients are women in the Discovery of the Unconscious (Ellenberger), the re-discovery of the body.

14.8 After Charcot's death, the students repudiate the master and hide behind the restructured body, the organ as structure and function; the organ as instrument or tool (organon) which works (ergon) but is afflicted with orgasm and anger. The mind instructs the body beyond its organic limits.

Between Charcot's dominance and the patient's submission, la grande hystérie was le grand orgasme, desire frozen in a clinically sterilized pose (see painting by A. Brouillet) yielding power to both. The power disappeared with their bodies but the mystery remained.

14.9 What was left unsaid in the case of Charcot, Freud began to see in his movement from structured observation to the dream, from analysis to self analysis, from Anna O. to Moses and Monothesim. The promised land and cavalry, libido and Thanatos. Moses, the law giver, was not allowed to see the promised land and the indecent sharing of Christ's body was covered by Paul in a new structure, the Church.

14.10 Breuer, the father, refused to enter the promised land of the body. Fliess, the brother (in spite of nose operation and congresses) escaped into the metascience of numbers, the defense of perfection. We can understand the fright: a brother animal was vanquished (Roazen: Tausk). Jung, the son (the Christian who knew of the sacrifice of sons) escaped into culture and metaculture, the troubled mind.

14.11 The covenant with the body is binding as possibility and as castration. Body is bondage, is master and slave in continuous revolution against history, dependence and limits. Ana-lysis as resolution and release, not from bondage (this is impossible) but from the resentment of history which has not been, to make a new lordship possible, a new doxa among the para-doxa, knowledge among the para-noia. Concupiscence and anger as season and time. Care and sorrow are the same (Sorge).

14.12 To be Oedipus Rex (or not to be Oedipus Rex) is the uneasiness in culture. To repress the wager is civilisation and its discontent. Oedipus, to repeat again the most constant repetition, slew his father and knew his mother and blinded his gaze (theory) before going into Colonos.

Christ, Rex Judorum (for every Athens there is a Jerusalem) accepted castration for the sake of the kingdom of Heaven (the eternal mother) and was slain by his father.

* * *

JOHANN W. MOHR

15.1 There are two stories: So God created man in his own image, in the image of God created he him; male and female created he them. (Genesis 1,27). This story is clear and succinct, but we soon learned that it was not that simple. After the beginning of time and the naming of all living creatures (the first building blocks of the mind) the process had to be described: And the Lord God caused a deep sleep to fall upon Adam, and he slept; and he took one of his ribs, and closed up the flesh instead thereof. And the rib which the Lord God had taken from man, made he a woman and brought her unto the man. (Genesis 2,21-22) They were both naked but were not yet ashamed. This came later with knowing. Clarity is lost in time and knowledge.

15.2 The memory is old but still troubles us as busy as we have been to trace evolution, to grasp the autonomous cell which divides itself and to put every living sign into time and order. A rich field of uncountable years and uncountable creatures to make what point? (Where almost any point could be made in the mind). After one voyage, Darwin spent the rest of his life in seclusion to put the mind in control of the fright of creatureness, its dying and becoming which we share.

15.3 Many minds were called on but he persisted in giving reasons for the state of nature, as his countryman before him gave reasons for the nature of the state by frightening us with the war of all against all, with a life that was nasty, brutish and short. And life viewed through a system, a state (of) nature, mind or other legal structure and Leviathan *is* nasty, brutish and short.

15.4 Generations come and generations go and not even the fittest survive for ever. The point is to make an Artificial Animal, an Artificial Man: — For what is the Heart but a spring; and the Nerves, but so many strings; and the Joynts, but so many wheeles, giving motion to the whole Body, such as was intended by the Artificer? Art goes yet further, imitating that Rationall and most excellent Worke of Nature, Man. For by Art is created that great Leviathan called a Common-Wealth or State, (in latine Civitas) which is but an Aritificall Man; and in which, the Soveraignty is an Artificiall Soul, as giving life and Motion to the whole body; — (Leviathan, Introduction).

15.5 The Great Artificer was fortuitous: — I cannot look at the universe as the result of blind chance, yet I can see no evidence of beneficient design of any kind in the details. — (Darwin, 1870) Only the mind and the state can bestow beneficial designs (of benefit to whom remains the question). Meanwhile the sickly Darwin was cared for by his wife.

15.6 The body's answer to limit and infinity is affect and affinity. Where Darwin saw time and its ravishes and anarchism, Kropotkin saw mutual aid among living creatures and turned to anarchism to let being be. The prince as pauper in a bourgeois world.

15.7 Order has to be ordered; Teeming humanity controlled. The arche (the beginning) has to be augmented by and finally converted into techne (art, craft and cunning) to ward off the threat of failing paradigms. The body cannot pass on acquired learning. Whence should perfection come from? Vita brevis, ars longa. Conscious of time, art has to be artful, craft crafty to make beneficial designs for the ego.

* * *

16.1 The god who cannot be perfect in the world, the deus absconditus, the god in hiding, becomes the disappointing god who has left and is finally renounced. Copernicus envisioned a new celestial order but Kepler already deeply disappointed in his struggle to prove that this order was perfect; the perfect circle became the imperfection of the elipses when the jumbled data of Tycho Brahe fell into place. How can we live with an imperfect god? Perfection is the fullfillment of the mind, the emptiness of the body. It Is Fulfilled, is the end of the body, the rest is corpus mysticum.

16.2 The great imperfection of the body is the singularity of sex and the need for completion in the other. (Or at least thus the way back to the body begins). The need for the other remains the narcissistic injury of the ego, even if the other is sought in what one has been or in what one has not been in the affirmation of the same sex.

16.3 It is not a matter of counting. Sons kill their mothers more often than their fathers and fathers sleep with their daughters more often than sons with their mothers. The infant, unable to speak, is polymorphous perverse like the word which was in the beginning. Our sense of perfection and order is threatened by those who cannot relinquish omnipotence, the mind's defense against the fragility of the body and infanticide. The manchild's long dependency is fearsome and full of para-noia, to which the man must return at every threat.

16.4 Looking and showing is the affirmation of identity (sameness) and difference (bearing apart). The dis-membered body is the partialized sex object, the love subject displaced and thus misplaced and not to be found by

repetition compulsion. What has been incomplete cannot be completed (perfected) by gratification, only by despair. We must not imagine Sisyphus to be happy.

16.5 Dominance and submission are the ego's response to the threat of separation and loss. Giving pain and receiving pain before their time has come, is wilfull control of despair, the evil of warding off evil. Bank vaults and prison cells contain the wages of sin, the real confined as a defense against deliverance. What is senseless is sense-less but not mindless.

16.6 Desire is the experience of imperfection, the only openness we possess and which possesses us. Desire sorts the world (and us) in its own way. Experience is the embodiment of desire in what has been and what has not been. The embodiment of the experience of what has not been is art.

16.7 Art is in-formation of the body, its charisma (free gift) and care. The mind in-structs. Art in-forms. Structure is diminished form as formula; the mind's art is the artifact. Form is physis as meta-physis. The limits of experience can be de-fined (and confined) in the objective structure of the mind or be subjected to the sublimitas, the sublime; the choice is ego building (the defense of pride) or sublimation.

16.8 From generation to generation the threshhold (the limit) renews itself into new forms from experiences shared sub-limes. The birth of the body. The image of art is itself a threshhold; inexchangeable, non-redeployable, non-refundable bottles of spirit, jenii. Can we regain constitution from institution, being from ego, art from the artificial, spirit and body (which are one) from purpose and time? Can we regain thinking (which is thanking) from cogitation? It is time to return from outer space, it is time to gather.

Before Moses, Plato and Paul, we are.
Before Descartes, Freud was.
The accident is time.

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NEEDS, EXCHANGES AND THE FETISHISM OF OBJECTS*

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I: Introduction

The anthropologist Raymond Firth has written: "I was once asked by the late Robert Redfield to address his seminar with reference to the question, 'What can one say of a man — any man?' My theme in reply was that at some points of his social existence every man will engage in acts of exchange."[1] In this remark there seems to echo the opening passages of Adam Smith's *Wealth of Nations*, where it is said that the "propensity to truck, barter and exchange one thing for another . . . is common to all men." Those who are looking for an account of the human essence, and who have considered the options ranging from *homo faber* to *homo ludens*, may have overlooked an obvious candidate: *homo mercator*, man the trader.

In fact Firth's point is not the same as Smith's. From the latter stemmed a tradition in modern political economy which judged the material output of "savage" societies according to an invidious criterion of economic rationality and found them wanting. Firth's work, on the other hand, is one of the most important contributions to the twentieth-century economic anthropology which has altered fundamentally our understanding of earlier human cultures. This research exposed the fallacy of attempting to fit all human history into the conceptual mold of a market society. (Of course Marxism tried to do this as well, but less successfully, for it shared with its bourgeois opponents the need to find a linear logic in history.)

The restricted scope of market exchanges in many primitive societies caused many earlier observers to misrepresent their socio-economic arrangements.

*for Herbert Marcuse, on the occasion of his eightieth birthday.

The most notorious example is perhaps the theory of *primitive communism.* Private property, division of labour, the striving for individual reward, marginal utility calculations, and extensive exchanges both within and among tribal units flourished, but they were concealed to some extent by the customary principles of reciprocity and redistribution which controlled their nature and scope. The fact that they occurred largely (but not entirely) in non-market contexts disguised how much they shared — in terms of their social functions — with similar activities in market contexts. For in many primitive societies, "the channels of social obligations function as a substitute for a market."[2]

In this paper I have followed the interpretation that looks at both the "material exchange of man and nature" (Marx) and the network of exchanges among persons as functions of more general cultural determinants.[3] As Marshall Sahlins puts it, in primitive exchange "the material flow underwrites or initiates social relations."[4] This perspective suggests there are certain underlying continuities spanning what seems to be the unbridgeable gulf between primitive and industrial market societies; not that the discontinuities are less real or unimportant. Simplistically, exchange relationships constitute the chief element of continuity, and the market versus non-market context of exchanges marks the chief element of discontinuity.

This paper's purpose is to explore new routes toward a critical theory of needs for contemporary society.[5] It was prompted primarily by my conviction that neither of the two main approaches in the received radical critique of capitalism — the theory of reification and commodity fetishism and the distinction between true and false needs — provides an adequate basis for a critical evaluation of social change possibilities in today's society. A previous paper argued that an examination of the symbolic properties of goods is a key element in a theory of commodity fetishism, and it undertook a trial examination of them by analyzing advertisements with the aid of concepts used in communications theory. This paper tries to strengthen that case. Its basic presupposition is that some light can be shed on problems in the theory of needs by seeking to uncover structured features in the "system of objects" (Baudrillard's phrase) which is the principal source of the satisfaction of needs in a market society.

The paper takes a roundabout path. Its starting-point is the perspective on contemporary society developed by Tibor Scitovsky (*The Joyless Economy*) and Fred Hirsch (*Social Limits to Growth*), which was discussed briefly in the previous paper. These studies focus on three significant features in the consumption or consumer behaviour side of our present-day economy: (1) the importance of interpersonal comparisons or social ranking; (2) the relationship between this emulative behaviour and goods consumption; (3) the symbolic determinations of rank and prestige in economic activity.

All three features were also prominent in many (but not all) primitive societies. The more limited physical dimensions of those societies, and the more limited range of goods with which they operated casts those features into sharp relief. I suggest that exploring the expression of those "primitive" behaviour patterns can aid our understanding of how the dialectic of needs and objects is expressed in our industrial market society.

The generalized market exchanges introduced by capitalist society break down the barriers to exchange and by means of a universal currency give a common denominator to all objects. Thus it would seem at first glance that there is little point in reviewing the very different structured exchanges of primitive societies, if one's objective is to better understand the interplay of needs and objects in our own industrial market society. Some reasons for undertaking this kind of comparative exercise are offered in Marshall Sahlins' *Culture and Practical Reason.* Sahlins' primary objective is to argue that there is a common thread uniting all types of human societies, from the primitive to the modern — the action of culture in shaping the material exchanges between humans and the natural environment. In different ways the symbolic structures expressed in cultural forms define the society's conception of material utility, the selection and transformation of natural materials into desired objects. This is the common thread or continuum in human culture, ". . . in Western culture the economy is the main site of symbolic production. For us the production of goods is at the same time the privileged mode of symbolic production and transmission, . . . by comparison with a 'primitive' world where the locus of symbolic differentiation remains social relations, principally kinship relations, and other spheres of activity are ordered by the operative distinctions of kinship."[6]

The key point in this approach is the notion that behind the abstract equivalence of objects (exchange-value) expressed by the universal medium of exchange (money) in modern society, *needs and the objects of needs are structured by symbolic or cultural determinations.* Sahlins briefly discusses food and clothing to illustrate the application of his approach to contemporary consumption patterns; I will return to this in Section IV. The presupposition of my own adaptation of it is that investigating these structured determinations of the objects of needs — *i.e.*, commodities — is a potentially fruitful method for a critical theory of needs.

One finds in advertising the most obvious example of the systematic linking of symbols and objects in our society. The study by Kline and Leiss offers some evidence for the view that there are significant patterned or structured elements in advertising's association between goods and imagery, reinforcing the similar conclusions reached by somewhat different routes in the researches of Leymore and Williamson.[7] Although advertisements in themselves cannot be interpreted as indicators of the structure of needs, they may yield some

clues that will enable us to frame more precise questions (including research designs for empirical studies of attitudes and behaviour) about how persons develop their understanding of their needs in our high-intensity market setting. These inquiries in turn might enable us to better comprehend the latent social change possibilities in capitalist societies today.

The following sections trace out this roundabout approach to a critical theory of needs. Section II investigates the genealogy of Scitovsky's and Hirsch's notion of the importance of emulative behaviour in economic activity as a way of justifying another look at the *prestige economy* in primitive societies. Section III offers some illustrations of how the prestige economy used goods or material objects as symbols of social differentiation and interpersonal comparisons. Section IV offers some suggestions for applying the notion of ranked classes of goods to the dialectic of needs and objects in contemporary society.

II: Emulation, Pecuniary and Other

In *The Theory of the Leisure Class* Veblen wrote: "With the exception of the instinct for self-preservation, the propensity for emulation is probably the strongest and most alert and persistent of the economic motives proper."[8] One can say that Veblen sought to depict the prestige economy of a market society.

The chapter entitled "Pecuniary Emulation" is the centrepiece of *The Theory of the Leisure Class.* For Veblen all the manifest occupations of a market society, notably the accumulation of property, were found upon analysis to have a less tangible, but more strongly determining, source: "The motive that lies at the root of ownership is emulation; . . . The possession of wealth confers honour; it is an invidious distinction." The fact that all specific types of wealth can be reduced to a single (pecuniary) standard in a generalized exchange economy is the decisive factor in the way that the propensity for emulation expresses itself in a market society. For then all tangible forms of wealth are merely the momentary signs of relative success, and do not have any lasting significance.

A pecuniary standard for interpersonal comparisons is an abstract, infinitely malleable standard. Individual success is a striving for a horizon of social honour that recedes with every approach:

> But as fast as a person makes new acquisitions, and becomes accustomed to the resulting new standard of wealth, the new standard forthwith ceases to afford appreciably greater satisfaction than the earlier standard

> did . . . So long as the comparison [with others] is distinctly unfavourable to himself the normal, average individual will live in chronic dissatisfaction with his present lot; and when he has reached what may be called the normal pecuniary standard of the community, or of his class in the community, this chronic dissatisfaction will give place to a restless striving to place a wider and ever-widening pecuniary interval between himself and this average standard.

The economic growth brought about by industrial capitalism multiplies opportunities to reap material benefits from this restless striving, but not without paradoxical results, for "no general increase of the community's wealth can make any approach to satiating this need."[9] Every attained level is merely the jumping-off point for another round of competitive emulation which features newly-devised tokens of success in the consumer goods arena.

In Veblen's view conspicuous consumption is not confined to persons in the higher income levels; it is simply most conspicuous there. As a fundamental economic motive its traces are found universally in the ordinary life patterns of almost everyone, excluding only the very poorest persons (who display it as soon as they cease to be very poor). It manifests itself in what he calls the element of "conspicuous or honorific waste" — or the "quasi-decorative" aspect — present in the mundane satisfactions of life's necessities. (He seems to have in mind everything that exceeds the strictly functional maintenance of biological life.) Using the economists' term, he suggests that "many of the utilities required for a comfortable existence by civilised men are of a ceremonial character."[10] Using Sahlins' terminology one would call this the "symbolic structure in material utility."

Veblen's book, like its author, occupies a curious place in its field. Its main thrust was assumed to be, by its admirers and detractors alike, consonant with the general socialist critique of bourgeois society. (A few readers sought clarification of its message, which they found ambiguous, but Veblen steadfastly refused — as was his wont — to make it more explicit.) After its initial publication, the book was republished often by small left-wing presses. Yet its emphasis on the universal character of the propensity for emulation, rooted (it is implied) either in human nature or in the nature of human society as such, jars with the standard socialist theory, which attributes such proclivities to the distorting effects of capitalist economic relations.

Veblen's caution, concealing his own position behind a smoke-screen of brilliantly inventive terminology, makes it difficult, if not impossible, to discern his point. There is little uncertainty, however, about the strong technocratic bent in his thinking. The anarchy of the marketplace was the

chief evil to be overcome, and it would be overcome by placing *engineers* in command of society's productive apparatus.[11] We can only surmise — since Veblen does not elaborate — what impact such a transfer would have on the ceremonial character of everyday consumption patterns. Would the engineers resolve to extirpate the emulative propensity root and branch, for example, by issuing one and only one type in each product category, such as shoes? Or would they allow that a certain amount of variation in style and material composition is still within the boundaries of rational desire (a true need), although whatever exceeded the decreed limits (false needs) would have to be repressed?

For the most part Veblen's work was taken seriously by those who interpreted *The Theory of the Leisure Class* as an ethical objection to the frivolous excesses of upper-class wastrels. This interpretation obscured the real difficulty in his outlook, namely his apparent use of a bleak functionalist standard to measure the degree of "honorific waste" in everyday life. (His personal household, with its packing-crate furniture and coarse wool clothing, seems to indicate that he did indeed construe functionalism narrowly.) Read as a general account of individual behaviour at all levels (above that of grinding poverty) in a market society, the presumed critical thrust in Veblen's book loses most (if not all) of its force. One reason is that emulation appears rather benign in its consequences, when it takes the form of competition for possessions. So far as I can tell, Veblen does not say that widespread differences in wealth among social classes (or the brutal exploitation of the poor's labour) inevitably result from it. Thus if the propensity is so evenly distributed among the population, and if its workings are relatively benign, it would be sheer misanthropy to complain of it.

There is another curious aspect. Veblen chose as his key concept an idea that had been common in modern social thought for a long time. The direct source for it was his reading of the political economy current in his day. The *emulative propensity* was said to be an insatiable want on the individual level and the motor of economic progress on the social level.[12] Perhaps Veblen's original objective was simply to balance its enthusiastic endorsement in the texts of political economy with an account of what were for him its less savoury characteristics. In any event the argument of *The Theory of the Leisure Class*, like the rest of Veblen's thought, remains something of a bastard offspring in the household of the socialist theory which chose to adopt it.

Despite its shortcomings *The Theory of the Leisure Class* continues to be an interesting and important book. The best evidence of this is the thematic continuity between it and the recent studies by Scitovsky and Hirsch.[13] Three of the principal themes in the latter, as well as numerous subsidiary points, have their analogues in Veblen's work (they are not identical and in any case

are derived independently). Scitovsky's "rank-happiness" and Hirsch's "positional competition" are more precise formulations, related to empirical evidence, of the propensity for emulation. The effort to erect what Veblen called "invidious distinctions" through open-ended goods accumulation, with potentially infinite permutations, has become, through the proliferation of types of goods, higher personal incomes in the population as a whole, and the omnipresent mass communications media, a regular feature of everyday life. The pervasive symbolic manipulations which link goods with images of well-being also testify to the importance of what Veblen named, in more elegant language, the ceremonial character of utility.

I am persuaded by the evidence offered by Scitovsky and Hirsch that the importance of this venerable theme in social thought cannot be underestimated. I believe it should be recognized as a central concept in the theory of needs. In that context its immediate effect is to undermine static categories and to require more relational and contextual ones. Furthermore, the propensity for emulation as a principal drive in the articulation of human needs is closely related to (1) social mechanisms of exchange in both market and non-market contexts and (2) the symbolic veil cast over material objects in cultural traditions.

My primary purpose here is not to suggest that it is either possible or desirable to devise a general theory of human needs with the notions of emulation, exchange, and symbolic determinations, but rather to urge that we reconsider the concepts of reification, commodity fetishism, and false consciousness — as the key concepts in the radical critique of capitalist market relations — with the aid of such notions. Despite the fact that these concepts have been employed in the radical critique for over a century, they remain undeveloped and problematic. We must know more about the relationship between the commodity form in general, which makes possible an extremely fluid and ever-changing field of objects for the satisfaction of needs, and the structured character of human needing itself (assuming that needs are structured in some way). Moreover, if we maintain that the commodity form represents some kind of "limit" to the articulation of needs, and further that it is a limit which we should strive to overcome on account of its alleged deleterious effects, we must try to say more clearly what the nature of that limit is, what alternative arrangements are possible, and why we should expect the majority of citizens in industrial market societies to opt for an alternative way at some point.

In its high-intensity phase, where the majority of citizens have access to a huge array of goods, the market society throws up invidious distinctions everywhere. We are urged constantly to compare the advantages of one brand over another, one class of goods over another, one marginal increment of satisfaction over another, one set of values over another, indeed one "lifestyle

package" over another. Yet what is the basis for comparison? The marketplace gradually dissolves fixed customary traditions (such as the distinctive cuisine and dress of older ethnic or national groups) by which the appropriateness of an individual's tastes used to be judged. In a modern market society the bases of interpersonal comparison change continuously. It is as difficult to analyze those shifts as it is to navigate them.

It is this difficulty in locating a foothold for analysis that prompts me to suggest that we step back for a moment and look at the structured exchange processes in some primitive societies. Their more limited physical dimensions and assortment of goods throws some of the features of their exchange relationships into sharper relief. This by no means implies that those relationships are "simpler" than our own. When they are viewed in relation to the full set of social interactions (especially reciprocity in kinship relations) to which they belong, their complexity is in fact overwhelming.[14] I discuss them here for a particular purpose in abstraction from their contextual setting.

Here we find a familiar attribute, the propensity for emulation. It is not exactly as a universal feature, but as a sufficiently frequent occurrence in different human cultures, in widely separated areas of the earth, to warrant special attention — nor was it a merely incidental feature of those societies. The "desire for emulation", Firth writes, was "the industrial spur of the old Maori economy."[15]

The origins of the dual economy (subsistence and prestige) in primitive society need not concern us here. The specific nature of the duality varies considerably, but the following characteristics are common: (1) each of the two "economies" has its own types of goods or objects; (2) goods are classified in ranked, discontinuous, or incommensurable spheres of exchanges; (3) social differentiation, including the attribute of prestige, is related to manipulations of a specific class of goods, not all goods; (4) prestige goods reflect a deliberately or artificially created scarcity which stems from the arbitrary ascription of symbolic significance to material objects.

III: Spheres of Exchange

Raymond Firth has commented that we should not take this distinction to mean that the two types of activity are rigidly separated. There are commonly some overlapping points between them. "What is useful, however, in such labels is the directing of our attention to major overt elements in the demand schedule of the economic system, primitive or advanced. Such notions involve a separation in the quality of wants."[16] Goods and objects are classified into two major categories (there are further subdivisions, as we shall see), each with a mode of exchange appropriate to it: barter on the one hand, and objects that

serve as media of exchange for status values on the other. These are the visible manifestations of the structured character of needs or wants, for the two activities are normally kept quite distinct by virtue of segregating the kinds of goods thought to be appropriate to each type. How common this is may be seen in the spheres of exchange devised by different cultures.[17]

A fairly simple and straightforward division is customary in Ponapea, one of the Caroline Islands in Micronesia. The subsistence economy consists of food, clothing, and shelter items ordinarily produced and consumed by household members. Food consists of small yams, bananas, fresh breadfruit, coconut, and seafood. The prestige economy is largely confined to the annual feasts, which feature competition among individuals with respect to two goods, both food items: very large yams and breadfruit aged for long periods in leaf wrappings. Growing the larger yams requires special skills and careful tending for years; the places where they are grown are concealed and they are tended in secret, usually under cover of darkness. The flavour of the breadfruit improves with age; the wrappings must be changed periodically, and prestige is related to the age of the item. Both are brought to the feasts and shared, and a consensus is reached on the relative quality of the offerings.[18]

The best-known example of prestige competition in North America is of course that which occurred among the Kwakiutl of British Columbia, who lived in a region of great natural abundance: "The Kwakiutl, even more than most peoples in the world, were obsessed with rank — indeed, in the midst of such plenty they created artificial shortages in the social system and their striving for high social position was an integral part of the economy."[19] Subsistence goods did not figure at all in the prestige competition, which was confined to just two kinds of objects, blankets and large pieces of engraved copper. Competition among potlatch rivals involved increasing numbers of blankets, until one ended it by offering a copper piece; this competition was ended in turn by the destruction of copper pieces, the victory going to the one who was deemed to have destroyed the piece of greatest value. The rivalry was structured as a conversion of designated objects in a ritualized series of exchanges which culminated by translating material values "into the purest value: reputation" (Bohannan).

Bohannan's work on the economy of the Tiv offers one of the best examples of ranked and discontinuous spheres of exchange. In the subsistence economy are included food (yams, cereals, vegetables, seasonings, chicken, goats, sheep), household utensils (mortars, grindstones, calabashes, baskets, pots). and some tools. Exchanges among them take place by gift giving and in a market which traditionally used no money, only barter. The prestige economy is two-tiered. One category includes slaves, cattle, ritual offices, a special type of cloth, medicines, and brass rods. Exchanges among these take place at ceremonial and other special occasions only, and within this category brass

rods serve as a medium of exchange. Above this category stands another with a single "good": the exchange of rights in women.

The ranking of the spheres is crucial. Transactions of goods between the spheres is necessary, for example when a large amount of food is required for a feast and must be paid for with brass rods, or when the rods were used to purchase a wife. But one strives to avoid exchanging higher-category goods for lower-category ones, and he who must do so suffers loss of prestige. (The brass rods are only a true equivalent within the second category.) Conversely, one strives to convert lower-category goods into the higher.[20]

Richard Salisbury paid special attention to spheres of exchange in his study of the Siane people of the New Guinea highlands, and on the basis of his work it is possible to make some finer discriminations that may apply to other examples discussed above. He found it necessary to distinguish not two but three "nexuses of activity" in economic life, each of which corresponds to a distinctive assortment of goods and objects used exclusively in relation to it. His discussion stresses the crucial and determining role that the discontinuous spheres of exchange play in the social life of the group. He calls them the subsistence, luxury, and ceremonial nexuses of activity.

Subsistence goods include everyday food items (sweet potatoes and other vegetables), tools, clothing, and housing. They are produced both individually and collectively within each clan and responsibility for producing them is shared informally in that context. These activities maintain both the accepted kinship relations in the group and the basic consumption level enjoyed by everyone. They provide a minimal consumption "floor" for each individual and are derived from natural materials that are relatively plentiful.

Luxury goods encompass tobacco, palm oil, pandanus nuts, salt, snake-skins for drums, stone for axe-blades, and palm wood for spears. These are produced or acquired by individual initiative, are exchanged on the basis of reciprocity, and the direct consumption items among them are enjoyed either privately or in entertaining visitors, where "generosity" is a virtue. This is a kind of intermediate category of goods, which allows for the expression of different individual preferences (unlike the subsistence sphere, where there is little or no variation), and seems to work against excessive rigidity in social behaviour by permitting the introduction of new goods and practices through individual initiative.

Ceremonial goods are valuables exchanged by barter at public events. This category includes shells, ornamental axes, necklaces, plumes, headdresses, and pigs. Exchanges take place both within and among clans and they create return obligations; this is an arena of "strict reciprocity" where a detailed accounting of value is kept. The individual — and by association the clan of which he is a member — create obligations to themselves from others in making presentations of ceremonial goods, and thus increase his and their

prestige. It is also the means of social mobility for the individual within his clan.

There is very little crossing of the boundaries between the different types of goods; the only one mentioned specifically by Salisbury is the infrequent exchange of pigs for salt (the latter is very scarce and is a monopoly of the clan which occupies the only salt deposit). The barriers among goods and objects are at the same time the structuring characteristics of social relations: "The more general rule is that commodities are used only in situations where the nexus of activity is clearly one of intra-clan help, inter-clan presentation, or exchange between trade friends; no commodity can be used in an ambiguous situation."[21] Not only are ceremonial goods never exchanged for food or luxuries, but persons who exchange the latter two cannot also exchange the former.

Of special interest to Salisbury was the fact that he witnessed the impact of a new technology (steel rather than stone for axe-blades) on the closed, hierarchical spheres of exchange. The far greater efficiency and durability of the steel blades released significant amounts of new "free time" for the population. There was no change in the production of types of subsistence goods, since this could not have happened without disrupting fundamental role relationships (only men own and use axes to clear planting areas — which women then tend — and to build houses). Rather, the new time was absorbed exclusively in extending the sphere of prestige competition — the most elastic area of demand, to use the economists' term — by fighting and by exchanging the material tokens of prestige.

Salisbury gives an excellent summary statement of the social functions performed by the discontinuous spheres of exchange and the structured character of the needs for which they are the means of satisfaction:

> . . . the presence in non-monetary societies of discrete scales of value . . . is a simple mechanism insuring that subsistence goods are used to maintain a basic standard of life below which no one falls; that free-flowing power [prestige] is allocated peacefully, with a minimum of exploitation (or disturbance of the individual's right to subsistence) and in accordance with accepted standards; that the means of insuring flexibility in the society do not disrupt the formal allocation of statuses in the society or the means of gaining power.[22]

After comparing the ranked spheres of exchange among the Siane with analogous practices elsewhere, Salisbury offers a way of looking at at least

some commodities in our society from this perspective. He suggests that in important goods, like the automobile, the three nexuses of activity are mixed together but that it is also possible to distinguish them analytically. There is a "subsistence" nexus in respect to its manifest use-value (it conveys passengers), a luxury nexus in all the optional "extras" for greater comfort and convenience that most purchasers choose, and a ceremonial or prestige nexus in the comparative levels of size, style, and cost.[23]

Three points are worthy of note in attempting to assess these materials for comparative purposes. They concern the structured nature of needs or wants, the relation between prestige and types of objects, and the question whether one may properly speak of a fetishism of objects in this context.

The hierarchical and discontinuous spheres of exchange are in a sense only the visible manifestation of qualitative distinctions in the assortment of human needs. Rather than emerging as an undifferentiated series, of a merely quantitative scope, human needs appear — universally, I think it is safe to say — in groups or clusters that reflect efforts to define meaningful, "complete" spheres of activity. The number of discrete and identifiable needs and their objects in any sphere seems less significant, on the whole, than the nature of the qualitative distinctions which mark the boundaries between them. Yet in remarking this pattern one must be attentive to the rich variations in detail that lend it colour. The important point is the principle of structured discrimination. Attempts to pin it down too precisely, notably Maslow's hierarchy of needs, trivialize the process of needing; for in order to achieve sufficient generality, the categories of analysis must be reduced to their barren skeletal outline. (Think of "food", on the one hand, and the marvelous over-indulgence in a feast ceremony by which a fellow tries to augment his prestige, on the other.) Any research scheme utilizing the principle of structured discrimination should develop its specific analytical categories in a dialogue with specific empirical materials.[24]

A great variety of goods or objects are employed as prestige tokens, as we have seen. This stems from the very nature of the enterprise. What is required is a physical counter for human relationships, an arbitrarily-chosen sign for a complex set of attributes (skill, initiative, inherited status, luck, ambition, courage, and so forth). What the group of counters must be able to signify is the requisite degree of discrimination in the process of social differentiation. Where there are many accepted competitors for prestige, for example, the set of tokens as a whole must be sufficiently divisible so that it is possible to discern the relative success of each. Prestige tokens reflect artificial scarcities, and such scarcities may be multiplied indefinitely as the need for finer discriminations arises. They may or may not embody significant amounts of skilled labour, artistic talent, or precious natural materials. The only general requirement is that they be kept separate from subsistence uses.

THE FETISHISM OF OBJECTS

Whether we should speak here of a "fetishism of objects" is partly a matter of definition, since many of these societies have fetish-devices in the strict sense — *i.e.*, objects thought capable of performing operations (spells, witchcraft) on persons — that are not the same as their prestige tokens, it is probably unwise to do so. If by a fetish we refer to any situation in which a material object "stands for" a social relation (thus making it virtually synonymous with what is intended by the concept of reification), and especially if all such situations are thought to be unfortunate by their very nature, difficulties arise.[25] For to mark a social relation by means of a material thing is precisely what prestige tokens are intended to do. Moreover, most societies which employ them clearly recognize that *these social relations themselves* — *i.e.*, the process of social differentiation through prestige competition — are potentially dangerous in their consequences, and they have explicit, well-established countervailing mechanisms (*e.g.*, redistribution) to contain those dangers.[26] They do not seem to be at all mystified, for example, by the reified forms of *those* social relationships. Thus it does not appear justifiable to me to view the prestige economy of primitive societies as an expression of the fetishism of objects.

We may now turn to the question of what bearing these three points have on the dialectic of needs and objects in our industrial market society. In applying this comparative perspective we are encouraged to look for the structured discriminations of needs that may be present, and (if we think we do discern evidence of them) to ask how they express themselves in relation to the abstract equivalence in the field of objects (exchange value or the commodity form). We can ask how the pecuniary form of the propensity for emulation, which arises in a market exchange society based on commodity production, differs in its characteristics and social consequences from the non-pecuniary form based on discontinuous spheres of exchange. For example, if we accept Salisbury's claim about the conflation of different nexuses of activity in a uniform sphere of market-exchange goods, we might ask: What are the individual and social consequences, if any, of pursuing prestige competition in a situation where all easily-recognizable distinctions between prestige and non-prestige categories have collapsed? Finally, is it possible to ground the concepts of reification and the fetishism of commodities for our society in the collapsing of spheres of exchange?

IV: Commodity Fetishism Once More

Jean Baudrillard opens his book, *Le système des objets*, with the following questions: "Can one classify the immense vegetation of objects like flora and fauna, with tropical and northern species, abrupt mutations, and

disappearing species? . . . Can one hope to classify a constantly changing world of objects and arrive at a descriptive system?" To answer them he develops a scheme based on categories such as arrangement and environment, together with various sub-categories, and concludes with his first presentation of the thesis (elaborated in later books) that consumption today involves the "systematic manipulation of signs" which as a whole form a behavioural "code". This means (so far as I can understand the thesis) that objects tend to lose any substantial link with discrete domains of activity (eating, for example) — an "interior" relation — and constitute an externally-related series or mere collection of things which only represent abstract designations ("colonial" furniture, "sporty" clothing, "gourmet" frozen foods).[27]

Baudrillard is one of a number of French theorists for whom symbolic determinations provide the key for understanding generalized commodity production.[28] Baudrillard extends the semiological approach to embrace political economy and suggests that there is a strict analogy between the nature of a sign and the nature of the commodity form. The two-fold character of the sign, as signifier (the sign's manifest form) and as signified (its meaning), duplicates the duality of use value (the material or utilitarian aspect) and exchange value (the relation with other things) in the commodity. In D'Amico's words: "We are to understand the connection as follows: exchange value and signifier designate *relational* forms, whereas use value and the signified stand for the *content* or object of the relations."

Baudrillard wishes to found, on this basis, a theory of the fetishism of commodities that is different from Marx's. He understands Marx's theory as linking this fetishism solely to one side (exchange value) of the commodity form, since the other (use value) is an unambiguous quality, the commodity's capacity for satisfying *some* human need. Baudrillard maintains, in opposition to this reading of Marx, that utility or use value is just as much an abstract form of the object as is exchange value:

> For there to be exchange value it is already necessary that *utility* become the principle of reality for the object as product. Exchange presupposes that the objects are already *rationalized as useful.* The reduction to utility is the basis for both exchange and systematization — the preconditions, in Baudrillard, for fetishism (which he defines as the reduction of the symbolic-ambivalent to the systematic-equivalent). For Baudrillard exchange and the equivalence-form are made possible by an object's being made comparable through the common denominator of functional-rational. (Only the objects of symbolic

> exchange retain their true singularity and incommensurability). Therefore, to be more radical than Marx is to see the priority of the object form over the commodity form.[29]

This passage shows what is for Baudrillard the criterion for distinguishing fetishized from non-fetishized exchanges. The latter is restricted to events which have (allegedly) an irreducible singularity; examples are gift-giving and the feast ceremonies of primitive societies. Apparently all reductions to a standard of equivalence are a form of fetishism.

There is much of value in Baudrillard's work. He was (to the best of my knowledge) the first sympathetic reader of Marx to argue against the standard Marxist formulation of the concept of commodity fetishism.[30] His is also an effective challenge to any who locate the problematic aspect of capitalist market relations solely in the commodity form *per se* and who regard the relation of need and use value as unambiguous. These advantages, however, are largely negated by its defects, which arise both from its dubious theoretical stance and from a style of expression notable for its consistent hyperbole.

Baudrillard's concept of fetishism is so all-encompassing that it overwhelms the data of experience it seeks to address. For *some* aspect of equivalence is a necessary part of all exchange. To be sure the equivalence represented in exchange based on reciprocity is not the same as that represented in commodity exchange, but it is a kind of equivalence nonetheless. It is customary — both in primitive societies and in our own — not to calculate too finely the exchange value of a single gift, but where the parties to gift exchanges are of the same status any long-term imbalance will be regarded as a deliberate affront. Similarly market and non-market exchanges in general, which employ varying standards of equivalence, reflect qualitatively different contexts of social relations. The contrast of "systematic-equivalent" with "symbolic-ambivalent" prevents us from making the necessary discriminations among diverse contexts of exchange relationships.

Baudrillard's approach is a prime example of what we might term a premature conceptual synthesis, premature in two senses. First, it terminates the dialogue between analytical concepts and empirical data almost as soon as it has begun; the former exercises an authoritative sway, so to speak, which the latter is not permitted to challenge. Second, it forecloses on the range of questions that might be posed as the inquiry proceeds. For example, if we insist that "*the same* logic (and *the same* fetishism) is at work on the two sides of the commodity specified by Marx, use value and exchange value",[31] we have in effect decided *a priori* not to allow the data to show any significant elements of tension between the two sides that may be present in our experience with commodity exchange production.

The more measured approach of Marshall Sahlins rescues these materials from such conceptual autarchy and thus holds open new lines of inquiry. His emphasis on "the symbolic structure in material utility" does not tempt him to reduce the concept of utility (use value) to some allegedly more primordial "object form" or to dissolve the dynamic tension between use value and exchange value. Rather, he opens up the concept of utility itself in order to search for the differentiated structures of meaning within, in order to repair the imbalance found in Marx's work. He cites the *Grundrisse:* "The commodity itself appears as unity of two aspects. It is *use value, i.e.*, object of the satisfaction of any system whatever of human needs. This is its material side, which the most disparate epochs of production may have in common, and whose examination therefore lies beyond political economy."[32] He suggests that we must extend the investigation of commodity production by dissecting the material side:

> The material forces taken by themselves are lifeless. Their specific motions and determinate consequences can be stipulated only by progressively compounding them with the coordinates of the cultural order . . . An industrial technology in itself does not dictate whether it will be run by men or by women, in the day or at night, by wage laborers or by collective owners, on Tuesday or on Sunday, for a profit or for a livelihood; in the service of national security or private gluttony; to produce hand-fed dogs or stall-fed cattle, blue collars or white dresses; to pollute the rivers and infect the atmosphere or to itself slowly rust away like the Singer sewing machine posed majestically in front of the house of an African Chief.[33]

A theory that ignores the inter-penetration of the concrete material and cultural (symbolic) determinants in the satisfaction of needs, restricting itself instead entirely to its formal structure (the commodity form under capitalist relations of production), will remain unable to explain processes of social change in precisely that kind of society which the theory pretends to have as its object of analysis — a society where the self-understanding of persons has been formed under conditions of fully developed capitalist market relations.

Utility is not constituted exclusively by the properties of a good but instead by the relation between them and the demand schedules of persons: this much is already conventional wisdom in marginal utility theory. However, in defining utility as *no more than* "psychological utility" this theory imme-

diately short-circuits discussion of the social and cultural determinants of individual psychology. The "process of social life in which men reciprocally define objects in terms of themselves and themselves in terms of objects"[34] is here reduced to its crudest dimensions. So the consumer behaviour researchers labour to find direct correlations between an individual's personality attributes and his or her preferences for specific brands. One study found a significant correlation between the attribute "need for dominance superior to need for affiliation" and a preference for Fords over Chevrolets and vice versa. Unfortunately these studies as a whole showed that, although particular correlations were often significant, the results could not be generalized across product types.[35]

In fact a cultural system of interpretation (called a "code" by those who follow the French theorists) intervenes between persons and objects. It includes autonomous domains, not determined by the mode of production, that structure individual experience and behaviour. Sahlins discusses two examples in North American life today, involving food and clothing. The uses of animals for meat are structured in a number of ways, including edible (cattle and pigs) versus inedible (dogs and horses) sources and a hierarchy of preferences with respect to edible sources (flesh versus organ parts). Styles of clothing reflect and reinforce general behaviour patterns, such as male/female and work/leisure distinctions; and the variations within this class of objects allow a host of differentiations in the social order to be expressed. The infinite manipulation of materials made possible by industrial technology permits this society to develop a far larger set of differentiating signs than was possible earlier. Yet however broad or narrow its range may be, the world of produced objects always represents "man speaking to man through the medium of things."[36]

It is still fruitful to follow Marx's lead and to view the understanding of the commodity form as (at the very least) the initial problem for our analytical efforts. However, I believe we must proceed on the assumption that we do not yet understand it. We must do more than feed new data into the old program. In my view the sources discussed in this essay (especially Scitovsky, Hirsch, and Sahlins) put us on the threshold of significant new departures for the theory of advanced capitalist society. In what follows I have indicated only the outlines of specific topics that could be pursued on the basis of the preceding discussion.

1. *Reification and False Consciousness* One of the commonest features of human cultures is the use of objects to mark social distinctions among persons. Under many different kinds of circumstances the attributes associated with those distinctions may be transferred to the objects themselves, which then would come to possess a degree of autonomy *vis-à-vis* human agents who had lost control of the symbolic meanings vested in them.

Those meanings, now with a "life of their own", can act as a counterweight to the spontaneous development of newer cultural forms arising in response to environmental and social changes. If some terminological license be permitted, reification could be termed a "negative externality" in the process of objectification, where by the latter we understand the transformation of nature into physical forms that express human creativity.

The ideologies of early capitalism, which represented economic relations as the outcome of the workings of universally-applicable natural laws, were reified forms of social consciousness. In them the real social transformations which created those economic relations (such as the forcing of labour-power into the commodity form) were concealed and distorted; social policy, it was said, had to "obey" the laws of the marketplace. However, the gradual acceptance of increasing governmental manipulation of the economy has largely (but not entirely) made this form of reified consciousness obsolete. It is not clear whether it has been replaced, on the level of overall public understanding of the relation between economy and public policy, by some other forms.

The theory of false needs implies that the locus of reified understanding has shifted in a sense from the sphere of production to that of consumption. This theory suggests that there is a pervasive manipulation of desire or distortion in the relation between needs and the objects of satisfaction. Given the cultural variability of needs, however, it has proved difficult for the theory to go beyond the vaguest generalizations.[37] Until it is able to do so it will not be possible for us to evaluate the contention; and unless it does so it runs the risk of being considered as merely an invidious distinction. In general any theory of false consciousness should be able to be clearer than those in the past have been about just what kinds of "mystification" occur as a result of capitalist exchange relationships.

2. *Reification and Commodity Fetishism* In Marxist thought the fetishism of commodities is by and large a special case of reification. What was said above of the latter applies as well to the former.[38] Specifically, it is implausible to suggest that persons are "ruled" by whatever meanings are projected onto the world of commodities. Rather, those commodities seem to be more and more the perfectly transparent repositories of those meanings — *i.e.*, the satisfaction of needs takes place in the context of an open-ended competitive emulation, where the assortment of both objects and symbols is constantly reshuffled.

It may be possible, however, to re-interpret those concepts in this new context. The ranked and discontinuous spheres of exchange abolished by commodity production may re-appear as qualitatively distinct spheres of meaning within the commodity form itself. (Recall Salisbury's point about the dimensions of subsistence, luxury, and ceremony or prestige in the

automobile.) This requires careful investigation to see whether a fruitful line of inquiry may be developed. One possible implication may be noted. The effectiveness of the prestige economy in primitive societies seems to depend in large part on (1) its segregation from non-prestige (subsistence) pursuits and (2) the specification of a closed set of counters as prestige tokens. Both principles are violated in the prestige competitions in market society. If the competition is more open-ended, the signs of success are also less clear and stable; thus it is both more extensive, encroaching on all aspects of everyday life, and — perhaps — less satisfying in its outcome, since the tokens of merit have no lasting value. Prestige too is threatened by inflationary pressures. The diffusion of prestige competition throughout the domain of consumption may provide a basis for re-interpreting the concept of reification in the context of the commodity form.[39]

3. *Exchange in Market and Non-market Contexts* Changes in the larger context of market relations and their social functions have long been advocated as part of the socialist opposition to capitalism. Some of the arguments about the different stages through which socialist societies are supposed to evolve, or about the differences between socialism and communism, turn on this point. Yet in Marxist theory at least, according to Stanley Moore, these arguments have still not been sufficiently clarified.[40] Such issues as the scope of commodity production, alternative types of exchange relationships, and the types of social differentiation require close re-examination in socialist theory. The enterprise will be more productive if, instead of confining itself to speculative treatises, it also looks at the instructive experiences with these matters that have occurred under the state-socialist regimes.[41]

4. *The Comparative Perspective: Concluding Notes* The anthropological materials are especially interesting on one point: the linkages between prestige and its material tokens are quite arbitrary. This has some significance for our own society, where similar linkages in recent times rely on goods and lifestyles that place heavy demands on resources and energy. This has made it difficult to know how to deal with the serious inequities in the distribution of income, since raising others to a higher standard would further intensify those demands. A different approach may bring a happier solution to this dilemma. It is possible that relatively inoffensive ways may be found to re-interpret prestige values in terms of less resource-extravagant goods. Given the arbitrary character of such values, there is no reason to suppose that the results will be less fair or less satisfying.

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Notes

1. Raymond Firth, *Primitive Polynesian Economy*, 2nd ed., London: Routledge, 1965, p. 18.

2. Firth, *Primitive Polynesian Economy*, p. 36.

3. In the literature on economic anthropology there is a debate over the applicability of modern economic categories (capital investment, for example) to the analysis of primitive societies. The strengths and weaknesses of the different positions are not relevant to the purpose of this paper; my orientation is based on the intermediate position championed by Firth. See Raymond Firth, ed., *Themes in Economic Anthropology*, London: Tavistock, 1967.

4. Marshall Sahlins, "On the Sociology of Primitive Exchange", in his *Stone Age Economics*, Chicago: Aldine, 1972, p. 186.

5. Others are Stephen Kline and William Leiss, "Advertising, Needs and 'Commodity Fetishism' ", *Canadian Journal of Political and Social Theory*, Vol. 2, No. 1, Winter, 1978, pp. 5-30; and William Leiss, "Marx and Macpherson: Needs, Utilities and Self-Development", (forthcoming).

6. Marshall Sahlins, *Culture and Practical Reason*, Chicago: University of Chicago Press, 1976, p. 211.

7. V. L. Leymore, *Hidden Myth: The Structure of Symbolism in Advertising*, London: Heinemann, 1975; Judith Williamson, *Decoding Advertisements*, London: Marion Boyars, 1978.

8. Thorstein Veblen, *The Theory of the Leisure Class*, New York: Vanguard Press, 1926, p. 110.

9. *Ibid.*, pp. 25-6, 31, 32.

10. *Ibid.*, pp. 58, 157ff.

11. This is the theme of *The Engineers and the Price System*, a series of essays first published in the magazine *The Dial* in 1919, and it can be found throughout Veblen's thought: see Joseph Dorfman, *Thorstein Veblen and his America*, New York: A. M. Kelley, 1961, *passim*.

12. See Dorfman, *op. cit.*, p. 62. One of Veblen's sources was J. B. Clark, *The Philosophy of Wealth* (1885). For an earlier example see Rousseau's remarks in Roger Masters, ed., *The First and Second Discourses*, New York: St. Martin's Press, 1964, pp. 149, 156, 174-5. *Cf.* C. B. Macpherson, "Needs and Wants: an Ontological or Historical Problem?" in Ross Fitzgerald, ed., *Human Needs and Politics*, London: Pergamon Press, 1977, pp. 28-9.

13. And indeed Staffan Linder's marvelous book, *The Harried Leisure Class*, New York: Columbia University Press, 1970.

14. For one example see the discussion of ceremonial exchange among the Tikopia in Firth, *Primitive Polynesian Economy*, pp. 320-332.

15. Raymond Firth, *Economics of the New Zealand Maori*, 2nd ed., Wellington, N.Z.: Government Printer, 1959, p. 450; see also p. 167.

16. Firth, *Economics of the New Zealand Maori*, p. 41.

17. Cora DuBois, "The Wealth Concept as an Integrative Factor in Tolowa-Tututni Culture", in *Essays in Anthropology presented to A.L. Kroeber*, Berkeley: University of California Press, 1936, pp. 49-65, is the earliest piece I have found that uses the subsistence-prestige economy terms. In addition to the examples given below, see: Paul Bohannan, *Social Anthropology*, New York: Holt, Rinehart and Winston, 1963, pp. 233-240 (Trobriand Islands); Firth, *Primitive Polynesian Economy*, pp. 340-344 (Tikopia); and W. R. Bascom "Social Status, Wealth and Individual Differences among the Yoruba", *American Anthropologist*, vol. 55, 1951.

18. W. R. Bascom, "Ponapean Prestige Economy", *Southwestern Journal of Anthropology*, vol. 4, 1948, pp. 211-221.

19. Bohannan, *op. cit.*, p. 254.

20. Bohannan, *op. cit.*, pp. 248-253. See especially p. 252: "Tiv are scornful of a man who is merely rich in subsistence goods (or, today, in money). If, having adequate subsistence, he does not seek prestige in accordance with the old counters, or if he does not strive for more wives, and hence more children, the fault must be personal inadequacy. They also note that they all try to keep a man from making conversions; jealous kinsmen of a rich man will bewitch him and his people by fetishes, in order to make him expend his wealth on sacrifices to repair the fetishes, thus maintaining economic equality . . . Therefore, the man who converts his wealth into higher categories is successful — he has a 'strong heart'. He is both feared and respected."

21. R. F. Salisbury, *From Stone to Steel*, London: Cambridge University Press, 1962, p. 103.

22. *Ibid.*, p. 212; *cf.* Mary Douglas, "Primitive Rationing: A Study in Controlled Exchange", in Firth, ed., *Themes in Economic Anthropology*, pp. 136-138.

23. *Op. cit.*, p. 204.

24. One example of what may be missed with excessively abstract categories: In most primitive societies the ranked spheres of needs and exchanges are intrinsically related to role determinations. Thus the prestige economy is almost entirely a male preserve. This is hardly an inconsequential fact for the theory of human needs.

25. Thus the "broad" meaning of "fetish" offered by Webster's collegiate dictionary is, "any material object regarded with superstitious or extravagant trust or reverence." It also has a technical meaning in psychoanalytic literature that is widely known.

26. I do not mean to imply here that social relations in these societies were a perfect expression of the proper interplay of individual and group, or that there were no regressive elements (the widespread fetishistic practices are sufficient evidence to the contrary). A critique of them on their own terms is both beyond my competence and beyond the scope of this paper.

27. Jean Baudrillard, *Le système des objets*, Paris: Gallimard, 1968, pp. 276ff; the thesis is elaborated in *La société de consommation*, Paris: S.G.P.P., 1970. The examples in the text are mine.

28. Their work is presented and discussed in a superb essay by Robert D'Amico, "Desire and the Commodity Form", *Telos*, no. 35, Spring, 1978. The quotation at the end of this paragraph is from p. 101.

29. *Ibid.*, p. 104. D'Amico objects to Baudrillard's reading of Marx. I think there is more truth in it than D'Amico is willing to concede, but it is certainly correct to say that Baudrillard ignores all the nuances in Marx's texts. The most adequate critique and interpretation of Marx on this point is, in my view, the one offered by Sahlins, *Culture and Practical Reason*, pp. 148-170.

30. In his essay, "Fétichisme et idéologie" (1970), reprinted in his *Pour une critique de l'économie politique du signe*, Paris: Gallimard, 1972, pp. 95-113; also the chapter "Au-delà de la valeur d'usage", *ibid.*, pp. 154-171. *Cf.* Kline and Leiss, *op. cit.*, pp. 9-13.

31. *Pour une critique*, p. 160 (my italics).

32. Marx, *Grundrisse*, tr. Martin Nicolaus, London: Penguin, 1973, p. 881, quoted by Sahlins, *Culture and Practical Reason*, p. 151. Sahlins notes there the contrasting passage from pp. 267-268 of the *Grundrisse*, where Marx promises — but never subsequently fulfills the promise — to show how use value is a "determinant" of the "system of needs and production".

33. Sahlins, *Culture and Practical Reason*, pp. 207-208.

34. *Ibid.*, p. 169.

35. W. D. Wells and A. D. Beard, "Personality and Consumer Behaviour", in S. Ward and T. S. Robertson, eds. *Consumer Behaviour: Theoretical Sources*, Englewood Cliffs, N.J.: Prentice-Hall, 1973, pp. 141-199. Table 3 in their article (pp. 180-189) lists a great number of these research efforts.

36. *Culture and Practical Reason*, p. 178.

37. A recent statement offers a good illustration: "Hence, true needs are those which foster the development of human universality, given the achieved level of material and intellectual resources; false needs those which blindly reproduce the irrational necessity of domination." Charles Rachlis, "Marcuse and the Problem of Happiness", *Canadian Journal of Political and Social Theory*, Vol 2, No. 1, Winter, 1978, p. 80.

38. I have benefited from a conversation with Herbert Marcuse on these matters. I hasten to add that the formulations in the text are entirely my own responsibility.

39. In his *Democratic Theory*, New York: Oxford University Press, 1973, pp. 178-9, C. B. Macpherson accuses marginal utility theorists of "making the assumption of universal innate emulation, or innately insatiable wants," and he suggests that this is a regression to a "pre-Hobbesian" position. In primitive societies the propensity for emulation is generally restricted to adult males (thus is not universal) and is not related to any insatiability of wants. It is clearly a cultural practice, and thus not "innate" in the strict sense; one need not assume it is present in all human cultures, but also one cannot regard it as simply a product of capitalist market relations. Whether one views its modern form as inherently harmful or beneficial is of course a matter of judgement; in this essay I have not taken a stance on that issue, but merely called attention to its significance in an analytical sense.

40. This is developed in his forthcoming book, "An Obsured Alternative: Marx on Socialism and Communism". Professor Moore kindly allowed me to read his draft manuscript.

41. One valuable study is Philip Hanson, *Advertising and Socialism*, White Plains, N.Y.: International Arts and Sciences Press, 1974.

Canadian Journal of Political and Social Theory/Revue canadienne de théorie politique et sociale, Vol. 2, No. 3 (Fall/Automne, 1978).

THE LEGACY OF POLITICAL ECONOMY: THINKING WITH AND AGAINST CLAUS OFFE

John Keane

Recent statements by Pierre Trudeau have confirmed what many of us have long suspected: the age of liberalism and its sensitivity to problems of power is over.[1] Notwithstanding widespread official chatter about "de-controls" and "cutbacks" and the renewed call for "free markets", we of the advanced capitalist world are witness to state activities *unparalleled* in their extent, sophistication, and intrusiveness in the market-place. Marx's exceptional comments on the "huge state edifice" of the France of his day — "a country where every mouse is under police administration"[2] — become universally applicable to our times.

In light of these developments, the recent enthusiastic revival of interest in Marx's discussion of political economy and the state is long overdue. Yet this renewal (*e.g.* the Miliband-Poulantzas confrontation[3]) is a thoroughly ambiguous, even precarious development. This is because the *promise* that its real insights would condemn to obscurity the by-now stale political "classics" of the Marxist tradition,[4] tends to go hand in hand with attempts at a more general theory of politics characterized by a "retreat" to Marxian formulations.

Almost invariably, this textual regression is accompanied by lamentations about Marx's well-known failure to complete his foreshadowed fourth volume (of a more extensive, six-part treatise[5]) on the state. Since Marx never effected this comprehensive, systematic theory of the capitalist state, it is said that the latter is now only possible on the basis of a reconstruction of various of his *pièces de circonstance*. For all their important disagreements, this is the shared point of departure of Poulantzas' early claim that Marx and Engels understood Bonapartism as the paradigmatic type of capitalist state,[6] Miliband's derivation of the theory of the "relative autonomy" of the capitalist state from a well-known *Manifesto* passage,[7] and Altvater's "*Kapital-logik*" analysis of "the separation of Economy and Politics."[8] This "return" to Marx

is a prime and troubling example within contemporary Marxism of what Merleau-Ponty has called "thought in retreat."[9] Allegations about the need for an elaborated theory of the state via a return to Marx are symptomatic of a strong tendency within this Marxism: to pretend that it has already "found out" about the world in which it lives; that it has discovered this world's *modus operandi* by "returning" to, and defending vigorously, the *Marxist* "roots" of its concerns.

In my view, this dogmatic retreat is bound to undermine the elaboration of a critical, emancipation-inspired theory of the present. This is because Marx's most general theses on the modern state and economy are critical appropriations of the secret of the "laws of motion" of a *unique* ensemble of conditions in capitalist modernity — namely, nineteenth-century liberal capitalism and its strict, dualistic separation of the realms of civil society and state.[10] With the expanded importance of state activities under the conditions of advanced capitalism, Marx's general insights on political economy, the state and crisis stand in need of radical reconstruction: they have lost their object and, hence, the medium of their practical verification. That the Marxian critique of political economy and the state has been outwitted by empirical developments which it had not anticipated is the initial premise of the work of Claus Offe: "As we can no longer regard the system of political authority as a mere reflex or subsidiary organization for securing social interests, we are forced to abandon the traditional approach, which sought to reconstruct the political system and its functions from the elements of political economy."[11] In defense of Offe (who merely broaches this point) this argument needs to be worked through thoroughly, and Marx's critique of liberal capitalism located within its proper context. Against the seductive power of dogmatic "retreatism" (to which, as we shall see, Offe sometimes succumbs), the following arguments are presented as a contribution to the sharpening of recent debates on political economy and the state. They are founded on the assumption that the de-mystification of our present necessitates the *clarification* of our past; that only thereby can this past beocme *ours*, no longer forgotten, negated abstractly, or embraced blindly.

On Liberal Capitalism

For Offe, what was unique about liberal capitalism was the extent to which "free" market relations became hegemonic. The bourgeoisie struggled to make reciprocal exchange relations between private and allegedly autonomous commodity owners *both* the "pacesetting" structural principle of this society *and* the major source of its legitimation. Social being, language and consciousness came to be defined and ordered through market relations.

In this sense (and here Offe's argument is prefigured nicely in the work of Neumann, Karl Polanyi and Wolin[12]) liberal capitalism was the culmination of a process of social evolution which had seen a gradual differentiation and "uncoupling" of the sphere of economic production and exchange from the formal constraints of kinship and politics. Market capitalism saw both the emergence of a sphere of *productive* relations, and a pattern of ideological thought and speech (possessive individualism, the achievement principle) rooted directly within those relations and seeking their reproduction.[13] Later in this essay, the significance of the latter sphere of "symbolic interaction" will be explored in some depth. For now, it should not be forgotten that liberal-capitalism's relations of production were at the same time symbolic relations. Symbolic codes or "sign values" already existed *within* the logic of the production of exchange and use values, regulating the accumulation process by establishing for its participants a meaningful, allegedly undistorted universe of discourse.

Certainly, economic liberalism and political liberalism were no Siamese twins. It is untrue to say that market society and *laissez-faire* coincided before the nineteenth century. Locke, for example, had stressed the primacy of the state's "federative" (*i.e.* foreign policy) and the monarch's "prerogative" powers over law, while Machiavelli and Hobbes had understood that the very character of possessive market relations at first presupposed extensive hierarchical state regulation to ward off severe unemployment and economic and social disorder. The forcible creation of abstract individuals could only succeed under the aegis of an abstract, centralized state. This was precisely the outcome of the absolute monarchies (*e.g.* the Tudors and early Stuarts), which pillaged the church, suppressed foreign enemies, and dared to establish peaceful stability.[14]

Even so, by the early nineteenth century (England is perhaps prototypical[15]) the operations of government were more and more seen to be disturbers of the "harmonies économiques." The activities of this "nightwatchman state" (as Lasalle called it) were to be restricted to the general securing of otherwise self-reproducing market conditions: the harnessing of tax, banking and business law to the dynamic needs of the process of capital accumulation; the protection of bourgeois commerce via civil law, police, and the administration of justice. From within the ranks of early nineteenth-century utilitarianism came the strongest justification for the "weakest" state commensurate with the class domination of civil society. It was Bentham's conviction, for example, that the most general end of laws were but four in number: "to provide subsistence; to produce abundance; to favour equality; to maintain security."[16] Proceeding from his time-bound assumptions that the great unwashed mass of labourers would never seek to elevate themselves above subsistence levels except through fear of starvation, and that, for the more

well to do, the secure hope of gain was the necessary and sufficient stimulus to maximum achievement and productivity, Bentham deduced his one "supreme principle" of security of existing property relations through the state. The goal of equality of wealth was made to yield to that of security of both existing property and the returns on one's labour: "In consulting the grand principle of security what ought the legislator to decree respecting the mass of property already existing? . . . He ought to maintain the distribution as it is actually established . . ."[17] The market property and symbolic order was thereby summoned to shed its political skin; liberal capitalism's institutional framework and its mode of legitimation became immediately economic and only mediately political. Literally, social life was partitioned: a network of reified political institutions ("the publique Sword" as Hobbes called it) was set the task of mediating and defending the anarchy of the private realm, in which, freed from the old "pernicious regulations", individuals pursued their interests and exercised their natural rights of private judgement.

It was under these de-politicized conditions that labour and exchange processes took on that "two-fold nature" outlined by Marx: while producing use values, labouring activity also created exchange values. While allocating commodities via the medium of money, the exchange processes of the market served the self-expansion of capital and its unspoken dominion over those who laboured.[18] Class domination strove to become silent and anonymous. Money began to govern and talk. "In place of the slave driver's lash" noted Marx, "we have the overseer's book of penalties."[19]

According to Offe, the bourgeois attempt at effecting this anonymous, legalized class domination was possible insofar as that state ensured the predominance of the pre-political interests of the bourgeois by taking on a *defensive* role (as outlined by Bentham); that is, the state guaranteed the self-reproduction of strictly delimited spheres of civil activity *beyond* its authority. Indeed, "the bourgeois state confirmed its class nature precisely through the material limits it imposed on its authority."[20]

While Offe does not elaborate this point, it is important to note that this is the context in which, in his famous 1859 formulation, Marx spoke *correctly* of the bourgeois-constitutional state as "superstructural". This state was indeed dependent upon the "real foundation" of this period, namely, those relations of production which constituted the economic structures of liberal, bourgeois society.[21] This formulation is repeated (albeit quite unsystematically) through a wide selection of Marx's texts. Poulantzas' early claim that Bonapartism is their central theme is but a careless and unfounded over-interpretation. For example, the 1859 formulation is already foreshadowed in the critique of Hegel, according to whose rather classical view of politics the modern state was "the reality of concrete liberty", the universal domain of enlightened conviviality within which individual citizens realised their judicial, moral and

political freedom.[22] Through the civil corporations and the state bureaucracy the contradictory, particularistic elements of civil society were to be brought to reconciliation at the highest stage of objective Spirit: the former were seen to function as "filters" through which the *bellum omnium contra omnes* of civil society would be organized and directed toward the state; the bureaucracy, on the other hand, was to mediate rationally between these private groups.

According to Marx, it is precisely this "tempering" and universalistic mediation of private interest which could not be realised. Hegel's conception of the modern state is purely abstract-formal. Hegel's intention of overcoming the *actual* separation of civil society and state actually leads to the conceptual re-affirmation of the dualism. Hegel is accused of syncretism. Within the Hegelian schema, the *actual* antinomy of state and civil society — which Marx took to be a key characteristic of bourgeois modernity's attempt at establishing non-political "reservations" of exchange[23] — was simultaneously revealed and concealed: "Bureaucracy denigrates the corporation as mere appearance, or rather wants to denigrate it, but it wants this appearance to exist and believe in its own existence. The corporation is the attempt of civil society to become the state; but bureaucracy is the state which in actuality has become civil society."[24]

Against Hegel, Marx further pursued this theme of the subjugation of the state to the logic and power of civil society in his stinging critique of Ruge. The modern bourgeois state was seen once again to be *restricted* to mere "formal" and "negative" activities precisely because its powers ceased where the de-politicized hustle and bustle of market activity commenced. This "slavery" of civil society was, for Marx, the "natural foundation" upon which this state rested and to which it had to react. This state was literally held together by civil life.[25] Thanks to the fact that the bourgeoisie was the leading source of revenues from taxation and loans, the liberal-bourgeois state became, (in the formulation of *The German Ideology*) "nothing more than the form of organization which the bourgeois by necessity adopts for both internal and external purposes as a mutual guarantee of their property and interests."[26] This state became a mutual insurance pact of the bourgeoisie both against the proletariat and against *itself*, that is, against the persistent anarchy of individual capitalist interests.[27] As the most famous (and ill-interpreted) 1848 formulation had it, this state was "but a committee for managing the common affairs of the whole bourgeoisie."[28]

Of course, Marx understood the "ideal-typical" case of this development to be the American.[29] On other occasions, he pointed to aberrant cases (*e.g.* the Bonapartist state in France, Bismarck's Germany, the Asiatic mode of production) wherein the relatively greater "independence" of the state to more actively organize the relations of production resulted from (a) unique

territorial and climatic conditions, reinforced by the general absence of the private ownership and control of land; (b) the fact that feudal remnants continued to hinder the achievement of bourgeois hegemony; and (c) where no one particular class (or class fraction) had attained dominance over the others.[30] The latter case in particular reminds us that, for Marx, the success of the bourgeois struggle to de-politicize market relations was extremely tentative. Certainly, the emergence of civil society permitted an enormous, but unplanned, development of the productive forces, a development guided only by the acquisitive, instrumental-utilitarian actions of market participants. Therewith, liberal capitalism and its Manchesterite state became the *first* mode of production to institutionalize near self-sustaining capital accumulation. However, as is well-known, the bourgeois dream of opaque, non-political, universally-acceptable class domination resulted in its shattering opposite: proletarian struggle against the form and content of this society. Liberal capitalism (whose extreme fragility flowed from the fact that its political-economic structures and dominant patterns of thought and speech were linked isomorphically) was rocked to its very foundations by crisis tendencies which were *total* in their impact. Very few social formations have ever laboured under such permanent and thorough fear and excitement about the possibility of revolutionary change. Economic crises were *simultaneously* social crises. They revealed at even the mundane level of daily life the contradictory, irrational character of life under liberal capitalism: the "personal" was immediately and undeniably "political". Such crises, "by their periodical return put on its trial, each time more threateningly, the existence of the entire bourgeois society."[31] This was facilitated by the fact that the characteristic market *ideology* (possessive individualism) pertained to *earthly* relationships of human subjectivity: at the same time, this ideology revealed and concealed the possibility of human subjects self-consciously making *their* social world. As ideology, possessive individualism could lay claim to being the first ideology, and liberal capitalism the first social formation within which *universal* emancipation from ideological domination was possible.

As Offe points out, this is the context within which Marx's enquiry into the nineteenth century value-form was both credible and fruitful. The critique of capitalist domination at both the institutional and symbolic-ideological levels — "the anatomy of civil society" — could come in the form of a critique of political economy *only* under conditions where, as Marx stressed, "the whole of human servitude is involved in the relation of worker to production."[32] This is also why, within Marx's schema, the category of need-satisfying, ontogenetic labour was central.[33] For Marx, the description of men and women as beings who struggle with and against nature and, thereby, themselves, was linked closely with the theory of modes of production successively transformed through class struggle. Moreover, through the

insight that the value of thing-like commodities was dependent upon the labour incorporated in them, through the theory of surplus value, and through the theorems of periodical crises, Marx demonstrated, contrary to bourgeois ideology, that the bourgeois accumulation process would come to a standstill over and over again. These "industrial earthquakes" were understood as the real bases of the hope for revolution. The stalled, boom-bust character of liberal capitalism was a kind of visual demonstration to the toiling masses, unless something gave, of the disparity between the developed productive forces and the class-fettered relations of material and symbolic production within which these forces were "embedded".[34]

Late Capitalism: State Intervention as Crisis-Management

Of course, some things did give by the last quarter of the nineteenth century. Offe mentions the de-sublimation of the productive forces via the growing national and trans-national rationalization of wages, commodity prices, tasks, and profits.[35] Further (and most significantly, for our purposes) state intervention *against* the market around and after World War I has been crucial, insofar as it has come to signal the dissolution of the non-political, liberal phase of capitalism and its socially disintegrative tendencies. To be sure, the quantitative growth of state activity in this period has been impressive — for example, in Britain, Italy, the United States, France and West Germany state expenditures now approach or exceed 40% of the value of gross domestic product.[36] More importantly, however, this state growth constitutes a qualitative expansion compared with its former role. Whether ushered in through parliamentary appeals (as in the United States, Britain, Canada, Australia) or authoritarian fascism (as in Italy and Nazi Germany), this qualitative growth has become a universal and apparently irresistible trend within the capitalist world of the past five decades. Its qualitative moment is revealed by its critics, who talk of "creeping socialism". Such state intervention is not socialism, but creeping it has been. That realm of life in which Marxian categories had moved with a great deal of credibility, that realm which consisted in "private men in the exercise of several Trades and Callings" (Hobbes), begins to shrivel.

Against the late nineteenth century backdrop of economic cartelization, labour and tariff disputes, there were a number of crucial developments in the political realm. Harbingers of the "civilisation" of the state and the "politicization" of civil society, these included the gradual affiliation of political parties with particular economic interest groups, the emergence of "party machines" bent on engineering popular consent, and the massive economic mobilization of World War I. This state intervention coincided with

(a) the erosion of the "unwieldy" parliamentary forum, as the locus of bargaining moved to unofficial party or coalition caucuses, and to newly-established government ministries (*e.g.* the Weimar Republic's Interparty Committee and Ministry of Labour; the Italian Fascist Grand Council and Ministry of Corporations) which dealt directly with sectors of labour and capital; (b) the beginnings of attempts at "accrediting" organized labour, by seeking its integration within a state-supervised bargaining system (by the mid-1930's, for example, the Matignon agreements and the Wagner Act had imposed such requirements on French and American entrepreneurs similar to the already existing Stinnes-Legien and Palozzo Vidoni agreements in Germany and Italy); and (c) the dramatic growth of new state functions, such as attempts at allocating raw materials and planning and regulating the movements of labour and commodity prices.

Rescuing liberal capitalism from crises became possible only through its re-casting in a "corporatist" direction, dissolving the old dualism of the state and its cybernetic market. More and more, the state came to negotiate with fractions of capital and organized labour (or, sanctioned pseudo-unions, as in Italy), thereby building them into its structures.[37] These developments were recognized early in the pioneering work of Hilferding on "organized capitalism", in the writings of Korsch, Horkheimer and Marcuse, and were announced prophetically in the words of perhaps the most insightful figure in this circle, Frederick Pollock: "What is coming to an end is not capitalism, but its liberal phase."[38]

Offe pursues this theme: the state in late capitalism has become interwoven with the accumulation process such that the latter becomes a function of bureaucratic state activity and organized political conflict. No longer are they as super-structure to base. Rather, capitalist relations of production have been re-politicized. The (potential) antagonism between socialized production and particular ends has re-assumed a directly political form. The realisation of *private* capital accumulation (or, to invoke Offe's favourite expression, "the universalization of the commodity form") is now possible only on the basis of an all-encompassing *political* mediation:

> In an era of comprehensive state intervention, one can no longer reasonably speak of 'spheres free of state interference' that constitute the 'material base' of the 'political superstructure'; an all-pervasive state regulation of social and economic processes is certainly a better description of today's order.[39]

Elsewhere, Offe develops this argument via the analytical distinction between

"allocative" and "productive" state policies.[40] Whereas in the era of liberal capitalism state activities were generally restricted to *allocative* functions, in late capitalism not only are these continued but the state now actually *produces* conditions which are essential for the reproduction of private capital but which this capital is incapable of creating. These include key infrastructural components such as health, housing, education, transportation and communication services, energy, manpower training, and scientific research and development.

Unlike the less precise concept of "state intervention", this important distinction is based not only on the extent of state activity required to reproduce the accumulation process, but also on an empirical description of the nature of these requirements and the means by which the state fulfills them. Allocative policies include those state attempts to maintain conditions for profitable capitalist accumulation through the allocation of resources of "state property" (forces of "law and order", taxes, tariffs, crown land and sea, etc.) which already are under its jurisdiction. Usually, such resources are distributed according to power struggles within and without the state itself. "*Allocation* is a mode of activity of the capitalist state that creates and maintains the conditions of accumulation in a purely authoritative way. Resources and powers that intrinsically *belong* to the state and are at the disposal of the state are allocated."[41] For example, certain industries are "bailed out", and others receive protective tariffs; monetary policy is determined according to certain state rules; tracts of land are given over to railways; the police, courts and military are despatched according to certain legal guidelines; and so on.

Perhaps the clearest example of such allocative policies is the various (Keynesian) techniques of "indicative planning" developed during the post-war reconstruction effort in France.[42] While steady inflation, labour unrest and international trade competition have slowed recent rates of growth, this indicative planning played a major role in rejuvenating the French accumulation process in the 1940's and 1950's. Premised upon the Keynesian thesis that firms' decisions to invest (and, therefore, business fluctuations) depend directly upon the degree of certainty about the future, the Commissariat du Plan has consistently sought to remove the element of unpredictability in domestic demand and investment. The plan plots targets for each basic industrial sector, estimates the patterns of demand to be expected by individual producers, and specifies the likelihood of supplies readily being available to those producers. It has helped overcome "bottlenecks" and sluggish rates of investment in strategic sectors of the economy, and, more recently, has been instrumental in promoting "national champions" in the domains of domestic and international trade. Offe's point is that these allocative techniques, *forms* of which were also common in the

nineteenth century, are now orthodoxy in all late capitalist countries.

On the other hand, the novelty of productive policies is that they seek the provision of "inputs" of accumulation (*e.g.* reconstructing labour skills via programmes of vocational training) in *anticipation* of disturbances within the domain of "privately" controlled accumulation. Thus, productive policies strive to bolster sagging supplies of both variable and constant capital, where such capital is either not provided, or provided in inadequate supply by private market decisions.[43] Productive state policies are, therefore, crisis-avoidance strategies, through which the state responds to actual or perceived blockages within the accumulation process. Their rationale, which has real market-shearing effects, is "to restore accumulation or to avoid or eliminate perceived threats to accumulation."[44]

This is the real significance and uniqueness of "public policy" formation in the period of late capitalism. Through such policies, the state *selfconsciously* shoulders the task of overcoming the socially disintegrative consequences of liberal capitalism's anarchic pursuit of profit. By no means are these policies "unproductive".[45] A crucial case in point (merely mentioned by Offe) is government strategy which seeks to up-grade the "immaterial infrastructure" via the formal provision of schooling and re-schooling and, thereby, the output of those whom Habermas has called "reflective workers".[46] Such reflective, or second-order, labour power (*e.g.*, that of industrial chemists, engineers, teachers) can be seen as labour applied to itself; its purpose (exemplified in the oligopoly sector) is to enhance the productivity of direct, first-order labour. This planned production of reflective workers is unique to late capitalism, and points to the obsolescence of Marx's assumption (in the famous falling rate of profit thesis still defended by Poulantzas and others) that the rate of surplus value tends to constancy.

This market-replacing, productive state activity is only one example of the state's more general involvement in the planned provision of scientific and technological support for the accumulation process. The "scientization" of the capitalist accumulation process dates from the last quarter of the nineteenth century. During Marx's time science and technological development were not yet industrialized. Now, however, science is a leading productive force, financed directly through state-funded research and development projects for the military sector. The consequences of this "statization" and "industrialization" of science and technology have been staggering. Not only does it help to remove the destructive uncertainty from the patterns of technical innovation in the oligopoly sector, it also renders direct labour more productive, and cheapens the fixed components of capital, thereby tending to raise the rate of surplus value. This has had directly political consequences, especially since there emerges a systemic ability to pay higher wages to organized labour within the oligopoly sector. Offe is correct: such forms of

state crisis-avoidance strategy cannot be dismissed as unproductive.

Toward a Critique of the Critique of Political Economy

With this argument, Offe's real project is broached. Inasmuch as traditional market forces have been displaced and re-politicized, and the state civilised or drawn directly into production, distribution and consumption, Offe is adamant that a critical theory of late capitalism can no longer retreat to, and hide under, the aegis of the critique of political economy in its classical Marxian formulation. Attempts to retreat to classical Marxism risk becoming ideological, insofar as they conceptually exorcize the significance of the partial overcoming of the law of value within what remains of "the economy". More than that, they obfuscate the whole *problematique* of the organization of political power and authority and its renewed importance in the reproduction of domination in the twentieth century.[47] Historical materialism has no choice but to engage in self-criticism; the Marxist critique of political economy must be applied to itself.

Offe buttresses this iconoclastic argument by pointing to three immediate consequences of the alteration of both moments of the former state-civil society dualism: the withering of class struggle, the emergence of marginalization, and the expansion of technocratic politics. According to Offe, the patterns which marked militant class struggle until the mid-1930's, have since been disfigured. In part this can be attributed to new forms of wage determination within the arena of the rationalized, technologically innovative, "price making" national and trans-national corporations. In this sector, union-filtered demands for a greater share of surplus can be granted and "passed on" in the form of higher product prices to an extent *consonant with the degree of individual firms' market power.* That is, the general level of administered prices in money terms is primarily adjusted by the *negotiated* level of money wage rates, and not by "market forces": "The market relationship has become virtual rather than real to the owner of labour power."[48] The price of labour is negotiated politically; the system of "political wages" (as Hilferding had first observed[49]) tends directly to promote class negotiation and planned compromise. Structures of wage determination become the nets into which organized labour is drawn. Resultant problems of the "inflation barrier" notwithstanding (Offe has nothing to say on this), class conflict tends to be externalized, transfigured into company-union negotiations.[50]

This development is reinforced by the fact that levels of disposable income have come to be less directly dependent upon the market, and more a function of a whole gamut of state policies (social service payments, the less than

adequate provision of health and housing, administration of minimum wage rates and incomes policies, etc.).[51] In particular, Offe argues that the state apparatus discriminates selectively in favour of (and is, in turn, therefore dependent upon) those groups — principally, organized labour and oligopoly capital — whose mutual compliance is crucial for the smooth reproduction of the system. Upon these groups (and especially fractions of capital) are conferred what Offe calls "structurally determined privileges".[52] With this argument Offe transcends the "class-power" versus "state power" problem expressed so well by Poulantzas.[53] For Offe, the late capitalist state is caught between its role as a passive instrument of "class" forces and its other role as an autonomous subject, rationally organizing and re-organizing a multiplicity of competing interest groups.[54] These roles have been articulated respectively by those whom Offe calls "influence and constraint" theorists, and by the pluralists, social democrats, and others holding an "integration" model. Because the success of the state's allocative and productive policies and its general budgetary obligations are ultimately dependent on revenues generated within the economy, the state *must* at the same time both *react* to the imperative of the private accumulation process (a "capitalist state") and *intervene* selectively therein (a "state in capitalist society").[55]

One important consequence of this general politicization of the accumulation process is the (at least temporary) dissolution of the objective grounds for the thesis of "the two great hostile camps" still employed by some sections of the politically ineffective left. Within late capitalist countries, there is a tendency for vertically-opposed "collectivities" (*i.e.* classes) to be replaced by a "horizontal" system of disparities between vital areas."[56] This is Offe's persuasive argument against those who would unthinkingly utilize the analytic categories of "Labour", "Capital", and "class struggle"; these formulations simply and faithfully assume what has not emerged factually.[57] He argues that the bestowal of "structurally determined privileges" upon organized labour signals the dissolution or "bifurcation" of the proletariat *qua* proletariat. Many of those blue collar production and maintenance workers, and the so-called middle class of male, white collar, administrative and technical workers within the unionized oligopoly and state sectors become a labour elite with relatively privileged access to late capitalism's ever-expanding productive forces. Of course, this is one aspect of the basis of popular support for reformist "social-democratic" labour parties such as the British Labour Party, the French P.C.F., and the Federal Republic of Germany's S.P.D. In Marxian terms: the rate of exploitation (*i.e.*, the rate of surplus value, or the ratio between surplus value and wages) becomes extremely uneven. As many empirical studies of late capitalism's highly skewed distribution of wealth and income suggest, there occurs a temporary re-distribution of income and other benefits to the detriment of those outside

the "structurally privileged" zones.

It should be noted that Offe is *not* here proposing a variation on the theme of mass society or *embourgeoisement*. For those within the "peripheries", within strategically less vital areas (e.g., the inmates of institutions, those on welfare and pensions, aboriginal and immigrant peoples, economically depressed rural and national regions, slums, the areas of public transportation, health, and housing) are relatively neglected in this scenario. According to Offe, the further the system of political economy and commodification is centralized, the more whole groups are "expelled" from this system: ". . . the pauperism of the early capitalist proletariat has given way to the modern pauperism of depressed areas."[58] At any point in time the degree of this "marginalization" is directly contingent upon the extent to which the state's resources are required for more "urgent" projects: some adjusted balance between the need to guarantee and promote private investment without price inflation; "full" employment; the avoidance of major military conflicts; the reproduction of international trade; and the repression of domestic unrest. According to Offe, the electoral, legislative, executive, administrative and judicial branches of the late capitalist state can be seen therefore as "filters" or "sorting processes" with a marked degree of "selectivity". Independently of the professed intentions and promises of particular political parties, civil servants and politicians, the very "location" of the institutional structures of the state *vis-à-vis* the accumulation process, predetermine these institutions' definition of what is taken to be a political need. The state systematically enforces "non-decisions".[59] This also means, however, that the potential conflicts which remain inherent in the private mode of capital utilization are at the same time the least likely to erupt. Offe's point is that these potential conflicts tend to "recede" behind the politically-determined conflicts within the depressed zones, strife which no longer directly assumes the form of "class struggle".

The existence of this privilege-granting selectivity is Offe's way of pointing to the degree of repressive bias of the late capitalist state, and indicates also why this apparatus nowadays strives to become technocratic in its mode of operation. As Offe says, the conflict-ridden, discursive politics of the liberal capitalist past *must* today become the statist-administrative silencing and processing of its objects:

> The welfare state is developing step-by-step, reluctantly and involuntarily. It is not kept in motion by the 'pull' of a conscious political will, but rather by the 'push' of emergent risks, dangers, or bottlenecks, and newly created insecurities or potential conflicts which demand

> immediate measures that avoid the socially destabilizing problem of the moment. The logic of the welfare state is not the realization of some intrinsically valuable human goal but rather the prevention of a potentially disastrous social problem. Therefore, welfare states everywhere demonstrate that the tendency of being transformed is less a matter of politics than a matter of technocratic calculus.[60]

Offe here alludes to what can be called the unspoken, yet contradictory character of administered politics in our time: the more our lives are "politicized" through state actions, the more we are expected to "de-politicize" ourselves, to busy our muted selves within a culture which promotes public silence and private orientation towards career, leisure and consumption. That the possibility of truly participatory decision-making is attenuated under the conditions of late capitalism is not fortuitous. The attempted maintenance of mass loyalty through de-politicization is fated, because one whole range of the state's priorities — those concerning the *private* appropriation of *socialized* production — must be withdrawn from public discussion. Substantive democratization would "overload" this already-burdened apparatus with demands which, in turn, might bring to popular consciousness the antagonism between the logic of administratively socialized production and the continued private appropriation and use of surplus value.[61]

To be sure, a form of "public life" is retained. This retention has its systemic rationale, because the qualitative and quantitative increase of state activity must be legitimated. "Publicity", therefore, is not simply a sham, for it comes to have symbolic use for those who bureaucratically plan and administer. Conscious political activity begins to fall under the spell of abstract rationalization. As Offe argues (here following Habermas), the state and public opinion makers take on the task of ideology planning, of creating webs of thought and speech which promote an undifferentiated "follow the leader" deference among the state's clients.[62] Networks of "public meetings", enquiries and select investigative committees, the sensationalizing of political personalities, party conflict, and the generation of spectacles frequent an apparently open "public life". The critical content of public life, however, tends to be removed; there is an "erosion of the genuinely public realm."[63] Therewith, liberal democracy's rosy hopes for "public life" succumb to late bourgeois cynicism; at least since Weber and Schumpeter, this is expressed in the movement to re-define and formalize the concept of "democracy" in accord with alleged administrative imperatives. "Democracy" comes to signify a technical means of maintaining system "equilibrium". The self-

transformative, developmental dimensions of earlier models of liberal democracy tend to be forgotten or dismissed as "unrealistic".[64]

The Return of Crisis?

Here we can recapitulate Offe's argument. Commensurate with its role as a *capitalist* state, the central imperative of the state's allocative and productive policies is the stabilization and universalization of the commodity form. Thereby, this state apparatus is constrained to satisfy two necessary conditions of the accumulation process — namely, that labour power is employable and does indeed find employment "on the market" and, further, that individual units of capital find it profitable to employ this labour. As we have seen, the realisation of this crisis-avoidance strategy requires that, for the sake of manoeuvreability in the execution of its structurally-determined functions, the state must create requisite volumes of mass loyalty. Unlike its liberal capitalist counterpart (which could be legitimated by non-interference with the workings of the invisible hand of private markets), the hand of the late capitalist state must somehow be hidden behind the backs of its constituents, by proclaiming its "neutrality" — as promoter of lawful order, justice, democracy, progress and prosperity for all. Unlike the *silent* domination of the old market, "the official power embodied in political institutions finds itself forced to declare and justify itself as power."[65] This, for Offe, is *the* structural problem of the late capitalist state, namely, "that the State *must at the same time practise its class character and keep it concealed.*" Elsewhere: "the state can only *function* as a capitalist state by appealing to symbols and sources of support that *conceal* its nature as a capitalist state; the *existence* of a capitalist state presupposes the systematic *denial* of its nature as a *capitalist* state."[66]

This structural problem becomes the focus of Offe's rendition of the analytic, politically-charged categories of appearance and reality, contradiction, crisis and intervention. These can be outlined and elaborated. It is Offe's conviction that appearances within late capitalism are necessarily in tension with this society's "institutionalized set of rules", class domination in political form. This dialectic of appearance and reality has the force of a contradiction — it is not simply a dilemma — in that the state's allocative and productive attempts at universalizing the commodity form tend to undermine its own self-proclaimed appearances and, therefore, those very conditions of de-politicization on which its activities depend so desperately for their continued reproduction. The essential logic of late capitalist accumulation in political form is simultaneously the logic of its possible transcendence. The reality of this logic is that of unrealistic goals: "*all* advanced capitalist societies . . . *create*

endemic systemic problems and large-scale unmet needs."[67] These *political crisis-tendencies* become the objectively given situation of confusion within which those engaged in, or on the margins of, political discussion and activity may come to realize that the pattern of their actual social relations is contradictory and irrational. This is Offe's remarkable attempt at recovering that *immanent critique* of the present which has so bedevilled and eluded twentieth century Marxism and critical theory from the time of Lukács' unsatisfactory designation of the proletariat as the identical subject-object. The theses on political crisis can be seen as an effort at articulating those potential conflict zones within which inheres the dialectical tension between the abstract, quantitative, instrumental rationality of the past and present and the possible future bursting forth of a qualitatively new rationality. Note that this formulation is by no means synonymous with a "catastrophe theory of history", with a crude theory of automatic, blind, lawful collapse. For, political crisis situations are the objective contexts in which *subjective intervention* ("speaking out", *contestation*) *becomes possible*, and is most likely to be successful. The objects of system difficulties may become subjects, more or less self-conscious of that paralysis and, thus, active in its resolution. Finally, this is the point of Offe's critique of late capitalism: it seeks an enriched explanation of that which may already be glimpsed or known confusedly among wider segments of the population.

Offe infuses these categorical forms with empirical content by pointing to several difficulties which have begun to haunt the late capitalist countries. First, Offe appropriates the earlier Baran and Sweezy thesis to argue that the state's attempts at administering the accumulation process tend to become more and more costly.[68] In other words, the self-expansion of capital (especially within the more highly profitable oliogopoly sector) becomes more and more contingent upon giant investment projects, huge capital outlays, and growing "social overhead costs". Within late capitalism, there is a *permanent* under-utilization of capital and lack of investment outlets. To the extent that the state seeks to overcome private capital's liquidity preference by socializing capital and social overhead costs, the likelihood of fiscal problems therefore grows. As Offe demonstrates in a recent study of the West German construction industry, state attempts to increase the level of revenues or co-operation from corporate sources run the risk of capital disemploying itself. The real source of the fiscal problems lies in the asymmetry between the growing socialization of capital and social overhead costs by the state, and the continuing private appropriation of profits.[69] Thus, in late capitalism state expenditures (whose "cost-benefit" accounting is notoriously difficult) tend to outrun state revenues, to the point where the state must seek to "cut back", to rationalize its *own* expenditure patterns. The significance of these fiscal problems is that at least several of the measures aimed at their amelioration

(*e.g.*, managed recession, the introduction of "wage and price controls", "getting the nation off the government payroll", etc.) only serve to undermine the basis of mass loyalty and de-politicization upon which the state depends.

In addition, even if state attempts at "economizing" and maintaining the employment of oligopolistic capital are successful, Offe stresses that this can only be achieved at the risk of generating "surplus labour power".[70] Within the oligopoly (and state?) sector there is a constant tendency for the organic composition of capital to increase, that is, for capital-labour ratios to rise continually. The unemployment of labour power becomes the obverse of the state's attempts at universalizing the commodity form. The stratum of unemployed labour is produced not by economic recession but by "prosperous times", and is in no way a "reserve army of the unemployed" for other sectors of the political economy. More and more, this surplus labour — which *may* threaten fiscal austerity programmes or (as during the student movement) conditions of de-politicization — is housed within the urban and rural ghettos, on reserves, within military institutions, and in educational and training programmes which effectively extend the period of adolescence and unemployment.

Thirdly, Offe points to the impossibility of the state becoming an "ideal collective capitalist" (Engels) because of structural limits upon its attempts at centralized, bureaucratic, middle-range planning for the reproduction of capital. This can be seen as a confrontation with the Weberian argument that the decisive reason for the advance of impersonal bureaucratic forms of organization is their technical superiority compared with other means of social goal attainment. Indeed, under the conditions of late capitalism, centralized-bureaucratic attempts to "finely tune" and coordinate the execution of allocative and productive policies are highly ineffective. This is because of discrepancies between required state functions (the achievement of *specific* concrete results) and this state's internal modes of operation according to the logic of *general* administrative rules. Thus, patterns of *private* ownership and control within the oligopoly and competitive sectors, the continuing competition between capitalist enterprises, and the competition of capital with other groups (environmentalists, unruly labour unions, etc.) tend to hinder or privatize the state's general planning activities. Environmental turbulence becomes internalized within the state apparatus, with possible illegitimating consequences. This is further aggravated by the fact that the length of the production cycles of the state's productive activities is unusually great.

Overall, these factors mark the state's activities with a vacillating, active-reactive character, described by Offe in terms of "the political delimma of technocracy" theorem. On many occasions, the late capitalist state clumsily muddles a mid-course through proposed (and objectively required)

intervention and forced renunciation of such plans. This "muddling through" is a consequence of what Offe describes as the systemic imperative of "administrative recommodification". One set of priorities (the need to reproduce the private appropriation of socialized production) must be accomodated *within* the theory and practice of policy planning and public administration. Here Marx's critique of Hegel is resurrected. According to Offe, the structurally privileged access (and possible opposition) of organized labour and oligopoly capital to the state's decision making processes unwittingly subordinates that administration to particular, "private" interests. State planners' irrational reliance upon the formation and co-operation of these organized blocs seems fated. Thus, the state is not simply (as in liberal capitalism) an unconscious executive organ. After all, it *does* make *deliberate* attempts to avoid economic crises, to absorb social expenses, and so on, but by virtue of the fact that it is actually victimized by a system of accumulation which it seeks to regulate, this state now suffers from a kind of "second order", more diffuse, unconsciousness.[71]

These specific difficulties (underemployment of labour, budgetary inflation, muddling through) are seen by Offe as symptomatic of a more deep-seated contradiction within the late capitalist political economy. This is the celebrated "theory of decommodification". Easily the most novel and least compelling of Offe's theses, it should be seen as a supplement to the earlier-mentioned theory of the protest potential of "marginalization". The thesis concerns the welfare state's attempt to reproduce the commodity form (*i.e.*, the exchange of labour and capital) through non-commodified means, and can be expressed provocatively: How can the "public" sector produce and distribute use-values (transportation, postal systems, education, health, the provision of security against unemployment) for a sphere dominated by exchange values without calling into question the idea and practice of the latter? How can concrete, differentiated, incommensurable labour — labour directed towards the production of use-values — continue to be legitimated and motivated with reference to the old ideology of possessive individualism and the realm of abstract, homogenized labour, labour oriented towards the production of value for exchange? In what ways can the maintenance of the commodity form accomodate the expansion of state policies which are exempt from this form? As Offe explains:

> The contradiction within state-organized production of goods and services is one of form and content. By their origin and functional content, such organizations are designed to create options of exchange for both labour and capital. By their formal and administrative mode of

> operation they are exempt from commodity relationships: use-values are produced and distributed without being controlled and dominated by exchange values.[72]

Note that objections may be raised against two key assumptions in this argument. First, Offe's resurrection of the classical Marxian contrast of exchange and use-values is certainly surprising in view of his earlier argument that the overcoming of liberal capitalism's market-steered, crisis-ridden accumulation process provides an "internal critique" of those categories. Secondly, the assumption that the state's allocative and productive activities are correlated directly with social needs begs questions about the veracity of these "use-values". Are not the form and content of at least some state-provided "utilities" distorted *a priori* by their object (capital accumulation)?

Notwithstanding these doubts, Offe's conclusions are clear. Decommodification within the late capitalist "public" sector establishes a "socialized" form of organization which at the same time promotes and, because of its class character, thwarts the possibility of a set of social relations freed from the curse of the rationalized commodity form.[73] This alien "liberated base" of decommodified activity is in no way a residue of pre-capitalist social existence. It signals a new and vital "need" which this social formation has created, upon which it depends, but which it cannot satisfy. Offe emphasizes that this is the reason why all state-provided "services" (which are seen to be aimed at realising commodity exchange *and* human needs) have a thoroughly ambiguous, character:

> 'Prosperity for all' is the slogan of an economic policy which causes the distribution of wealth to become more and more unequal; 'Education as a Civil Right' is proclaimed when bottlenecks are noticed in the labour market; capital's concern about the investment of the defence industry lying fallow corresponds to the appeal to the population's fear of Communist aggression; the development of means of destruction is rationalized as a means of developing the forces of production; the nurturing of concern for countries of the Third World provides the legitimation background for a far-sighted tapping of capital — and selling — markets.[74]

Of equally pressing importance for Offe is the fact that the spread of decommodification signals the undermining of the institutional bases of certain key components of bourgeois thought and speech. The "moral fiber of a capitalist commodity society" is shattered; a "legitimation vacuum" emerges.[75] The focus of this argument is exclusively on the fate of the ideology of possessive individualism or "the achievement principle". From the seventeenth century this world-view legitimated the spread of non-political, instrumental exchange relations throughout Europe.[76] The triumph of possessive individualism by the nineteenth century marked a revolution in the understanding of ontology: the individual's essence was seen to be that of an insatiable desirer and consumer of utilities. Accordingly, the freedom of this individual could only be realised through an ensemble of competitive market relations, in which individuals were to wield their labour power and property instrumentally, that is, without regard for the substantive goals of other competitors. Privately mediated exchange with outer nature was seen to be the only way to accumulate social wealth and happiness. "The achieving society is based on the general rule that the social status of an individual is supposed to depend upon his status in the sphere of work and production, while in turn his status within the hierarchical organizations of the production sphere is meant to depend on his individual performance."[77]

According to Offe, the basis of these notions has been liquidated by four key developments since the heyday of liberal capitalism. Each of these processes is associated with the renewed importance of state activity. First, the foundations of the notion of free, market-allocated labour as the means of individual achievement are cast aside inasmuch as (a) both political and economic power are increasingly monopolized by large, bureaucratic *organizations* which begin to effect an end of "the individual";[78] and (b) a planned, union-mediated, increasingly automated labour process relatively immune from the competitive threat of a reserve army has emerged.[79] Secondly, the state's provision of transfer payments and subsidies (for those who are "under-capitalized", too young, old, or psychosomatically disabled) tends to snap the once-alleged bonds between the achievement principle of market activity and remuneration for that activity. In many zones, "work" and "pay" are less closely interrelated as individuals find themselves temporarily or permanently outside the sphere of the labour market. The former dependence on the vicissitudes of the market is replaced by growing dependence on the logic of state activity.[80]

Most importantly, perhaps, is that with the spread of zones of "concrete labour", the rationale of abstract labour is undermined. Having expanded its allocative and productive policies, the state makes itself the focus of political conflict over the ways in which social resources should be utilized. Social labour within these zones becomes a subject of criticism not only in terms of its

quantitative remuneration, but also according to its qualitatively determined *telos*. The illegitimating effects of less that full employment afford no better example of what Offe means by the undermining of the basis of possessive individualism.[81] Whereas in liberal capitalism unemployment was often perceived blindly as a periodic event in the economic cycle or seen to be the fault of the lazy or incompetent individual, in late capitalism administrative attempts at increasing unemployment (*e.g.*, through "cutbacks" in the state sector) lead directly to the questioning of the motives of that administration. Unemployment tends to be revealed as intentional, as politically inspired. It becomes questionable. Another striking example of this sublation of the rationale of possessive individualism can be seen in the widespread involvement of federal, provincial and local governments in the planning and regulation of urban and regional growth. By their actions, these governments, reveal the irrationality of the private ownership and control of land, as various citizens' action groups have pointed out. These governments become accountable for consciously planned interventions in a domain that, according to the old bourgeois ideology, was supposed to be regulated by private calculation and criteria of profitability.

The Legacy of Political Economy: The Problem of Symbolic Interaction

The sublation of the symbolic and productive exchange value form through the spread of zones of production for social use is the primary reason why Offe prefers the expression *late* capitalism. To speak of *late* capitalist social formations not only indicates that, in their reproduction, resources of legitimation are now most crucial (economic and political resources having already been used up in warding off crises, so to speak), but also that such symbolic resources are in danger of being exhausted. Moreover, the exacerbation of the state's structural problem by such legitimation deficits becomes the objective context within which emancipation-inspired intervention by the forces of opposition to the commodification of late capitalist society may emerge. This, Offe claims, is the reason why state activities are becoming more and more authoritarian:[82]

> There is no identifiable dimension in which *new* mechanisms for the self-perpetuation of the capitalist system . . . could be found and applied. What remains is the variation and refinement of the triad of usual self-

> adaptive mechanisms (the economic, political, and cultural "subsystems" JCK) which at least to some degree have been applied in all developed capitalist systems and, on the other hand, namely in the case of their insufficiency, either the historically unproductive or the productive-revolutionary breakdown of the basic framework of capitalism.[83]

This deduction seems extremely hasty. It is symptomatic of Offe's frail understanding of advanced capitalism's legitimation process, which includes the production and reproduction of the symbols of "everyday life" within the domains of sport, leisure, labour and consumption, sexuality and family life, religion, art, formal political activity, urban and country life. To speak of the symbolic interaction of this "everyday life" is to indicate those communicatively-produced traditions and institutions within which extant structures of the political economy are embedded, and upon which such political-economic structures may feed, thereby seeming right or legitimate. Through this production of sign values, historically circumscribed individuals struggle to endow their actions with meaning and motivation. It is true that such patterns of symbolic interaction are always actively and continually reproduced and negotiated by their authors; the reproduction of these patterns entails more than the merely passive internalization of values and meanings. However, under advanced capitalist conditions, it is also certain that the authors of this symbolic interaction neither wholly intend its confining consequences nor comprehend the logic of its production.

Offe's censoring of this dimension of symbolic interaction, of the human capacity for symbol-making, speech and inter-subjective action, is revealed by his quasi-objectivist theory of crisis. It is as if the late capitalist political economy's structural difficulties are translated automatically into widespread consciousness of that breakup, into a disintegration of the identity of this society's constituents. Widespread self-reflection upon social conditions of dependence and domination is thereby seen to be a mere feedback of the dialectic of concrete and abstract labour. With some justification, this automatism was assumed in the old base-superstructure model. Characteristic of the recently revived "political economy" critique of advanced capitalism[84], this automatism now succumbs to a double theoretical blackout. It both underestimates the integrating capacity of new forms of symbolic interaction and (*cf.* the homologies between the liberal capitalist systems of symbolic interaction and labour) their relative invulnerability to disruptions in the political economy. These blackouts cannot be overcome easily by a resort to syncretism ("Of course, political economy is concerned with 'cultural'

questions!"). For they are the consequences of Offe's inprisonment within the conceptual boundaries of the old political economy. In a word, they are a necessary outcome of his retreat to Marxian categories (concrete and abstract *labour*) which are no longer fully subversive of advanced capitalism's mode of symbolically-medicated class domination. Offe's posited contrast of abstract and concrete labour, of use value as the "beyond" of exchange value, remains marooned within the "here and now" of bourgeois modernity's fetishized view of humans as *primarily* objectifiers and transformers of outer nature under the sign of utility and consumption.[85]

This is *not* to deny the ontological status of labour as that conceptually-mediated activity whereby both humans and nature are fashioned. Nor is it to deny the real significance of much of Offe's critical understanding of the political economy of advanced capitalism for a more general critical social theory of the present. Notwithstanding some immanent difficulties, Offe's re-appropriation of the categories of concrete and abstract labour has at least raised important questions about the unthinking equation of labour with instrumental activity by Habermas and others.[86] However, here the suggestion is more far reaching, namely, that under the conditions of advanced capitalism, a critical social theory with practical intentions is no longer possible within the suffocating, ideological form of political economy. The critique of advanced capitalism's mode of production (class-steered accumulation in political form) ceases to fully illuminate this society's principle of domination,[87] which now seems much less vulnerable than it was in liberal capitalism. Offe's announcement of the arrival of *late* capitalism through the theory of decommodification is thoroughly premature. Only a critical consideration of this society's mode of symbolic interaction and its tendency to cast a mantle of natural fate over its constituents could substantiate the claim that, in the late twentieth century, the structural problem of the capitalist state, *i.e.*, the need to legitimate its class character, cannot be repressed satisfactorily.

Against the backdrop of Offe's theses, these claims can be illustrated very briefly with reference to some rather arbitrarily chosen components of contemporary everyday life. These include the rise of conspicuous mass consumption and the decline of the individual, religion, political culture and art.

1. The alleged erosion of possessive individualism is a highly complex and ambiguous development. On the one hand, the decommodification process in no way directly challenges one key promise of his old ideology: that humanity is synonymous with the *infinite appropriation* of use values through the act of consumption. Indeed, the Marxian distinction between exchange and use-values pertained to a now bygone milieu within which there were difficulties of realisation or under-consumption. These categories sought the de-

mystification of an age whose staggering productive potential (founded on abstract labour, "labour *sans phrase*") coincided with the denial of human needs, including the consumption of requisite use-values and the expanded development of subjects' "slumbering powers" through concrete labour. To the extent that the logic of "the high-intensity market setting" (William Leiss' apt phrase) colonizes everyday life in advanced capitalism, this formulation is outwitted. In the same way, Offe's reliance upon Bell's argument that this society generates a subversive, playful hedonism is quite unconvincing.[88] For, through symbolic advertising, supply nowadays creates effective demand to an extent unanticipated by Marx or by the theory of consumer sovereignty. This turn of events is catalyzed by others. These include the state's implication in productivity increaces, the systemic ability to pay higher real wages to organized labour, the extension of credit, and the emergence of a "narcissistic" personality type (which, unlike the ascetic "ticket thinking" of the older authoritarian personality, emphasizes "fun", freedom from "hassles", "being cool", etc.) Overall, these developments and the publicity generated through monopolistic competition help shift problems of demand from the advanced capitalist centres to the increasingly marginalized, peripheral, underdeveloped world. The terroristic codes of institutional "publicity" strive to monopolize the realm of symbolic interaction, creating desirable standards of mental and bodily health, foodstuffs, love-making, child-raising, home decoration, dress, travel, sport, entertainment, and patterns of speech. A critical theory of this rationalization process, of the degree to which a permanent consumptive pull can monopolize the very soul of individuals, is required urgently.[89]

In one other crucial respect, about which Offe is silent, state intervention is a highly ambiguous development. It is true, as he argues, that the erosion of possessive individualism through decommodified state activity holds out the promise of a society emancipated from the irrationality of the private ownership and control of the accumulation process. Yet it also promises the obedient forgetting of the image and substance of the bourgeois *individual* — whose realisation in a richer, more concrete form Marx had sought — within an increasingly rationalized, albeit decommodified, realm. By dwelling on the state's subversion of the logic of production for exchange, Offe turns a blind eye to the factory-like logic of state institutions, within which individuals' personal ambitions can only be realised through the renunciation of concern with those very structural conditions whose reconstruction is indispensible to true individuality. One of the political implications of Offe's thesis, the strategic primacy of maintaining and extending decommodified state activities, must therefore be treated with caution. As Castoriadis, Habermas and others have pointed out, the fundamental contradiction within an increasingly rationalized advanced capitalism is its burial of the individual, its

inability to allow people's social individuation through creative "participation" in the realms of labour and symbolic interaction.

2. A contempory theory of crisis such as that suggested by Offe must also probe the fate of pre-modern, tradition-bound components of everyday life now under the heightening pressures of rationalization. This process of degeneration was examined by Marx ("all that is solid melts into air, all that is holy is profaned"), Weber (who, relying on Schiller, spoke of the "disenchantment" of the modern world), and recognized bitterly by Rousseau. Indeed, the industrialization of everyday life began with the formation of an industrial proletariat through the forcible elimination of peasant and artisan culture. Of course, this sacking of tradition was by no means instantaneous. Traditions, upon whose remains bourgeois society fed like a predator, were always a supplement to the ideology of possessive individualism. In the late twentieth century, these pre-modern remains have all but decomposed. The most immediate example of this is the blow that has been dealt to fatalistic forms of Christianity by the tangible "successes" of scientific-technical growth. As Weber indicated, this is ironic inasmuch as the modern natural sciences have religious roots. Calvinism's depiction of God as remote from the earthly world implied the susceptibility of that earth to investigation, calculation and transformation. Not only has this come to pass but, nowadays, the former puissance of religious conviction has been neutralized by a mass atheism made credible by the productive "wonders" of the scientized, capital-deepened accumulation process. A critical account of this disenchantment process would need to examine its unintended consequences, of which there seem to be at least two. First of all, among non-believers the utopian (*i.e.*, anti-capitalist rationalization) elements of Christianity stand in danger of being abandoned. This is one disturbing reason why advanced capitalism tends to develop "the mentality of the life insurance company" (Günter Grass): scientific-technical, moral relativist, fact and efficiency hungry, materialistic, de-intellectualized.

This "scientism" — the uncritical belief in that which is scientific — even enters academia. Within the social sciences the triumph of forms of objectivism is synonymous with the quest for rigour and predictable certainty, and tries to brand discussions of epistemology and the "great social issues" as old hat.[90] "Disenchantment" processes also have their dialectic within the remaining bodies of organized Christianity, to which the renewed intellectual interest in Christian doctrine attests. Within these besieged circles (*e.g.* the charismatic movement), there are attempts at reconstructing the meaning of stewardship and salvation. Sometimes, this reconstruction follows the path of socio-political activism. Political theology intent on realising its promises in this world only serves to work against against the de-politicization demanded by the state's allocative and productive activities.

3. Also of crucial importance is the extent of the lingering strengths of advanced capitalism's "civic culture": that eclectic mixture of pre-modern deference and orientation to active political involvement which, by providing a reservoir of diffuse regime support, definitely reinforces the de-politicization of contemporary public life. Especially in the United States and Britain, as Almond and Verba's classic study revealed, beliefs such as "Yes, citizens must have rights", "they ought to watch out for their interests" are tempered by "deference, obedience and humbleness", "Don't get mixed up with politics."[91] Until recently, this civic culture has been reinforced by widespread attachment to family and job (*i.e.*, to "the children", "my husband", "my career", etc.). Offe's hint that this civic culture is weakening needs to be examined more thoroughly. It is clear, for example, that certain zones of everyday life once considered to be regulated properly by family tradition have been subsumed within the commodity form. In the case of "household services", for example, the privatism of family life is now bombarded by a plethora of marketable services: identical servings of fried chicken and frozen foods; the provision of schooling; "care" for the young, aged and sick; dry cleaning and laundry; the steady hand of the "helping professions". While the form of family life remains, its content tends to be removed. This results not only in the family's growing dependence on various outside agencies, but also in some questioning of monogamous heterosexuality, a temporary rise in the level of inter-generational conflict, an ever-earlier attainment of puberty and sexual experience, and concern over "growing old". Whether this disintegration of the privatism of the civic culture is accelerated by "intrusive" state planning also must be probed. For it is clear that sexual discrimination, poor quality or dependency-inducing health care, and the quality and scope of education no longer can be seen as having natural origins, whose consequences must be suffered privately. Through their politicization, incumbent administrations may be held accountable. The current assault upon patriarchal family life and natural modes of child-raising, and feminist attempts at generating a new identity are important symptoms of this process. Not only do such movements promote a wider awareness of the contingency of the contents of traditions; even the form of the process of symbolic inter-action itself can come to be seen as contingent and alterable. Presumably, the latter entails widespread public discussion which, as Offe has indicated, is anathema to the silence upon which the class-political system of advanced capitalism thrives.

4. Finally, there is the question of the critical, de-legitimating potential of art. It is immediately evident that, held captive by its political economy, one Marxist tradition (from Kautsky and Plekhanov to contemporary forms of socialist realism) has dealt with this question through a spurious sociological reductionism. The problem of an emancipatory aesthetic has been collapsed into concern with the class origins and propaganda value of certain forms of

art. This has occluded the equally evident fact that much so-called "bourgeois" art has been characterized by issuing indictments against the world as it is, by its struggle to bring the bourgeois world to its senses. Bohemianism is the classic nineteenth century example of this autonomy of art transfigured into protest against the sacrifices of liberal capitalism. The second generation *bohème* (Rimbaud, Corbière) frequented beer-halls, separated themselves from the repression and conspicuous consumption of bourgeois life and, having been raised in the homes of the bourgeoisie, later became a circle of wandering, anarchic vagabonds and outlaws dedicated to the overthrow of their fathers' society. Similarly, *"L'art pour l'art"* warned that art itself could be imprisoned within the commodity form, consumed by the creeping rationalization of industrial capitalism. The extent of this protest-potential in the late twentieth century needs to be re-examined. This need is strengthened by the collapse of the gap between art and everyday life under the impact of mechanization and technical invention (the radio, microphone, cinema). While for some (*e.g.* Ortega y Gasset, T.S. Eliot) this heralded the destruction of all art by mass vulgarity, for others (Benjamin, for example) the resulting loss of the "aura" of art was to be the new basis for a truly revolutionary and collective production and reception of art. Against this, Adorno spoke of the dangers of the rationalization of cultural life via an emergent culture industry, which seizes the crumbling "aura" of high art only to reproduce it through manufactured stardom and programmed sensationalism. This disturbing development led Adorno to proselytize on behalf of negative art (*e.g.*, the works of Samuel Beckett and Arnold Schoenberg). The rationalization of art was seen to result in a crisis of that which was considered to be "beautiful".[92] This kind of debate is important, inasmuch as it spells out both the possibility, and unintended consequences, of autonomous art degenerating into manipulative, public propaganda. For it is clear that the administrative production of culture is nowadays a contradictory process. Manufactured symbols tend to become detached from the everyday life world of their consumers, thus resulting in an ensemble of signals which are difficult to interrogate. Within this field of signals, the passive consumers find it difficult to recognize themselves and to articulate and satisfy their needs. This is why the culture industry precipitates counter-cultures bent on re-establishing meaning and intelligibility within the realm of symbolic interaction.

Political Economy and Political Life

C.B. Macpherson has suggested recently that a theory of the advanced capitalist state must at some point re-focus those questions about essentially

human purposes and capacities which were central to theories of the state in the grand tradition.[93] The above mentioned themes, and the more general call for a critical understanding of the logic of advanced capitalism's symbolic interation, point in this direction. They lead directly to a reconsideration of the classical meaning of *political life.* This surprising turn in our argument against Offe is well illustrated in the Aristotelean formula of man as *zoon politikon.* For Aristotle, man has the capacity for convivial association within the polis. By contrast with the animal-like "naturalness" of the domain of necessity and toil (the "mere life" of money-making, slavery, craftsmanship and child-bearing), citizens can be reborn within and through the informed inter-subjectivity of *bios politikos.* Here the meanings of symbolic interaction and politics converge. Political life is the domain in which the human capacities for action and speech are interwoven closely, a realm of public activity in which speaking and acting individuals can be seen and heard and take one another seriously. Indeed, speaking is here understood as a form of praxis: man is a living being capable of speech. According to Aristotle, the realm of politics is therefore the domain of potential freedom. Through symbolic interaction, humans not only articulate their interdependency (language, after all, is no private, solitary affair). They also come to individuate themselves insofar as they learn to speak and act *for themselves*; political activity is a mode of self-disclosure through the appropriation of communicatively-produced "sense". It is via political activity, then, that humans' true individuality can flower within the shell of social responsibility. This is why to engage in articulate praxis means to *choose* deliberately between competing means *and* ends, "to take the lead". Politics, according to Aristotle, ushers in the possibility of practical wisdom and moral virtue: "moral virtue is a state of character concerned with choice, and choice is deliberate desire . . ."[94] To seek moral virtue is therefore to admit of the possibility of human affairs unconstrained by blind necessity. This possibility is captured by Aristotle's description of humans as political animals: literally, we are caught between the animals and the gods.

We have seen above that the emergence and maturation of bourgeois modernity was synonymous with the collapse and destruction of the doctrine of politics which concerned a just and convivial life and the associated notion of man as *zoon politikon*, whose unique capacities are realised via self-conscious speech and action.[95] From the stand-point of the ancients, bourgeois thinkers from Machiavelli through the English utilitarians can be seen to have charted a self-contradictory course toward a *technical politics*, whose aim was the administration of men in accordance with the logic of Galilean science's attempted subjugation of nature. From its classical concern with the good and exemplary life of speech and action, politics became the limited technique of reproducing civil society by organizing and deploying

cunning, appearance, money and men. With good reason, Marx therefore spoke of "politics" as synonymous with authoritarian rule, enslavement, repression. "Political power, properly so-called", Marx and Engels remarked in the *Manifesto*, "is merely the organized power of one class for oppressing another."[96]

It goes without saying that this dissolution of the theory and practice of the ancient meaning of politics was contested bitterly. With the post-Kantian concern with practical reason, the promise of political life, of a critical public dedicated to the search for rational universals, was once again posited against the bourgeois fetishism of labour and reification of politics. Labour versus politics, civil society versus the state: their attempted mediation was illustrated dramatically in Hegel's discussion of the master-slave dialectic. The self-formation of Spirit proceeds through symbolically-mediated labour and the struggle for mutual recognition. The one-sided, conscious recognition of the Lord by the Bondsman is overturned by the Bondsman's ascendancy over nature, a conscious ascendance acquired one-sidedly through labour.[97] It is this scenario which was inherited by the Young Hegelians and transformed radically by Marx.[98] Through an explanation of sensuous labour as the prime mover of history, Marx sought to draw out the possibilities inhering within the liberal capitalist contradiction between the forces of production (accumulated through social labour) and the relations of production (or, the ensemble of symbolic interaction which had largely taken on an economic form). Marx thereby demonstrated that the emergent, self-conscious struggle of proletarians to re-appropriate their congealed and living powers of labour foreshadowed a revolutionary dissolution of the anonymous, "de-politicized" relations of market life. The spectre of politics came to haunt the modern world. Class agitation, education, organization, self-conscious speech and action threatened the logic according to which bourgeois society was organized. Defined by their objective conditions of labour, even proletarians came to seek emancipation through self-knowledge, deliberation, speech and action.[99]

Offe has demonstrated powerfully why this model of the "confluence" of labour and symbolic interaction, class and politics is now obsolete without escaping its legacy. Within the milieu of advanced capitalism, and an old political economy subject to the new difficulties to which Offe has pointed, critical theory must now move against both to "internalize" the problem of the production and reprodution of symbolic interaction. Certainly, the old Marxian formula — "a certain mode of production . . . is always combined with a certain mode of co-operation or social stage"[100] — continues to be an incisive point of departure. Yet political economy's reduction of this "certain mode of co-operation" to market relations of *production* can no longer be justified. The recapturing of the dialectic of labour and symbolic interaction at

the categorical level can now only proceed on the basis of an enriched or deepened understanding of labour.[101] From the goal of unfettered productive forces to that of unfettered labour *and* symbolic interaction: this is what now menaces political economy and the authoritarian state of advanced capitalism.

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Notes

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1. For example, the now well-known comments on the state, economy and liberalism, as reported in *The Globe and Mail*, Toronto: January 8, 1976, p. 7.

2. *Capital*, I, Moscow: 1971, p. 264, note 3.

3. Sparked initially by the simultaneous publication of Ralph Miliband's *The State in Capitalist Society*, London: 1969, and Nicos Poulantzas' *Pouvoir Politique et Classes Sociales*, Paris: 1968, English edition 1973, this debate unfolded in the columns of *New Left Review*. See Poulantzas, "The Problem of the Capitalist State", *New Left Review*, 58, *November-December, 1969 and* "The Capitalist State: A Reply to Miliband and Laclau". *ibid.*, 95, January-February, 1976, and Miliband, "The Capitalist State — Reply to Nicos Poulantzas", *ibid.*, 59, January-February, 1970 and "Poulantzas and the Capitalist State", *ibid.*, 82, November-December, 1973. More generally, *cf.* Poulantzas, *Fascism and Dictatorship*, London: 1974, *Classes in Contemporary Capitalism*, London: 1975, *La Crise des Dictatures: Portugal, Grece, Espagne*, Paris: 1975, and Miliband, "On the Marxist Theory of the State", *Arena*, 39, 1975 and *Marxism and Politics*, Oxford: 1977.

4. For example, Lenin's *State and Revolution*; some limited and insufficiently coherent themes in Gramsci; Trotsky's theory of the degenerate workers' state; Sweezy's crude view of the state as a mere instrument of the ruling bourgeois class; etc.

5. For some discussion of Marx's plans see Martin Nicolaus' "Foreword" to Marx, *Grundrisse* Harmondsworth: 1973, p. 54. Note that as early as his arrival in Brussels in 1845, Marx had hoped to pursue the themes of his *Critique of Helgel's Philosophy of Right* and *On the Jewish Question* via a more detailed critique of the liberal state — see his "Points on the Modern State and Civil Society" in L. Easton and K.H. Guddat, eds., *Writings of the Young Marx on Philosophy and Society*, New York: 1967, pp. 399-400.

6. *Political Power and Social Classes, op. cit.*, especially part iv, Section I, and "The Problem of the Capitalist State", *op. cit.*, p. 74. No textual evidence is advanced for this interpretation, which is actually founded on *Engels'* comment to Marx (13 April, 1867) in Marx and Engels, *Selected Correspondence*, Moscow: 1965, p. 177.

7. Miliband, "Marx and the State", *The Socialist Register*, New York: 1965, pp. 278-9, *Marxism and Politics, op. cit.*, pp. 1-15, and "Poulantzas and the Capitalist State", *op. cit.*, where Marx and Engels' assertion that "the modern State is but a committee for managing the *common* affairs of the *whole* bourgeoisie" is taken to mean that "the notion of common affairs assumes the existence of particular ones; and the notion of the whole bourgeoisie implies the existence of separate elements which make up that whole. This being the case, there is an obvious need for an institution of the kind they refer to, namely the state; and the state *cannot* meet this need without enjoying a certain degree of autonomy. In other words, the notion of autonomy is embedded in the definition itself, is an instrinsic part of it."

8. E. Altvater, "Some Problems of State Interventionism", in John Holloway and Sol Picciotto, eds., *State and Capital: A Marxist Debate*, London: 1978.

9. Maurice Merleau-Ponty, *In Praise of Philosophy*, trans. John Wild and James Edie, Evanston: 1963, p. 41.

10. Here we can elide several related, but separate, explanatory difficulties over which this retreatism stumbles. First, there is the problem of the state in pre-capitalist societies and, in particular, the emergence of a reified set of state institutions from kinship systems. Engels' view (in *The Origin of the Family, Private Property, and the State*) that the emergence of classes out of primitive communist social formations called for an integrating state apparatus is incorrect. Class societies only arose within the framework of a distinctive political system, that is, within the bounds of a collective identity no longer embodied within the figure of a common ancestor but, rather, in that of a common ruler. See Marshall Sahlins, "Political Power and the Economy in Primitive Society", in G.E. Dole and R.L. Carneiro, eds., *Essays in the Science of Culture*, New York: 1960; Lawrence Krader, *Formation of the State*, Englewood Cliffs: 1968 and E.R. Service, *Origins of the State and Civilization*, New York: 1975. Secondly, there remains the nagging problem of Stalinism, which must be understood as a process of state-building — utilizing terror and legitimated by the symbols of Soviet Marxism — so as to bring about a property transfer, that is, from private property to collectivized property, where the surrogate of the collective group to whom the property is transferred is the state. In attempting an explanation of this statist domination, historical materialism in its retreatist forms functions as an ideology in the strong sense of that term: it invokes fictive entities and pseudo-rational, abstract constructs ("degenerate workers' state", "crimes against socialist legality", "state capitalism", "Stalinist deviationism", etc.) which, intended or not, justify and hide a socio-historical practice whose true logic is otherwise.

11. "Political Authority and Class Structures — An Analysis of Late Capitalist Societies", *International Journal or Sociology*, vol. 2, 1 (1972), p. 79; *cf. ibid.*, p. 98 and "The Theory of the Capitalist State and the Problem of Policy Formation", in L. Lindberg *et. al., Stress and Contradiction in Modern Capitalism,* Lexington: 1975, p. 125. Lamentably, Offe's work is not known widely in the English-speaking world. The following interpretation of his writings is an attempt at overcoming the many inadequacies in the commentaries by S. Sardei-Biermann *et. al.*, "Class Domination and the Political System: A Critical Interpretation of Recent Contributions by Claus Offe", *Kapitalistate,* 2, 1973 and David A. Gold *et. al.*, "Recent Developments in Marxist Theories of the Capitalist State", *Monthly Review*, vol. 27, 5-6, October-November, 1975.

12. *Cf.* Franz Neumann, "Economics and Politics in the Twentieth Century" in *The Democratic and the Authoritarian State,* Herbert Marcuse, ed., Glencoe: 1957, pp. 257-269. In his *The Great Transformation,* Boston: 1957, Karl Polanyi has argued that nineteenth century civilisation rested on four institutions: the balance-of-power system of international relations, which facilitated a century of relative international order and stability; the "weak" liberal state; the international gold standard; and (determining these developments) the triumphant rise of the self-regulating market; *cf.* also his comment in George Dalton, ed., *Primitive, Archaic and Modern Economies: Essays of Karl Polanyi,* Boston: 1971, p. 65 — "Man's economy is, as a rule, submerged in his social relations. The change from this to a society which was, on the contrary, submerged in the economic system was an entirely novel development." According to Wolin's *Politics and Vision,* Boston: 1960, the liberal tradition was synonymous with the shrinking of the sphere of politics and the "glorification of society"; Carole Pateman has corrected some of the latter's ambiguities in "Sublimation and Reification: Locke, Wolin and the Liberal Democratic Conception of the Political", *Politics and Society,* 1975.

13. Here Offe's account of the ideology of the "achieving society" is extremely generous toward Marx: *cf. Industry and Inequality*, London: 1976, which is a translation of *Leistungsprinzip und industrielle Arbeit,* Frankfurt am Main: 1970. No doubt, the potency of other forms of symbolic interaction (patriarchy, religious tradition, nationalism) should not be underestimated.

14. Immanuel Wallerstein argues that the sixteenth century witnessed the rise of a capitalist world economy founded on both an international division of labour *and* a bureaucratic state; *cf. The Modern World System,* New York: 1974. See also the work by B.E. Supple, *Commercial Crisis and Change in England 1600-1642,* Cambridge: 1959, especially chapter 10, for a discussion of state-initiated attempts to overcome the instability of the emerging market economy during this period.

15. The 1832 Reform Bill was especially crucial, inasmuch as it can be seen as the Magna Carta of the English middle class marketeers, the political reforms which crowned the first Industrial Revolution. It was symptomatic of that wave of international liberal revolutionism between 1829-34 which effected the French July Revolution of 1830, the Jacksonian era in America, uprisings in Belgium (1830), Poland (1830-1), and disturbances in Italy, Germany, Switzerland, Ireland, Spain and Portugal; *cf.* E.J. Hobsbawn, *The Age of Revolution 1789-1848,* New York and Toronto: 1962, especially chs. 3, 6.

16. "Principles of the Civil Code", part 1, ch. 2 in J. Bentham, *The Theory of Legislation,* C.K. Ogden, ed., London: 1931, p. 96.

17. *Ibid.,* part 1, ch. 11, p. 119. James Mill, after criticizing the contentions that the end of government is "the public good" (Locke) or "the greatest happiness of the greatest number", repeated an argument identical with that of Bentham: ". . . it is obvious that every man who has not all the objects of his desire has inducement to take them from any other man who is weaker than himself: and how is he to be prevented? One mode is sufficiently obvious, and it does not appear that there is any other: the union of a certain number of men to protect one another. The object, it is plain, can best be attained when a great number of men combine and delegate to a small number the power necessary for protecting them all. This is government"; *An Essay on Government,* I.V. Shields, ed., Indianapolis: 1955, pp. 49-50.

18. *Capital,* I, *op. cit.,* part 1, ch. 1, section 2; Karl Marx, *A Contribution to the Critique of Political Economy,* Moscow: 1970, ch. 1; and *Grundrisse,* Harmondsworth: 1973, pp. 881-2.

19. *MEW,* xxiii, p. 447 Quoted in Robert C. Tucker, "Marx as a Political Theorist", in Nicholas Lobkowicz ed., *Marx and the Western World,* Notre Dame: 1967, pp. 126.

20. "Political Authority", *op. cit.,* p. 80.

21. "Preface to a Contribution to the Critique of Political Economy" in Marx and Engels, *Selected Works,*I, Moscow: 1969, pp. 502-506. Note that this is almost exactly copied from the much earlier formulation of *The German Ideology* (Easton and Guddat, *op.cit.,* p. 469): "The term 'civil society' emerged in the eighteenth century when property relations had already evolved from the community of antiquity and medieval times. Civil society as such only develops with the bourgeois. The social organization, however, which evolves directly from production and commerce and in all ages forms the basis of the state and the rest of the idealistic superstructure has always been designated by the same name."

22. "Critique of Hegel's Philosophy of the State (1843)", Easton and Guddat, *op. cit.,* pp. 151-202.

23. *Ibid.,* p. 176: "The abstraction of the *state as such* belongs only to modern times because the abstraction of private life belongs only to these times. The abstraction of the *political state* is a modern product." With reference to the French and American Revolutions and against Bauer, Marx repeats this theme of the depoliticization of relations of exchange in civil society: "The old civil society (feudalism) had a *directly political* character, that is, the elements of civil life such as property, the family, the mode and manner of work, for example, were raised into elements of political life in the form of landlordism, estates, and

corporations . . . The throwing off of the political yoke was at the same time the throwing off of the bond that had fettered the egoistic spirit of civil society. Political emancipation was at the same time the emancipation of civil society from politics, from the *appearance* of a general content"; "On the Jewish Question", *ibid.*, pp. 238-9.

24. *Ibid.*, p. 185; *cf.* "On the Jewish Question", p. 225, where Marx notes that the bourgeois state "stands in the same opposition to civil society and goes beyond it in the same way as religion goes beyond the limitation of the profane world, that is, by *recognizing, re-establishing and necessarily allowing itself to be dominated by it"* (emphasis mine).

25. "Critical Notes on 'The King of Prussia and Social Reform' (1844)", *ibid.*, p. 349; *cf.* Marx's polemical discussion of the French Revolution in *The Holy Family, or Critique of Critical Criticism,* Moscow: 1975, pp. 142-3.

26. Easton and Guddat, *op. cit.*, p. 470.

27. Note that, under this formulation, it is quite conceivable that those who actually staff the state institutions may not be the economically and culturally dominant class. Marx mentions this possibility with reference to the English Whigs ("the aristocratic representative of the bourgeois") in "The Elections in England — Tories and Whigs" in Marx and Engels, *Articles on Britain,* Moscow: 1971, p. 112.

28. "Manifesto of the Communist Party", in Marx and Engels, *Selected Works,* I, *op. cit.*, pp. 110-111; *cf. Capital,* I, *op. cit.*, p. 703, where Marx notes that "the power of the State" is "the concentrated and organized force of society", and *Grundrisse, op. cit.* p. 72: "political conditions are only the official expression of civil society . . . Legislation, whether political or civil, never does more than proclaim, express in words, the will of economic relations."

29. "The German Ideology", Easton and Guddat, *op. cit.*, p. 470: "The perfect example of the modern state is North America. The modern French, English, and American writers all express the opinion that the state exists only for the sake of private property; this fact has entered into the consciousness of the ordinary man." Compare the critical discussion of Carey, Bastiat and the United States in *Grundrisse, op. cit.*, pp. 884-9.

30. *Grundrisse, cp. cit.*, pp. 471-9; "The German Ideology" in Easton and Guddat, *cp. cit.*, p. 470; "The 18th Brumaire of Louis Bonaparte" in Marx and Engels, *Selected Works,* I, *op. cit.*, pp. 394-487; "The Civil War in France", *ibid.*, p. 219. Marx's discussion of the English Factory Acts (in *Capital,* I, *cp. cit.*, pp. 222-286) is another example of this exceptionalism.

31. "Manifesto of the Communist Party", *cp. cit.*, p. 113.

32. "Economic and Philosophic Manuscripts (1844)", in Easton and Guddat, *op. cit.*, p. 299.

33. Most recently on this point, see Jürgen Habermas, *Knowledge and Human Interests,* London: 1972 and *Zur Rekonstruktion des Historischen Materialismus,* Frankfurt am Main: 1976; Jean Baudrillard, *The Mirror of Production,* St. Louis: 1975; Hannah Arendt, *The Human Condition,* Chicago: 1974; Alfred Schmidt, *The Concept of Nature of Marx,* London: 1973; and Marshall Sahlins, *Culture and Practical Reason,* Chicago: 1976.

34. This vulnerablity of the "fragile" achievement principle to these booms and busts lends a certain plausibility to Marx's seemingly simplistic comments on the problem of the "raising" of proletarian consciousness. At times, Marx was extremely vague ("The dissolution of . . . old ideas keeps even pace with the dissolution of the old conditions of existence", etc.); most often, he stressed that practical action (both electoral and trade union) by workers in their revolutionary movement would itself re-shape and cleanse the traditional "muck" of their internalized thoughts and habits. As I shall argue below, these formulations (in which, as the

famous *1859 Preface* expressed it, "consciousness must be explained . . . from the contradiction of material life, from the existing conflict between the social productive forces and the relations of production") become especially problematical under the conditions of advanced capitalism.

35. " 'Krisen des Krisenmanagement': Elemente einer politischen Krisentheorie", in M. Janicke, ed., *Herrschaft und Krise,* Opladen: 1973; "Structural Problems of the Capitalist State", *German Political Studies,* vol. 1, 1974, pp. 33-4.

36. *Cf.* the discssion of recent empirical data on these trends in Bob Rowthorn, " 'Late Capitalism' ", *New Left Review,* 98, July-August, 1976, especially pp. 71-3.

37. For discussions of rightist corporatism during this period see Ralph Bowen, *German Theories of the Corporative State: With Special Reference to the Period 1870-1919,* New York: 1947, and Matthew Elbow, *French Corporative Theory 1789-1948,* New York: 1953; for its left version, M. Beer, *A History of British Socialism,* London: 1953. I have relied especially on the superb overviews of this period provided by Charles S. Maier, *Recasting Bourgeois Europe,* Princton: 1975, and Gabriel Kolko, *Main Currents in Modern American History,* New York: 1976.

38. "Bemerkungen zur Wirtschatskrise", *Zeitschrift fur Sozialforschung,* vol. 2, 1933, p. 350, quoted in G. Marramao, "Political Economy and Critical Theory", *Telos,* 24, Summer, 1975, p. 65. Especially important is F. Pollock, "State Capitalism: Its Possibilities and Limitations", *Studies in Philosophy and Social Science,* vol. ix, 1941. Compare also Max Horkheimer, "The Authoritarian State", *Telos,* 15, Spring, 1973; Karl Korsch, "Capitalism and Planning", *Council Correspondence,* 4, January, 1935; Herbert Marcuse, *Negations,* Harmondsworth: 1972, pp. 3-42, and T.W. Mason, "The Primacy of Politics — Politics and Economics in National Socialist Germany", in S.J. Woolf, ed., *The Nature of Fascism,* London: 1968.

39. "Political Authority", *op. cit.,* p. 78; *cf. ibid.,* p. 98, "The Theory of the Capitalist State", *op. cit.,* p. 125, and *Industry and Inequality, op. cit.,* pp. 14, 16-17.

40. "The Theory of the Capitalist State", *op. cit.,* pp. 127-134; *cf.* "Further Comments on Müller and Neusüss, *Telos,* 25, Fall, 1975, pp. 101, 105. A rudimentary version of this distinction appears in his dissertation (*Industry and Inequality, op. cit.,* p. 17): ". . . the factual politicization of society (the growth in the influence of state power in the reproduction process) has reduced material incentives as a control mechanism to, at most, partial functions within a system of authoritarian total administration . . . Investment possibilities are *created and regulated* through political decisions, and it is these that produce the level of economic activity necessary to ensure continued social reproduction, a level of economic activity which could not be created by the incentives resulting merely from profit-oriented capital accumulation" (my emphasis).

41. *Ibid.,* p. 128.

42. I am here following David A. Wolfe, *The Economic Role of the State in Advanced Capitalist Society,* (manuscript, Department of Political Economy, University of Toronto, 1975).

43. "The Theory of the Capitalist State", *op. cit.,* p. 130. "Productive" policies correspond roughly to O'Connor's discussion of the state's "social investment" and "social consumption" expenditures (in Marxian terms, to social constant capital and social variable capital); *cf.* James O'Connor, *The Fiscal Crisis of the State,* New York: 1973. Note that Offe also relies on Altvater's contention that the growing "autonomization" of state activities is directed primarily at the *creation* of the general conditions for capitalist production; *cf.* E.

Altvater, "Zu einigen Problemen des Staatsinterventionismus", *Probleme des Klassendampfs,* 3, May, 1972.

44. "The Theory of the Capitalist State", *op. cit.,* p. 132; *cf.* "Further Comments", *op. cit.,* pp. 104-5 and "Political Authority", *op. cit.,* pp. 78, 99ff. Offe here sidesteps the well-worn, but important tradition of interpretative controversies surrounding the actual character of liberal capitalism's crisis tendencies. On this tradition, *cf.* P.M. Sweezy, *The Theory of Capitalist Development,* New York: 1942, chs. 8-11; Russell Jocoby, "The Politics of the Crisis Theory: Toward the Critique of Automatic Marxism II", *Telos,* 23, Spring, 1975 and "Political Economy and Class Unconsciousness", *Theory and Society,* 5, 1978; Marramao, "Political Economy and Critical Theory", *op. cit.*; and Trent Schroyer, *The Critique of Domination,* Boston: 1975.

45. *Cf.* David Yaffe "The Marxian Theory of Crisis, Capital and the State", *Economy and Society,* Vol. 2, 1973, for whom state expenditure is a self-defeating strategy since it is "unproductive", thereby curtailing the quantity of surplus value available for private capital accumulation. According to Yaffe, state expenditure certainly "realizes" surplus value; but the products purchased by the state are acquired with already-produced surplus value. In support of Offe, compare Henri Lefebvre's theses on the recent emergence of "le mode de production étatique" in his treatise, *De l'Etat,* especially volumes I, *L'Etat dans le monde moderne* and 3, *Le mode de production étatique,* Paris: 1976-77.

46. "Advanced Capitalism and the Welfare State", *Politics and Society,* Summer, 1972, p. 483 and "Introduction to Part II", in L. Linberg *et. al., op. cit.,* p. 253. More generally, *cf.* Jürgen Habermas, *Theory and Practice,* Boston: 1973, pp. 228-9 and Leslie Sklair, *Organized Knowledge,* Bungay: 1973, especially ch. I.

47. "Political Authority", *op. cit.,* p. 81. At the same time, note that Offe is impatient with various attempts at criticizing the present via such formalistic, "lazy" categories as "advanced industrial society", "the technological veil", "the affluent monster"; resting more on epigrams, such attempts obscure, rather than illuminate the *actual* processes of late capitalist social reproduction, as he stresses in his early critique of Marcuse; *cf.* "Technik und Eindimensionalität; eine Version der Technokratiethese?", in J. Habermas, ed., *Antworten auf Herbert Marcuse,* Frankfurt am Main: 1968.

48. "Political Authority", *op. cit.,* p. 94.

49. Rudolf Hilferding, *Protokoll des SPD — Parteitages in Kiel,* 1927, developed this argument to indicate the shift in "organized capitalism" from "market-determined" to politically conditioned wage structures dependent upon the strength of trade union organization. This also became a key element in the argument of M. Kalecki, *Selected Essays on the Dynamics of the Capitalist Economy, 1933-1970,* Cambridge: 1971. It should be noted, as a passing qualification to Offe's formulation, that by no means are the returns to labour spread evenly throughout the organized oligopoly sector: women, immigrants and other racial minorities tend to be little better off than their counterparts in the competitive sector (*cf.* O'Connor, *The Fiscal Crisis of the State, op. cit.,* p. 16).

50. Perhaps the best example of this externalization is the recent sharpening of wage disputes within the state sector, a consequence of public sector unions' attempts to peg their wage rates and working conditions to corresponding rates and conditions within the oligopoly sector. On the theory of the inflation barrier to raising corporate profits, see Joan Robinson and John Eatwell, *An Introduction to Modern Economics,* London: 1973, pp. 190-1.

51. "Political Authority", *op. cit.,* p. 94.

52. *Ibid., Ipp. 99-101.*

53. *Political Power and Social Classes, op. cit.*, pp. 99-119, and his critique of the P.C.F. "stamocap" thesis in *Classes in Contemporary Capitalism, op. cit.*, pp. 156-164.

54. Thus, Offe engages in *Ideologiekritik* by pointing in several places to two diametrically-opposed theories of the state which have emerged under late capitalist conditions. These theories can be said to be ideological insofar as they systematically *reveal* as well as *censor* or *conceal* the actual dynamics of, and constraints upon, this "state apparatus"; *cf.* "Structural Problems of the Capitalist State", *op. cit.*, pp. 31ff., "Political Authority", *op. cit.*, pp. 73ff, and (with Volker Ronge) "Theses on the Theory of the State", *New German Critique*, 6, Fall, 1975, p. 139. The first view (the "influence and constraint" viewpoints of Domhoff, McConnell, and the "stamocap" thesis) includes those theories which conceive of the state as a mere instrument of a postulated ruling class. Briefly, Offe has the following criticisms: (a) These theories cannot prove the structurally-determined *class-character* of the state: "they . . . restrict themselves to investigating external determinants which make the *content* of the political processes class-bound" ("Structural Problems", *op. cit.*, p. 33). In this sense, they remain within the confines of a pluralist model — they do not demonstrate that the preponderant weight of certain interest groups is actually a *class* interest without "false-consciousness". Moreover (here Offe is close to Poulantzas and against Miliband), they cannot account for the fact that, on many occasions, state policies *cannot* be traced back to some presumed external ruling class influence, but must be explained through recourse to notions of influence emanating from *within* the state structures; (b) These theories also remain bogged within very simplistic and mechanistic concepts of power and authority. The problem to which Offe points is that "One can only have power over something which according to its own structure *allows power to be exercised on it*, and responds to it, which for its part, so to speak, authorizes, the exercise of power" (*ibid.*, p. 35). Hence, Offe points to a crucial theoretical problem, *viz.*, the need for a critical understanding of the ways in which the very internal structures of the late capitalist state guarantee the objective interests of the contemporary accumulation process. In summary, Offe praises these instrumental theories of the late capitalist state for *suggesting* the "bias of pluralism", that is, the preponderant influence of the wealthy and powerful; but these theories can in no way *explain* the necessity of this state of affairs. On the other hand, the kernel of truth revealed by the "integration" model is that it points to the recent qualitative expansion of state activity ("Political Authority", *op. cit.*, pp. 77-8). However, to the extent that such views postulate a sphere of unconstrained, neutral political institutions within which organized interests struggle to lick the public salt block, they lapse into mystification. Thereby, they fall victim to the strong *prima facie* arguments put forward by the influence and constraint theorists. Through a dialectical overcoming of these two apparently hostile theories, Offe comes to deal with the "class power or state power" dispute via another question: In what sense can it be argued demonstrably that the state's allocative and productive policies continue to be *for* capital, and have not shifted the organizational principle of our social formations from capitalist to, say, "post-industrial" or "welfare"? Expressed simply, in what respect does this state apparatus remain a *capitalist* state? Of course, this important formulation makes a mockery of Müller and Neussüss' claim that Offe, the social democrat, has posited the "absolute separation" of the late capitalist state from the domain of economic production, W. Müller and C. Neusüss, "The Illusion of State Socialism and the Contradiction Between Wage Labour and Capital", *Telos*, 25, [Fall, 1975Ç, pp. 18-23).

55. *Cf.* "The Theory of the Capitalist State", *op. cit.*, p. 126, where Offe points out that the state's "power realtionships, its very decision-making power *depends* (like every other social relationship in capitalist society) upon the presence and continuity of the accumulation process. In the absence of accumulation, everything, and especially the power of the state, tends to disintegrate." Thus, the state's orientation to the accumulation process is conditioned "structurally", and not by the facts of "personal ties", "conspiracies", or common "social origins" of actors within state and industrial circles, etc. Offe is here in accord with Poulantzas' stinging criticism of Miliband's failure to grasp the state as an objective system of regular connections whose "personnel" are in a real sense its "agents" or "bearers."

56. "Political Authority', *op. cit.*, pp. 95-6, 101-2; cf. "The Abolition of Market Control and the Problem of Legitimacy II", *Kapitalistate*, 2, 1973, *passim*.

57. These formulations are uncomfortably common in recent Marxist debates on the international recession from a "political economy" perspective. See, for example, Ian Gough, "State Expenditure in Advanced Capitalism", *New Left Review*, 92, 1975, p. 66: "The basic struggle at both the economic and political level today is of course that between capital and labour." The "post-theoreticist" phase of Althusserianism also displays this faithful formalism, as in Poulantzas, *Classes in Contemporary Capitalism, op. cit.*, section 3 and "The Capitalist State", *op. cit.*, p. 69: ". . . the working class is neither integrated nor diluted in the 'system'. It continues to exist as a distinct class, which is precisely what social democracy demonstrates (pertinent effects), since it too is a working class phenomenon (as Lenin knew only too well), with its own special links with the working class . . . So the working class continues to be a distinct class, which also (and chiefly) means we can reasonably hope that it will not eternally continue — where it still does — to be social-democratic and that socialisms' prospects therefore remain intact in Europe." From a Canadian perspective, this formalism predominates in Harold Chorney *et. al*, "The State and Political Economy", this *Journal*, Vol. I, No. 3, Fall, 1977, and Leo Panitch, ed., *The Canadian State: Political Economy and Political Power*, Toronto and Buffalo: 1977.

58. "Political Authority", *op. cit.*, p. 102.

59. To use the term of P. Bachrach and M. Baratz, *Power and Poverty*, New York: 1970; *cf.* Offe's introduction to their work, "Einleitung", P. Bachrach and M. Baratz, *Macht und Armut. Eine theoretisch-empirische Untersuchung*, Frankfurt am Main: 1977; and "Structural Problems", *op. cit.*, pp. 36 ff., where he elaborates three forms of selectivity operating at the structural, ideological, process, and repressive "levels." Note that Luhmann's system-theoretical argument (in his *Soziologische Aufklärung*, in the debate with Habermas, and elsewhere) that all socio-political organizations involve a selective "reduction of social complexity", *i.e.*, a *necessary* protection against a chaotic multiplicity of possible events, is seen by Offe to be incapable of assessing their degree of historically-specific *repressiveness*.

60. "Advanced Capitalism", *op. cit.*, p. 485; cf. "Political Authority", *op. cit.*, pp. 103-5, "Ein biedermeierlicher Weg zum Sozialismus?", *Der Spiegel*, 24, February 24, 1975, where Offe slams the West German S.P.D. for its habitual reliance on "silent confidence work" (*geräuschlose "Vertrauensarbeit"*) in its policy making, and *Industry and Inequality, op. cit.*, pp. 12-13: "The social imagery of the achieving society is dominated by the abstract notion of 'efficiency'. This implies not only the repression of those *practical* desires which cannot demonstrate any functional contribution to the overall system of achievement, but also discrimination against any attempt to challenge the criteria of achievement and efficiency through the framework of concepts of use value."

61. "The Theory of the Capitalist State", *op. cit.*, pp. 140, 143. Offe's enthusiastic assumption that "Participation and unfiltered conflict tends to interfere with the institutional constraints under which state agencies have to operate, and, as could be demonstrated in the cases of participation-based welfare policies, urban policies, and education policies, lead to a highly unstable situation" needs to be tempered with the more sobering possibility of "pseudo-participation", which has often provided useful technical information and levels of "client motivation" *for* planners. Thereby, the scope and feasibility of the planning process is facilitated: the squeaky wheel has received its grease.

62. "Political Authority", *op. cit.*, pp. 104-5. In his more recent writings, Offe tends to deny the state's capacity to manage the production of symbols, as in his critique of Edelman and Mayntz in "Introduction to Part II", *op. cit.*, pp. 257-9. I shall return to this point. More generally, see one of the finest works of Jürgen Habermas, *Strukturwandel der*

Öffentlichkeit. Untersuchungen zu einer Kategorie der burgerlichen Gesellschaft, Neuwied and Berlin: 1962, where the attempted transfiguration of a conflict-ridden politics into administration is traced. Here Habermas shows how the *content* of an important heritage of liberal market society — the "bourgeois public sphere" (bürgerlicher Öffentlichkeit) — is downgraded by the political managers of advanced capitalism. Rooted originally in the distinction between public and private in ancient Greece, "public sphere", in its most general sense, refers to that "space" which mediates the state apparatus and the private affairs of individuals; in brief, to a realm of social life in which something approaching public opinion can be formed. A form of this public sphere notion was resurrected by the European bourgeois in its assault upon the secretive dominion of feudal society; in monarchic form it can be traced to the Physiocrats' notion of *opinion publique*, while in liberal form it is foreshadowed in a rudimentary way in Locke and, later, among Scottish moralists, and Bentham and James Mill. Of course, as Habermas stresses, these notions of a "public" must not be confused with the principle of universal democracy, understood as the equal, effective freedom of *all* to both use and develop their capacities. At first, and with only some exceptions (*e.g.*, Winstanley, Rousseau, Jefferson), "the public" was taken to include only male property owners. Yet at least the *principle* of the public sphere presupposed the *possibility* of a reasoning, critical public in search of rational universals and the abolition of the technical rationality of market society. Intended as overseer of the state apparatus, this sphere and its "public" coincided with such claims as the right to representation, freedom of speech and assembly, and public opinion. In the transition from the political class domination of feudalism to the bourgeois class domination in de-politicized form (which Offe has analyzed), the emergence of this liberal public sphere not only signalled a new mechanism of legitimating state institutions, it *also* pointed, in principle at least, to *restrictions* on political power. "In the first modern constitutions the catalogues of fundamental rights were a perfect image of the liberal model of the public sphere: they guaranteed the society as a sphere of private autonomy and the restriction of public authority to a few functions. Between these two spheres, the constitutions further insured the existence of a realm of private individuals assembled into a public body who as citizens transmit the needs of bourgeois society to the state, in order, ideally, to transform political into "rational" authority within the medium of this public sphere. The general interest, which was the measure of such a rationality, was then guaranteed, according to the presuppositions of a society of free commodity exchange, when the activities of private individuals in the marketplace were freed from social compulsion and from political pressure in the public sphere." Again, Habermas is emphatic that the dualistic split between *bourgeois* (the notion of individuals as but self-regarding managers of their capacities and property) and other-regarding, egalitarian *citoyen* is not overcome in all this. As he acknowledges with reference to John Stuart Mill and de Tocqueville, this bourgeois model of the public sphere veiled the class exploitation which made a mockery of its supposed authenticity. This readily became apparent with the emergence of the English Chartist movement and the French February revolution; the limited public sphere was now stretched beyond the provinces of the bourgeoisie so as to include proletarian elements for the first time. Therewith, the public sphere became a court of appeal which was much less socially exclusive and racked by violent conflict. There was a flowering of political journals, discussion circles, clubs, and the local political newspaper emerged as a vehicle for public communication. Habermas' important argument is that, in the transition to advanced capitalism, this public sphere has been colonised from above. A host of organized, powerful interests including the giant corporations, organized labour, the cartelized political parties, incumbent governments and the organized mass media imposes itself upon it. This first begins around the 1830's in Europe and North America and is, according to Habermas, the harbinger of the later public opinion dealing, "the transformation from a journalism of conviction to one of commerce" and, therewith, the possibility of "public relations work" (*Öffentlichkeitsarbeit*). The promise of the nineteenth century public sphere becomes submerged in the commodified domain of organized production and consumption: "When the laws of the market which govern the sphere of commodity exchange and social labour also penetrate the sphere reserved for private people as public, critical judgment

(*Rasonnement*) transforms itself tendentially into consumption, and the context of public communication breaks down into acts which are uniformly characterized by individualized reception" (p. 194). For further examinations of this production of legitimation see Miliband, *The State in Capitalist Society*, op. cit., chs. 7-8 and James Perry, *The New Politics: The Expanding Technology of Political Manipulation*, London: 1968; the latter is an important history of the emergence of the merchandizing of political candidates from the time of the first political management firm of Whitaker and Baxter in California during the 1930's through to the more recent campaigns of Reagan, Rockefeller, Romney and Schapp.

63. *Industry and Inequality, op. cit.*, p. 11.

64. *Cf.* C.B. Macpherson, *Democratic Theory: Essays in Retrieval*, London: 1973, p. 78: "There is no doubt about the violence done to the traditional theory by what we may call the Schumpeter/Dahl axis. The traditional theory of (John Stuart) Mill, carried over into the twentieth century by such writers as A.S. Lindsay and Ernest Barker, gave democracy a moral dimension: it saw democracy as developmental, as a matter of the improvement of mankind. The Schumpeter-Dahl axis, on the contrary, treats democracy as a mechanism, the essential function of which is to maintain an equilibrium."

65. "Structural Problems", *op. cit.*, p. 46. This is also Theodore Lowi's argument in *The End of Liberalism: Ideology, Policy, and the Crisis of Public Authority*, New York: 1969.

66. *Ibid.*, p. 47; *cf.* "The Theory of the Capitalist State", *op. cit.*, p. 127. Actually, this point requires some clarification, for the general *form* of this structural problem predates the period of late capitalism. It first emerges with the disintegration of the kinship basis of tribal societies and the emergence of class dominated societies (*e.g.*, the early civilisations of Mesopotamia, Egypt, ancient China, India and the Americas, European fuedalism, etc.) which assume a political form, the reproduction of which depends on the conversion of political power into political authority via the sacred canopy of legitimating traditions. This insight was captured by Weber's own definition of *any* state as "a relation of men dominating men, a relation supported by means of legitimate (that is, considered to be legitimate) violence."

67. "Advanced Capitalism", *op. cit.*, p. 480. Habermas' complaint (*Legitimation Crisis*, Boston: 1975, pp. 162-3. note i) that Offe's theory of the usually-latent class bias of the state means that this "bias" is inaccessible to "objectivating knowledge" and, therefore, stricken by blind, "actionistic" conclusions, misses the significance of the importance which Offe attaches to the theory of crisis. After all, crisis-tendencies are precisely those objective situations within which the usually-latent "intentions" of the state may become manifest, as Offe indicates ("Introduction of Part II, *op. cit.*, p. 246): "A contradiction is the tendency inherent to a specific mode of production to destroy those very preconditions on which its survival depends. Contradictions become *manifest* in situations where . . . a collision occurs between the constituent preconditions and the results of a specific mode of production, or where the necessary becomes impossible and the impossible becomes necessary" (my emphasis). This is elaborated in " 'Krisen des Krisenmanagement' " *op. cit.* It should also be recognized that "crisis" has nowadays become a manipulative word for household consumption — there are "crises in the West", "personal crises" "energy crisis", "parliamentary/constitutional crises", and so on. Its more classical meaning has become worn out. Offe's use of the term must be distinguished from these recent vulgarizations, for his use of "crisis" clearly owes much to its early medical and dramaturgical origins, upon which, indeed, Marx's theory of crisis had been constructed; *cf.* Habermas *Legitimation Crisis, op. cit.*, pp. 1-2 and *Theory and Practice, op. cit.*, pp. 212-235, and the useful survey of the concept by Randolph Starn, "Historians and 'Crisis' ", *Past and Present*, Vol. 52, August, 1971.

68. Paul Baran and Paul Sweezy, *Monopoly Capital*, Harmondsworth: 1969.

69. "Theses", *op. cit.*; *cf.* "The Teory of the Capitalist State", *op. cit.* p. 139, and "Ein biedermeierlicher Weg", *op.cit.* More generally, see O'Connor, *The Fiscal Crisis of the State, op. cit.*, and, within the Canadian context, Rick Deaton, "The Fiscal Crisis of the State in Canada", in D.I. Roussopoulos, ed., *The Political Economy of the State*, Montreal: 1973.

70. "Introduction to Part II", *op. cit.*, pp. 252-3, "Further Comments", *op. cit.*, pp. 107-8, *Industry and Inequality, op. cit.*, p. 19, and "Advanced Capitalism", *op. cit.*, pp. 487-8. These arguments again derive from O'Connor, *The Fiscal Crisis of the State, op. cit.*

71. *Strukturprobleme des Kapitalistischen Staates*, Frankfurt am Main: 1972: ch. 4; *cf.* "Theses". *op. cit.*, pp. 144-5, where Offe points to the reasons why the "taxing away" of corporate profits is often unpopular among sectors of capital, though these reasons could easily be extended to cover other conflicts, for example, over the operations of transnational corporations, decentralization strategies which continue to have a "regional" bias, etc. For the critique of Weber, *cf.* "Rationalitätskriterien und Funktionsprobleme politische-administrative Handelns", *Leviathan*, 3, 1974, and "The Theory of the Capitalist State", *op. cit.*, pp. 136-7, 142. In *Berufsbildungsreform*. Frankfurt am Main: 1975, Offe has tested this political dilemma of technocracy theorem with reference to unsuccessful S.P.D. Government attempts to rationalize the provision of vocational training. Poulantzas refers to these general planning difficulties in his comments on the state's "crisis of representativeness" in *Classes in Contemporary Capitalism, op. cit.*, pp. 168-174, as does Offe's collaborator, Volke Ronge, who speaks of the "politicization of administration" under advanced capitalist conditions, "The Politicization of Administration in Advanced Capitalist Societies", *Political Studies*, vol. 22, I, March, 1974.

72. "Introduction to Part II", *op. cit.*, p. 255; *cf.* "Advanced Capitalism", *op. cit.*, pp. 481-2 and "Theses", *op. cit.*, p. 145: ". . the state's attempts to maintain and universalize the commodity form do require organizations which cease to be subject to the commodity form in their own mode of operation." This thesis was first worked out in *Strukturprobleme, op. cit.*, pp. 27-63, abbreviated translations of which appeared in *Kapitalistate*, 1 and 2, (1973). The theme of abstract and concrete labour is central in a recent discussion by James O'Connor, "Productive and Unproductive Labor", *Politics and Society*, vol. 5, 3, 1975.

73. "Introduction to Part II", *op. cit.*, p. 256. This argument can be understood as analogous to Marx's comments on the unintended and ironic "socialization" of the productive process under early nineteenth century industrial capitalism. According to this "socialization" thesis, the organization and "levelling" of proletarians under capitalist modes of factory organization was seen to be an essential development in the formation of a truly universal, conscious human community defined by its conditions of labour.

74. "Structural Problems", *op. cit.*, p. 49; *cf.* "Introduction to Part II", *op. cit.*, p. 256.

75. "Theses", *op. cit.*, pp. 146-7 and *Industry and Inequality*, *op. cit.*, *passim.*

76. *Cf.* C.B. Macpherson, *The olitical Theory of Possessive Individualism*, London: 1962 and *Democratic Theory*, *op. cit.*, especially pp. 25-31.

77. *Industry and Inequality*, *op. cit.*, p. 42. Against the powers of church and state, and echoing Hobbes' contention that "A Free-Man, is he, that in those things, which by his strength and wit he is able to do, is not hindered to do what he has a will to", *Leviathan*, part 2, ch. 21, C.B. Macpherson, ed., Harmondsworth: 1972, p. 262. Locke expressed the tenets of possessive individualism in this way: "every man is entitled to consider what suits his own convenience, and follow whatever course he judges best", in *A Letter on Toleration*, Oxford: 1968, J.W. Gough, ed., p. 89.

78. *Industry and Inequality, op. cit.*, pp. 14-15; *cf. ibid.*, p. 134: "It can be taken as a basic social fact in all industrial societies that strata and classes, economic power and the irrationalities of the educational system are dominant elements of the social structure, affecting and regulating the constitution, let alone the exercise, of individual abilities."

79. *Ibid.*, pp. 135-7.

80. *Ibid.*, pp. 17-20 and "The Abolition of Market Control and the Problem of Legitimacy I", *Kapitalistate*, I, 1973, pp. 112-113. This is a highly unstable development, and not only because fiscal difficulties curb the state's ability to fulfill its self-professed intentions; elsewhere (" 'Krisen des Krisenmanagement' ", *op. cit.*, p. 20), Offe makes the additional suggestion that competition between political parties tends to raise the electorate's expectations ("If elected, we will . . . "), thereby increasing the chances of voter frustration about false promises.

81. Offe mentions this example in "Structural Problems", *op. cit.*, pp. 50-I; more generally, see *Industry and Inequality*, *op. cit.*, pp. 15-17, *Strukturprobleme*, *op. cit.* pp. 27-63, and O'Connor's discussion (*The Fiscal Crisis of the State*, *op. cit.*, ch. 9) of movements of state workers and clients.

82. "Advanced Capitalism", *op. cit.*, pp. 486-7 and "Structural Problems", *op. cit.*, p. 52.

83. *Strukturprobleme*, *op. cit.*, p. 24. The reference to the "triad of usual self-adaptive mechanisms" is sketched more fully in " 'Krisen des Krisenmanagement' ", *op. cit.*, pp. 197 ff.

84. Consider, for example, Ernest Mandel's rationalistic view of bourgeois ideology as like a blanket covering the sleeping working class giant during "quiet periods", *Late Capitalism*, London: 1975, p. 494); also the simplistic (base-superstructure) link between problems of "accumulation" and "legitimization" assumed by O'Connor *The Fiscal Crisis of the State*, *op. cit.*, p. 6 and taken up by Panitch, *The Canadian State*, *op. cit.*, ch. I.

85. This is the central theme of Jean Baudrillard, *Pour une critique de l'économie politique du Signe*, Paris: 1970.

86. *Cf.* my critique of Habermas in "On Turning Theory Against Itself", *Theory and Society*, Fall, 1977, pp. 561-572.

87. Pollock was one of the first to mention this point, but without further elaboration of its radical consequences for the old political economy crisis theory: "There is considerable evidence . . . that in this administered capitalism the depressions will be longer, the boom phases shorter and stronger, and the crises more destructive than in the times of 'free competition', but its 'automatic' collapse is not be be expected. There is no *purely economic irrepressible compulsion to replace it with another economic system*", "Die gegenwärtige Lage des Kapitalismus und die Aussichten einer planwirtschaft-lichen neuordnung", *Zeitschrift für Socialforschung*, vol. 1, 1932, p. 16, my emphasis, quoted in Marramao, "Political Economy and Critical Theory", *op. cit.*, p. 66.

88. "The Abolition of Market Control and the Problem of Legitimacy II", *op. cit.*, pp. 74-5. The reference is to Daniel Bell, "The Cultural Contradictions of Capitalism", *Public Interest*, Fall, 1970.

89. On these matters, *cf.* Macpherson, *Democratic Theory*, *op. cit.*, ch. 2; Henri Lefebvre, *Everyday Life in the Modern World*, New York: 1971 and *The Survival of Capitalism*,

London: 1976; Barthes' critical-semiological analysis, which seeks to liberate the "significant" from the "naturalness" of such "what-goes-without-saying" spectacles as wrestling matches, soap powders, new Citröens and steak and chips. *Mythologies*, New York: 1972; William Leiss, *The Limits to Satisfaction*, Toronto and Buffalo: 1976; and Christopher Lasch, "The Narcissist Society", *The New York Review of Books*, September 30, 1976; and "The Narcissistic Personality of Our Time", *Partisan Review*, vol. xliv, 1, 1977.

90. *Cf.* Habermas, *Toward a Rational Society: Student Protest, Science and Politics*, London: 1971, ch. 6; also, Herbert Marcuse, *One Dimensional Man*, London: 1968, and Michael Oakeshott, *Rationalism in Politics*, London: 1962, pp. 1-36.

91. G. Almond and S. Verba, *The Civic Culture*, Princeton: 1963.

92. *Cf.* Walter Benjamin, "The Work of Art in the Age of Mechanical Reproduction", in *Illuminations*, London: 1973; Max Horkheimer and Theodor Adorno, "The Culture Industry: Enlightenment as Mass Deception", in *Dialectic of Enlightenment*, London: 1973; Theodor Adorno, *Prisms*, London: 1967; and "Culture Industry Reconsidered", *New German Critique*, 6, Fall, 1975. More generally, compare Arnold Hauser, *The Social History of Art*, New York: 1951, vol. 4.

93. C.B. Macpherson, "Who Needs a Theory of the State?", (paper prepared for the 1977 Annual Meeting of the American Political Science Association, Washington, D.C.: September 1-4, 1977).

94. *Ethica Nichomachea*, 1139a, 22-23, in Richard McKeon, ed., *The Basic Works of Aristotle*, New York: 1968.

95. In addition to those works cited above, *cf.* Habermas, *Theory and Practice*, *op. cit.*, ch. I; Neumann, *The Democratic and the Authoritarian State*, *op. cit.*, ch. I; John O'Neill, "Public and Private Space", in *Sociology as a Skin Trade*, New York: 1972; and, of course, Jean Jacques Rousseau, "A Discourse on the Moral Effects of the Arts and Sciences", in G.D.H. Cole, ed., *The Social Contract and Discourses*, New York: 1963.

96. *Selected Works*, I, *op. cit.*, p. 127.

97. G.W.F. Hegel, *The Phenomenology of Mind*, J.B. Baillie trans., New York: 1967, pp. 228-240; *cf.* also the earlier Jena critique of Fichte's solitary self-reflecting "I" via the argument that practical self-consciousness only unfolds on the basis of the struggle for mutual recognition, the exemplar for Hegel being the ethical relationship established between lovers on the prior basis of conflict.

98. *Cf.* Karl Löwith, *From Hegel to Nietzsche*, Garden City: 1967.

99. Thus, as early as 1843 in a communication with Arnold Ruge, Marx complains that Feuerbach's anthropological critique of transcendental thought "talks too much about *nature* and too little about *politics*. This latter is the only means by which present philosophy can become a reality" (cited in David McLellan, *The Young Hegelians and Karl Marx*, London: 1969, p. 113, my emphasis).

100. "The German Ideology", in Easton and Guddat, *op. cit.*, p. 421; *cf.* "Wage Labour and Capital", in Marx and Engels, *Selected Works*, I, *op. cit.*, p. 159.

101. This is a growing concern. Consider Kosik's discussion of labour and praxis *(Dialectics of the Concrete*, Dordrecht and Boston: 1976); Arendt's theory of action *(The Human Condition, op. cit.)*; Althusser's concern with "the reproduction of the relations of production" in *Lenin and Philosophy and Other Essays*, London: 1971, pp. 123-173; Habermas' "universal pragmatics" (*e.g.*, *Legitimation Crisis, op. cit.*, part 3); Baudrillard's concern (*op. cit.*) with the process of "signification"; Lefebvre's focus (*op. cit.*) on *la vie quotidienne*. Attempts at reconstructing the Marxian category of labour were also a feature of the earlier Frankfurt circle, as Martin Jay, (*The Dialectical Imagination*, Boston and Toronto: 1973) indicates. Finally, note that our concern with "symbolic interaction" coincides with the resurgent interest in action, language, and meaning in the post-Wittgenstein philosophical tradition (*e.g.*, Winch, Apel), in the philosophy of science (*e.g.*, Kuhn's theory of paradigms), in literary theory (Derrida, Barthes, Kristeva), and in several non-structural-functionalist movements in the social sciences (*e.g.*, phenomenology, symbolic interactionism, ethno-methodology). See the sketch of these latter developments in Anthony Giddens, *New Roles of Sociological Method*, London: 1976.

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MACHIAVELLI AND GUICCIARDINI: ANCIENTS AND MODERNS

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This essay's aim[1] is to examine the contention, put forward by such diverse scholars as Friedrich Meinecke, Leo Strauss and Felix Gilbert, that Machiavelli's thought and that of other Florentines such as Bernardo Rucellai, marked the start of thinking about "modern" politics and history. It also attempts to consider the paired terms "ancient" and "modern" — what they may mean and have meant, and how far it has been or may be useful to examine the two Florentines in the context of the relation between antiquity and modernity.

Leo Strauss held that we were living in times when modernity had itself become a problem. One might say that the word has always been used to denote a consciously problematical view of the human condition; but doubtless it was some highly self-confident brand of progressivist or dialectical modernism that Strauss had chiefly in mind. At a much simpler level, we can agree that the concept of modernity always presents a rather obvious problem, that of definition. Must we always mean the same thing? It would not be hard to show that the word *modern* is what we make of it; its meaning depends largely upon what we choose to place before it.

If we ask whether there is a sense in which Machiavelli and Guicciardini have been, or may be, said to mark the beginnings of *modern* political thinking, the elementary thought should soon occur to us that what preceded them ought to be termed not *ancient* but medieval. The discussion as to whether their thinking was in fact modern usually becomes a discussion of whether it can be effectively characterised as a breakaway from modes of thinking which can be characterised as *medieval.* This is a great deal more than a difference of terminology. Machiavelli and Guicciardini lived in a culture intellectually dominated by the ideas of the Renaissance humanists, and although these scholars did not use such words as *medieval*, they did have a vividly generalised notion of a period in time which separated them from

those whom they called *the ancients*. This period seemed to them one of barbarism and scholasticism, and they aimed to annul it and escape from it by returning to the ancients, reading their works and imitating their actions. The humanists were *ancients*, as this term was to be used later on, in the days of the "quarrel between the ancients and the moderns", when it denoted those who thought direct imitation of the Greeks and Romans possible and necessary. The point is that we have now a three-part instead of a two-part division of Western cultural history, and *ancient* is being used as the antithesis, not of *modern*, but of something which will soon be known as *medieval*. The Christian civilisation of post-Roman Latinity (or the Latin civilisation of post-Roman Christianity) is seen as occupying the interval between the ancients and the return to them, and the nearest thing to being modern that has so far appeared is being an ancient in the sense of one who would return to the ancients and imitate them. Machiavelli and Guicciardini differed as to how far this imitation was possible in politics, and we shall return to their debate; but they were discussing the governing assumption of their culture, namely that it was possible.

It is implicit in all this that the humanists understood the Christian Latinity which they called barbarous, the medieval, as a radical denial of ancient values, and so it had been. But equating the Christian with the barbarous was a dangerous game, not to be played to a finish until the time of the *philosophes*; and given that with some exceptions — of whom Machiavelli may have been one — the humanists did not wish to break with Christian values and beliefs, there was a formidable tension between retention of these beliefs and direct imitation of the pagan authors. All that the humanists were bringing about was a sharp increase in the risks of a game as old as the Fathers of the Church, and even the neo-pagans among them were ancients, not moderns.

Strauss was certainly not ignorant of the meaning of the word *medieval*, and he knew that among its many meanings it denoted a period during which the values of ancient political philosophy had in some ways been denied and set aside in favour of those of monotheist religion. He rightly held, however, that in so far as there had continued to be political philosophy, it had been the philosophy of Plato and Aristotle, and he held — with considerable justification — that the gulf between this and the revealed religions had in many ways been bridged, so that there continued to be a grand tradition of ancient philosophy throughout the medieval centuries. He pointed out that for Plato and Aristotle, political philosophy culminated in the knowledge of a God, and he believed (correctly) that there had always been minds at work in the monotheist systems labouring to reconcile the God of revelation with the God of philosophy. His insistence that this could only be done with the aid of esoteric teaching might have got him into trouble in the medieval University of

Paris, where such problems were notoriously open to public disputation; but it was in Christian Paris, more than in Muslim Spain which perhaps Strauss better understood, that the justification of philosophy in a monotheist setting became the justification of Aristotelian political society in the setting of the monotheist universe, that the city was presented as leading to the knowledge of God. Here Strauss' highly individual interpretation joins hands with many far more simplistic accounts of Machiavelli as *modern* in the sense of *not medieval.*

It is with the Christianised Aristotelianism of the schoolmen that these accounts all begin, and from this Aristotelianism that they see Machiavelli as departing. The textbooks of historical political philosophy all do this, with or without an interlude on the subject of Marsilius of Padua; and Strauss's *Thoughts on Machiavelli* is essentially an immensely elaborate account of how Machiavelli *intended* to break with *ancient* political philosophy, and *intended* to say many things which Strauss considered the necessary consequences of this breach.

Now one may doubt that this is a correct interpretation of Machiavelli's intentions, or of the ideas which he communicated to other people. This does not mean that if you compare his doctrines with those of the Aristotelian tradition, important implications will not appear; but one may doubt whether it was his intention to express these implications, or whether he or his readers considered assent or dissent from the Aristotelian tradition the most important question before them. One might say merely that Strauss and others like him are historically wrong but may be philosophically right: that the contrast between Aquinas and Machiavelli is there even if the latter did not mean to express it; but in fact the problem does not stop there. Strauss's view of political philosophy does entail a view of its history — a movement from *ancient* (meaning Aristotelian) to *modern* (meaning the negation of *ancient*) — and if you reject this as the historical scheme in which Machiavelli is to be located, it does follow that you read him as expressing other political, if not philosophical, meanings than those read into him by Strauss.

If we locate Machiavelli and Guicciardini among the Florentine civic humanists, the case for characterising them as dissenters from the Aristotelian tradition is weakened. The humanist line of thought, prevalent for over a century, was the work of writers who had been trained in humanist studies and in the Florentine chancellery and other public offices, not in any school where philosophical disputation was a principal means of communication. As Hans Baron and his critics[2] point out, Florentine intellectual culture was more rhetorical than philosophical, and the problems debated in universities were not necessarily those which gave rise to its political ideas. A thinker in the tradition of Platonic philosophy may reply that it is a grave error to discuss politics rhetorically rather than philosophically, and may succeed in showing

that Florentine political thought has characteristics which are the result of this error. To do so, however, will be philosophical criticism rather than an historical account of what those thinkers meant to say or were understood to say by others. In fact, Machiavelli had nothing whatever to say about the Aristotelian political tradition, but it is not a necessary consequence — as Strauss and many after him have attempted to infer — that he meant by his silence to convey the message that it was not worth thinking about. He may simply not have been thinking about it.

This is not to say there are no traces in Florentine thought of the great syntheses of medieval Aristotelianism. In the sermons of Girolamo Savonarola, some of which Machiavelli may have heard, the teachings of St. Thomas Aquinas are unquestionably present, even though when Savonarola thinks he is quoting Aquinas he is sometimes quoting Tolomeo da Lucca's continuation of the *De Regimine Principum*[3]. Savonarola, however, was a Dominican friar, and Dominicans studied Aquinas for obvious reasons; we have to beware of constructing a succession of major philosophers and supposing that this necessarily supplies us with the historical context in which men did their thinking. The first critic so far known to have observed that Machiavelli's thought can be related to the Aristotelian tradition was Tommaso Campanella — another Dominican — about a hundred years later, and he wrote that the study of Aristotle could lead directly to the errors of Machiavelli[4]. This makes sense only by supposing that when Campanella said "Aristotle" he meant Aristotle as studied at Padua, or elsewhere in the late scholastic scene where syntheses such as St. Thomas's were generally accepted, and secular philosophy and politics were much more likely to exist in defiance of their conformity with the Christian faith. The late scholastic scene disintegrates as we look at it; the synthesis of religion and philosophy was not universal, and it was possible to construct schemes of political thought without reference to Aristotelian philosophy at all. The presumption that Machiavelli must be viewed as *modern* because he departs from a *medieval* or *ancient* mainstream or "great tradition" — the last phrase was a favourite with Strauss — is not historically self-evident.

Hans Baron demonstrates that the civic humanist mode of political thought had been autonomous for rather more than a century before Machiavelli's time; and the doctrines against which it contended were not those of Thomas Aquinas. It is not clear that Strauss maintained they were, but for this very reason it may be held that his account of pre-Machiavellian thought is less than satisfactory. When he approached the great question of the relation between political philosophy and revealed religion, his eye was very often upon medieval Jewish rather than Christian thought, and for this reason it was fixed more upon prophecy than upon grace. The Christian challenge to the primacy of political philosophy was expressed for all time by St.

Augustine; and what Augustine desired to say was that souls were brought to salvation by the freely operating grace of God, and that this grace operated through the sacramental institutions of the Church and not through the political institutions of secular justice. The *civitas terrena* was very seldom just, and when it was, its justice did not lead to salvation. Secular time, in which the political city had its being, had very little to do with the processes of salvation and redemption, and the specifically political virtues — grouped by Augustine under the Sallustian title of *libido dominandi* — might not be virtues at all. Now it simply cannot be maintained that the vindication of politics as a thing natural to man — which scholastic theologians attempted during and after the thirteenth century — healed up the breach between *civitas terrena* and *civitas Dei* as if it had never been. The eve of that great Augustinian revolt which we call the Protestant Reformation, was the era of Machiavelli and Guicciardini. However superb we may find the great attempts to articulate it, the medieval synthesis was not even in ruins; it had never been achieved, and one of the consequences is that Florentine political thought is not an attempt at a new political philosophy, but an attempt to constitute political thought on a new basis which, since it did not address itself to the relations of philosophy and grace, had better not be called philosophy at all. It was rhetoric, the attempt to use language as a means of action; and the values to which it appealed were those of the *vita activa.*

The Florentine humanists saw themselves as rhetoricians, as thinkers in action aiming to speak and write so as to reconstitute a world of civic action, and in so speaking they reiterated one of the cardinal phrases of the Hellenic and European tradition: that man is by nature a political animal, incomplete unless enacting and declaring himself within a scheme of civic relationships. Now although this is one of the fundamental premises of political philosophy, it had been insisted on by Plato, and in his own way by Aristotle, that political existence is imperfect unless completed by philosophy. The humanist emphasis on the *vita activa* can be read as a return to the world of Pericles and Alcibiades, to action as it had been before it was questioned by Socrates. True, and very important; but (1) such a return was radically ancient and not modern; (2) we further misinterpret the whole problem of antiquity if we do not realise that the ancients sought after by the humanists were not pre-Socratic Greeks but middle-Stoic Romans; (3) the doctrine that citizenship must be completed by philosophy had been drastically altered by Augustine and other Fathers, who had created a universe in which philosophy was transformed into grace. Strauss saw in history the unremitting struggle of the philosophers to reconquer grace for themselves, but he seems to have thought that the philosophers had usually won. There would not have been a Protestant Reformation if they had won, and there might not have been a humanist revival in politics either.

Given a world in which grace — however much degraded and corrupted by the Church — held against the competition of philosophy the role of completing and perfecting political nature, there could be only two — but overlapping — outcomes for the humanist revival of the assertion that man was by nature political and that the city perfected his nature. Either citizenship must be seen as doing the work of grace — as is proclaimed in the sermons of Savonarola[5] — or it must do its own work in some indifference to the work of grace, as seems to be the message of Machiavelli. We do not understand the sixteenth century if we suppose that ancient philosophy held the field intact against the onslaughts of grace; and to treat the history of philosophy by itself, and organize it into *ancient* and *modern*, may well encourage us to do so.

If we look at the history of what some call civic humanism and others classical republicanism[6], we may see the following. Certain Florentine humanists revived the doctrine that the republic or polis contained all that was necessary to the completion of human life on earth; and they did so in a Christian context where the *civitas terrena* of politics was set over against the *civitas Dei* of grace. For reasons connected with the sharpness of this antithesis, they described the republic in terms of the *vita activa* instead of the *vita contemplativa*, and it is correct to point out that this was likely to entail some abandonment of the Athenian postulate that action must be completed by philosophy; but we mistake the historical context if we suppose that Augustinian grace had been re-absorbed by Thomist or Aristotelian philosophy. These Florentines depicted their own republic as an inheritor or revival of the ancient republic typified by Rome, and in so doing reiterated the humanist vision of an interval of barbarism — which was also an interval of Christianity — separating antiquity and themselves: an interval, in this case, of Christian empire and papacy. They had now raised for themselves a two-sided problem in historical understanding, such as neither ancient philosophers nor ancient historians had confronted. How had this interlude of empire, papacy and (if they thought about it) feudalism come to exist? If the republic was the norm of political life, what explained its decline and replacement by empire in the Roman case, its revival and all too evident instability in the Florentine case, its apparent serenity and unalterability in the case of Venice? These were historical problems, to which philosophy suggested some answers, but by no means all that might be put forward. The experiment in recovering antiquity produced a great gulf in the humanist understanding of time, which must be filled by adducing sacred or secular ideas about history; and there was the further difficulty that the republic had seldom been depicted as a sacred entity, linked with the fulfilment of the Christian redemption.

It may next be argued that history — the succession of events in secular time — could be depicted either as the work of grace, or with the aid of a sharply

limited secular vocabulary. The republic could — although traditions to this effect were somewhat lacking — be said to do the work of grace, bringing human life nearer to salvation by perfecting its political form and earthly justice. This is going on in the sermons of Savonarola, who found means of expressing this doctrine in ways not incompatible with the language of orthodox Thomism: *gratia non tollit naturam, sed perficit.* The republic, however, because of its secular character and its historical instability, must be thought of as existing at specific and separated moments of secular time; and the only way to say that it perfected human life, or restored human life to its original nature — which must be the work of grace — was to say that these were the moments at which grace operated in secular time to do its work of redemption. This in turn could only be said by recourse to the prophetic and apocalyptic, eschatological and millenarian, terminologies of the Christian vocabulary, and Savonarola was neither the first nor the last to find that to be a republican was also to be a prophet. In pursuit of the logic of the prophetic vocabulary, he came to denounce the Pope as Antichrist, and found that this was too much even for the Florentines, who were accustomed to treating the Pope with disrespect, but never forgot to count the political costs of doing so.

Machiavelli and Guicciardini may be brought back into the story here. They both felt considerable respect for Savonarola, both for his role in restoring popular government and for the astonishing effect which his prophecies had upon the Florentine mind; but they did not believe that his prophecies were genuine, and they had noted his ultimate failure — connected like his rise with the French invasion of 1494, which had rendered republican survival more precarious than ever. They therefore concluded that the survival of republics was a secular problem, to be understood if not mastered by mobilising that sharply limited vocabulary for the understanding of secular events described a moment ago. This was organised around the key concepts of custom and fortune. If a secular political structure could be anchored deeply enough in remembered experience and custom, it might acquire a stability which fortune — the symbol of instability in secular and political affairs — would find hard to overthrow. If not, however, every political action was itself the product of this same fortune, its apparent success in achieving stability occurring as fortune's wheel swung upwards, its ultimate failure and downfall occurring as the wheel swung down. In so far as human actions were not rewarded by grace, they were all governed by the wheel of fortune. There were moral qualities and political skills which it was appropriate for men to display in the confrontation with fortune; there was civic and heroic virtue, there was prudence and caution, there was understanding of how a polity might be balanced and rendered just and stable. These were not non-moral qualities, but if one thought of them as existing apart from the operation of grace, they were unlikely to enjoy ultimate

political success — especially on the presumption that only grace could save a city — and they were unlikely to lead to the salvation of souls. Any Christian moralist must say that to save souls was more important than to save the city; but the reply had always been possible that if it was good to save the city, this end must be sought by means other than those which led to the salvation of souls. As early as 1420 — and in a time of conflict with the Papacy — Gino di Neri Capponi had written that Florence needed men who cared more for the good of the city than for the good of their own souls[7]; a phrase Machiavelli was to repeat. Savonarola had seemed to show that only if Florence were a holy city governed in the fulfilment of prophecy were these two ends the same, and he had not brought holiness and Florence together.

In the wake of his failure — and also because they saw that a republic must always be something more than a customary community — Machiavelli and Guicciardini, together with other Florentine writers, set out to see what might be done for a city by those virtues defined by the contention with fortune rather than by the expectation of grace. Since they did not expect to save souls by what they envisaged doing, they accepted that their means would be imperfectly moral; they aimed at achieving stability and success, but they did not expect final success in the contention with fortune either. They might therefore have been orthodox and pious Augustinians, who held that the first priority was to save the *civitas terrena* even though action in this field could never be action in the *civitas Dei.* They were not, however; expressions of Christian faith are lacking in their works, and Machiavelli is prepared to judge the faith severely by the standards of the *civitas terrena.* The paradox is that all this had come about because the civic humanists had repeated the Aristotelian doctrine that man is by nature a political animal in the Augustinian context of a sharp separation between the world of politics and the world of grace. Given the Christian conviction that the only intelligible history is the history of grace, but that grace does not need history in order to be effective — given also the brutal experience of instability that beset the Florentine republic in every generation — the effect had been to make the republic's chief problem that of existence in a history that neither grace nor philosophy could explain. There was a republican rhetoric that could do much towards explaining it; but since only grace (and perhaps philosophy) could furnish final explanations, the theory and practice of republican existence would never bring moral, or political, or historical completeness. To adhere to natural politics in an Augustinian universe must lead to ambivalence and ultimately to historicism. When Guicciardini asks himself why a republic is necessary for Florence, he does not answer in terms of the nature of politics nor the nature of man, but of the nature of the Florentines. They are that way, he says; their history has made them such that they will never be content without a republic, but they are most unlikely ever to achieve one[8]. The only nature here is second nature,

that which is produced by history; but the point is less that Guicciardini has abandoned the philosophical principle that men are by nature political and need philosophy in order to perfect their politics, than that to assert human politicality in an Augustinian universe was to leave it ultimately intelligible only in a history which must be either sacred or secular. Augustine had told the Florentines this would happen; but political animals they were, and they went ahead, between 1494 and 1530, to face the choices expressed in the writings of Savonarola and Machiavelli.

Machiavelli's drastic innovation was to isolate and apply the Roman notion of *virtù*, that dominant and ruling quality by which men confronted fortune and overcame it insofar as it was ever possible to do so. In *Il Principe* he developed this notion in connection with the figure of the "new prince", who — unlike the "born prince", who was so far legitimised by custom that he had little to fear from fortune and little need of *virtù* — had made himself ruler by means that disturbed the customs of his subjects and left him exposed to fortune and needing all the *virtù* he could display. This kind of adventurer was no longer common even in Italy, and in later centuries only Napoleon Bonaparte exemplified the combination of *condottiere* and legislator which Machiavelli sketched in his portrait. We have to remember how carefully the new prince was defined by the abnormality of his situation before leaping to the conclusion that he is intended to be a type of political actor as such. It is true that *virtù* is defined as not only that which he needs as a consequence of his usurpation, but that which moved him to perform the usurpation in the first place. This is linked with a study of innovation as destroying the conditions which might have made it legitimate; but *Il Principe* may be intended as a study and typology of innovation rather than of political action. Once again, when Machiavelli explains how the "new prince" must and should behave immorally in order to maintain his position, we should not let our indignation at the suggestion that *any* political being should behave like this lead us into supposing that we are being told that *all* political beings should. The new prince is living in a world of disorder which is often of his own creating, and it does not seem that he is going to find a way out of it. He cannot change the nature of his subjects by teaching them new customs, and he cannot alter his own nature as fact as his circumstances will alter; this is why fortune will always have power over him[9]. He is not the author of a new political order, but a successful rider on the wheel of fortune in a politics permanently disordered by his own act. In consequence, though he is constantly adjured to study and imitate the lessons of anitiquity, this does not mean that there is any classical type — certainly not Cesare Borgia — on whom he can permanently model himself. The new princes of the past, like those of the present, lived in disordered, not in patterned circumstances; none of their actions could be proof against fortune, and every situation in which the

prince might find himself had the uniqueness of irrationality. We shall have to ask the question: is this or is this not modernity?

In his greater work the *Discorsi*, Machiavelli turned his attention from the prince to the citizen and considered the political structure of republics. For reasons which need not be considered in detail here, he resolved that the most interesting republic to study was the armed and expansive city, like republican Rome, which alone would give arms to its non-noble citizens and in consequence admit them to political rights. There was an intrinsic relationship between expansion of the city and the extension of citizenship, or between imperialism and democracy. The nobles gave the people arms because they were needed in the legions, and the people employed their arms in claiming their political rights. There would always be tension between the two but this would make the city more warlike and more free; a belief which Guicciardini found he could not accept, since there could be neither rule nor law without order, even if this must be imposed by authority. Leo Strauss' *Thoughts on Machiavelli* consists largely of a series of arguments to the effect that this creative tension between nobles and people is a deception, and that the *Discorsi* consists of a series of covert instructions to the rulers on how the ruled may be manipulated and deceived. The arguments are tortured and the conclusions exaggerated. The relation between nobles and people is ambiguous; it is assumed that the nobles will try to deceive, as the people will try not to be deceived, and that the victory of either may be occasionally desirable, just as the tension between the two will be permanently valuable. Every reader of Machiavelli's age and the next who considered the matter, seemed to see clearly that he was a *popolano* who advocated non-noble participation in government, and in grounding this in popular possession of arms, ensured in his theory that the people's role would be more than a merely deferential one. A central theme is that possession of arms and possession of political capacity are one and the same, and that *virtù* rests upon both. Unlike the *virtù* of the new prince, that of the citizen entails law and liberty, obedience and equality; it has a complex moral code. Because its end is the expansiveness of the city, without which it cannot exist, it is not identical with Christian morality, and the historical world which *virtù* creates is incompatible with that created by Christian redemption. A city's *virtù* grows by destroying the *virtù* of others; when one city rules the whole world, its *virtù* will corrode and degenerate; there will be a collapse, a cataclysm, and the process will begin again[10]. This vision of history is not modern; it is Roman and pre-Christian, though it flourished for a while in early modern history.

Guicciardini liked to consider himself a more cautious thinker than Machiavelli, and was more closely aligned with the Florentine political aristocracy, although these were not nobility. He held prudence rather than *virtù* to be the quality with which men sought to guide themselves through

disordered political and moral situations, although this quality too was imperfectly moral. The difference is that through *virtù* one can hope to impose one's own pattern on these situations, whereas through prudence one aims only to diagnose situations which one cannot control and guide oneself accordingly. For this reason Guicciardini held that Machiavelli had overestimated the extent to which it was possible to imitate the actions of antiquity; not only did the situations which had existed in the past not recur in identical form in the present — Machiavelli knew this well enough — but one could not, so to speak, make them recur by the imposition of *virtù* on the present. If we look closely at Guicciardini's criticisms of Machiavelli one finds him repeatedly saying that we cannot imitate the actions of the early Romans unless we command legions of armed citizens[11]. It is a cardinal fact about his own times that Florence did not command a citizen militia — although he agrees that it would be a very good thing, morally as well as politically, if there were one. There is need of the sagacity of a wise and prudent few, who can guide the city's policy in situations which arms cannot command. So far there is little disagreement with Machiavelli in principle or theory, but Guiccciardini does go on to express doubt whether there ever existed the intimate relationship between arms and citizenship which Machiavelli had detected at Rome. The plebians were not good citizens because their arms made them so; military discipline was an independent variable, founded by the kings rather than the consuls, which held Rome together when the dissensions of nobles and people, inherent in the republic's political structure, would otherwise have torn the city apart[12].

What seems to be happening here is that Guicciardini's rejection of the *virtù* which can control the present is increasing his scepticism as to the extent to which we can guide ourselves by knowing the past, and consequently his awareness of the incoherence and elusiveness of all historical situations past and present. In addition to his *Considerations on Machiavelli's Discourses*, his *Ricordi* — a collection of political maxims — developed a series of warnings about the extreme difficulty of applying prudence itself to the understanding of history and politics, and how easy it is to let one's sensitivity to the complexity of things betray one into believing that one has comprehended them, whereas it is the contrary lesson that one ought to be learning[13]. In his last and greatest work, the *History of Italy*, we seem to see him in retirement from active politics, moving towards the belief that nothing is left but to write the history of events, seeking less to understand the forces which made them happen than the forces which made men — including the author himself — constantly mislead themselves as they tried to understand and control them[14]. This pessimism and historicism present the extreme outcome of the civic humanists' discovery that the life of political societies took place in secular time, and that secular time was controlled by neither

philosophy nor grace. The further discovery that secular action could be assured of neither morality nor success was common to both Machiavelli and Guicciardini, and had nothing whatever that was new about it. What was new — or at least un-medieval — about them was their belief that men were morally and politically obliged to undertake action whose morality could not be assured. The polis had its morality, which was not the morality of the *civitas Dei*, and consequently neither morality was complete. Machiavelli expressed this in the image of the centaur, half man and half beast; and the secular time in which the centaur had his being can be appropriately termed history.

There seems a sound case, then, for the view that the Florentines arrived at a position of historicism, of insisting that the crucial characteristic of moral and political life is that it is lived in history. Historicism sounds very modern, in the sense that it is neither ancient nor medieval, yet the variety of historicism we have been looking at was compounded wholly out of the tension between ancient and medieval materials. The civic humanists sought to imitate the actions of antiquity, and to assert the primacy of political values, which is an ancient ideal; they did so in the context of Augustine's radical separation between the values of citizenship and those of redemption, between the secular history which contained the former and the sacred history which led to the latter, and these are postulates of medieval thought. Out of this tension emerged the Florentine variety of historicism; but is this historicism to be termed modern? It depends what one means by the word, and one needs some canons for its use.

I have challenged the idea of a transition from ancient to modern, on the grounds that the medieval world was profoundly divided between Athenian, Roman and Christian values. Leo Strauss' vision of history, although he might not have owned to having one[15], was focussed on the history of political philosophy, and on the assumption that Aristotelians had bridged the gap between political philosophy and redemptive grace. There may be a case for continuing to organise the history of political philosophy into ancient and modern, but the Augustinian position involved a denial that there could be such a thing as political philosophy at all, and I have been advancing the paradox that the Florentine predicament had more in common with that. They were trying to act and to imitate in a world where secular and sacred were so sharply divided that imitation proved destructive of all except history. Negating philosophy was a philosophical act for Strauss, and had philosophical consequences; this is an intelligible position, but he tells us he first considered Hobbes the founder of modern political philosophy, and later came to think it was Machiavelli. There is an important crux here. We know that Hobbes aimed to set up a modern political philosophy because he tells us so himself; he says that for two thousand years Western thought has been dominated by

Athenian philosophy; the political and philosophical consequences have been disastrous, and that there is need for something else[16]. He proceeds to set up what is certainly a philosophy and certainly political; this is certainly modern in the sense that it differs radically from the ancient and medieval. Now the trouble about Machiavelli, and Guicciardini too, is that they do not say anything about philosophy or philosophers at all; or if some limited transitory allusions consider political philosophy, they signal the author's intentions of doing something so different that it will not be a different kind of philosophy, but something else altogether. This is what they proceed to do; they explore the idea of imitation so radically that doing so becomes an exploration of the idea of history. This is open to philosophical criticism; it has consequences in the historical world with which the philosopher may have to reckon as he tries to express his philosophy as a denizen of that world, but it is not philosophy, but something else. Strauss' attempts to show that Machiavelli was trying to create a new philosophy in the same way that Thomas Hobbes was are unbelievably complicated and indirect, and they end with nothing more than the contention that he was covertly preaching a pseudo-normative doctrine of amoral individualism, which many have found in his writings and equated it with Hobbes, as did Strauss. Machiavelli's explorations of the problem of history, on which Guicciardini commented, are altogether subordinated. I suggest the attempt was misconceived, Machiavelli was not a political philosopher, and the historical context which makes him intelligible is not one in which political philosophy is the dominant presence.

The idea of basing action upon imitation is, in a sense, pre-philosophcal. Socrates and Plato set out to show that it was not enough, and the latter might well have said that the humanists of the Renaissance were making the same mistake as those Athenians who tried to base action upon imitation of the heroes of epic poetry. The Florentines developed an independent enquiry into the moral and political imperfection — which was at the same time a moral and political necessity — of imitating the actions of ancient history. The ancients did not conduct such an enquiry, but discovering how difficult it is to imitate the actions of antiquity is not enough to make you a modern if you go on trying to do it and do not discover any alternative principles on which action can be based. The discovery which Machiavelli and Guicciardini made of the enormous difficulty and imperfection of action in historic time is based on the discovery that secular time is not controlled by grace or rendered intelligible by philosophy; it is not based on the discovery that secular processes in history are perpetually producing objective conditions which have not existed before, and this is the essential condition of anything we can call a consciousness of modernity. Hobbes may have intended to produce a philosophy unlike any that had existed previously, but I doubt if this means he had any modern sense of historical process. His historical scheme remains

prophetic and eschatological[17]; but Machiavelli had no such intention. When he talks of the need for "new modes and orders", he means that such modes and orders must be securely founded on the practice of antiquity and will be new in the normal pre-modern sense that they will be renewed, "the world's great age begins anew, the golden years return." Since all such imitation is carried out in a world subject to fortune, there is a probability that such a *renovatio* will turn out to be an *innovatio*, that self-destructive mode of action which removes the conditions on which it was founded. The Machiavellian doctrine of action, then is neither ancient nor modern in any simple sense; but the paradigm remains that of imitating antiquity in the knowledge that this is not altogether possible. Guicciardini, who thinks that Machiavelli over-simplifies the case, does not differ from him as to the paradigm; while Hobbes is a modern who has not become a historicist.

Towards the end of Hobbes' lifetime — and more than a century after the end of Machiavelli's and Guicciardini's — there raged that "quarrel of the ancients and moderns" from which our usage of the last term is largely derived. An *ancient* was one who still thought it of paramount importance to imitate antiquity; a *modern* was one who did not; but there were two distinguishable if overlapping reasons for being a modern. One might believe that one had succeeded in something which the Greeks and Romans had attempted but failed to do; or one might believe that one had discovered how to do something which they had never attempted, and shown that they had been on the wrong track or that their enterprise was now unnecessary. The frame of mind which holds that imitation of antiquity is highly desirable but almost impossibly difficult will not supply modernity in the former sense, and will supply it in the latter only if, as the result of the tension between theory and practice, "modes and orders" which are in fact new have been discovered and exploited. Had anything of the kind occurred in the wake of Machiavelli and Guicciardini? It seems unlikely. There had been a widespread investigation of *raison d'état*, which owed a great deal to them both[18]; but for the most part this was a further development of the casuistical problems[19] which arose when it was admitted that the morality of state action differed from the morality of private action, and the consequent attempt to identify the "interest of states", and show how these determined action of the former kind, had not yet shown that the modern state differed in character or purpose from the ancient. Furthermore, when we encounter the "quarrel of ancients and moderns" in a strictly political form, and it is asked for the first time whether the modern political individual is a different sort of being from the ancient, we find, regularly employed to define the ancient and criticise the modern, Machiavelli's equation between arms-bearer and citizen. He insists that it is the possession of arms which endows the individual with political autonomy and the capacity for virtue in either a classical or a Machiavellian sense.

Strauss contended that Machiavelli, like Hobbes, was the author of a radical individualism which depicted men as seeking private good first and public good second; but what we find, towards the year 1700, is a persistent contrast between the ancient or medieval warrior whose arms permitted him to engage in his own government, and the individual of commercial and cultivated society who preferred to purchase the goods which commerce made possible, while paying others to defend him, govern him and represent him[20]. The latter is the archetype of modernity and is only very indirectly the heir of Hobbes. If this is so, Machiavelli and even Guiciardini rank among the ancients in the great quarrel, both because they knew no positive alternative to imitation of the ancients and because they tended — Machiavelli less equivocally, on the whole, than his friend and critic — to depict the political individual in the shape of classical citizen.

In conclusion, the Florentines rank as ancients rather than moderns; and if it be objected that an *ancient* in this sense is still a modern phenomenon, both because to imitate antiquity is not to be an antique man and because the imitation of antiquity is a post-medieval ideal, I reply that modernity appears only when there are secular means of knowing oneself to be a different sort of secular being from an antique man. The struggle for imitation and revival produced an acute awareness of history and a pre-modern species of historicism; but there is a profound difference between an historicism which presents history as a secular flux ruled by fortune, and one which presents it as a secular process and transformation. It was the advent of commercial society which convinced theorists after 1700 that the world had changed and the classical ideal of citizenship ceased to be viable[21]. Their historicism consisted in visualising, with Rousseau, the historical process which had rendered man civilised as one and the same with that which had deprived him of his political virtue. From there the path lay towards Kant, Hegel and Marx, towards the attempt to identify consciousness of self with consciousness of the contradictions of the historical process. To all of this the Florentines' contribution seems to have consisted less in the architecture of modernity than in the neo-classical antithesis against which it was shaped. They were moderns only in the sense that they were ancients.

History
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Notes

1. Based upon a lecture given under the auspices of the History and Political Science Departments of Simon Fraser University, July 17, 1978.

2. Baron, *The Crisis of the Early Italian Renaissance*, Princeton University Press, 1966. Jerrold E. Seigel, *Rhetoric and Philosophy in Renaissance Humanism*, Princeton University Press, 1968. George Holmes, *The Florentine Enlightenment, 1400-1450*, London: Weidenfeld and Nicolson, 1969.

3. See Charles T. Davis, "Roman Patriotism and Republican Propaganda: Ptolemy of Lucca and Pope Nicholas III", *Speculum*, L, 3, 1975, pp. 411-33.

4. Rodolfo De Mattei, *Dal Premachiavellismo all'Antimachiavellismo*, Florence: G. C. Sansoni, 1969, pp. 159-60.

5. Donald Weinstein, *Savonarola and Florence: Prophecy and Patriotism in the Renaissance*, Princeton University Press, 1970.

6. In the next few paragraphs I summarise arguments to be found in my *The Machiavellian Moment: Florentine Political Thought and the Atlantic Republican Tradition*, Princeton University Press, 1975.

7. L. Muratori, *Rerum Italicorum Scriptores*, Milan: 1723-51, vol. XVIII, col. 1149. Renzo Sereno, "The *Ricordi* of Gino di Neri Capponi", *American Political Science Review*, 52, 4, 1958, pp. 1118-22.

8. Roberto Palmarocchi, ed., *Francesco Guicciardini: Dialogo e Discorsi del Reggimento di Firenze*, Bari: Laterza, 1932, pp. 94-5, 223, 261-62. *Machiavellian Moment*, pp. 125-6, 142-3, 250-1.

9. *Il Principe*, ch. XXV. *Machiavellian Moment*, pp. 96-7, 179-80.

10. *Discorsi*, II, 5; *Machiavellian Moment*, pp. 216-8.

11. *Considerations on the Discourses of Machiavelli*, in *Selected Writings*, ed. and trans. Cecil and Margaret Grayson, London: Oxford University Press, 1965, pp. 69, 117; *Ricordi*, trans. Mario Domandi, *Maxims and Reflections of a Renaissance Statesman*, New York: Harper Torchbooks, 1965, p. 69; Palmarocchi, *Dialogo e Discorsi*, pp. 68, 90-93, 155. See Herbert Butterfield, *The Statecraft of Machiavelli*, London: G. Bell, 1955, *Machiavellian Moment*, pp. 239, 245-48, 268-70.

12. *Dialogo e Discorsi*, pp. 148-58.

13. *Machiavellian Moment*, pp. 267-8.

14. Mark Phillips, *Francesco Guicciardini: The Historian's Craft*, University of Toronto Press, 1977. Felix Gilbert, *Machiavelli and Guicciardini: Politics and History in Sixteenth-Century Florence*, Princeton University Press, 1965.

15. *Cf.* John Gunnell, "The Myth of the Tradition", *American Political Science Review*, 72, 1, 1978, pp. 122-34.

16. *Leviathan*, ch. 46.

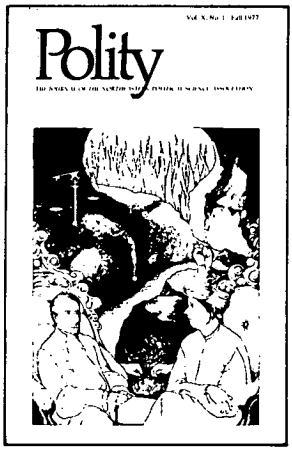
17. Pocock, "Time, History and Eschatology in the Thought of Thomas Hobbes", in *Politics, Language and Time*, New York: Atheneum, 1971.

18. Friedrich Meinecke, *Der Idee der Staatsräson*, English translation, *Machiavellism*, New Haven: Yale University Press, 1957. E. Thuau, *Raison d'état et pensée politique à l'epoque de Richelieu*, Paris: Colin, 1966. W. F. Church, *Richelieu and Reason of State*, Princeton University Press, 1972. Although Machiavellian elements are evident in these writers, the role of Guicciardini has been little studied; see forthcoming work by Lionel A. McKenzie, Johns Hopkins University.

19. See George L. Mosse, *The Holy Pretence: A Study in Christianity and Reason of State from William Perkins to John Winthrop*, Oxford: Basil Blackwell, 1957.

20. *Machiavellian Moment*, ch. 13.

21. Joseph E. Cropsey, *Polity and Economy: An Interpretation of the Principles of Adam Smith*, The Hague: Nijhoff, 1957. *More Straussiano*, he links the pursuit of wealth in Smith directly with the fear of violent death in Hobbes. For discussion, see Donald Winch, *Adam Smith's Politics: An Essay in Historiographic Revision*, Cambridge University Press, 1978.



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HEGEL ON POSSESSION AND PROPERTY

F.R. Cristi

In his *Philosophy of Right* (1820) Hegel distinguishes between possession and property. This distinction, frequent in modern political philosophy, is usually found in connection with the notions of the state of nature and the state of right. Possession refers to the exclusive use, enjoyment or disposal of a thing, unhampered by any restrictions. The conceptual space assigned for the enactment of this possessive relation with the world is the state of nature. Property emerges subsequently when the state of right appears, and one could summarily define it as the rightful possession of a thing. In Hegel's thought this distinction suffers substantial alterations. Possession loses its logical and temporal priority over property. This coincides with Hegel's tacit dismissal of the notion of the state of nature. The state of right does not appear as a result but as an ideal first, as a beginning, property attains an absolute character. It becomes the expression of the freedom of the autonomous individual, who can now appropriate external things without any kind of mediation. The right of property is conceived consequently as an absolute first and a beginning.

In this essay I will first examine Hegel's distinction between possession and property, limiting my scope to the *Philosophy of Right.*[1] Secondly, I will explore the fate of this distinction in some of Hegel's predecessors: Rousseau, Fichte and Kant. Their views provide for the understanding of Hegel's standpoint.

I

The distinction between possession and property is made explicit in paragraph #45 of the *Philospohy of Right.*[2]

> That I may have external power over something constitutes possession. The particular interest of possession is that I make something my own as a result of my natural needs, impulses and arbitrary will (*Willkür*). But that I as a free will make myself objective in possession and thereby for the first time become an actual will, constitutes the true and rightful (*rechtliche*) factor in possession, the determination of property.

Possession is thus defined as an external power over something. It is presented as a mere manifestation of power, and not as a right. It cannot constitute a right because it results from expressing our natural arbitrary will. Furthermore, this power over a thing is characterized as being external. It is our natural will that remains external to the thing. The thing then retains a certain measure of self-subsistence and independence, and it resists being totally absorbed by that will. Property, on the contrary, involves a rightful or lawful relation of the will to the thing. This new relationship implies a suspension of externality. Free will is now able to actualize itself by fully penetrating and saturating the thing. The thing is eliminated as a thing in itself. It becomes an object, or what amounts to the same; the will becomes objective in the thing itself. There appears to be no resistance to the invading rights of the will. The barriers of otherness are eliminated and free will, in becoming its own object, attains infinity. The thing which formerly confronted the will, and which now has become its property, can keep nothing for itself. As property, it cannot "reserve anything proper for itself, whereas in possession, as an external relation, there remained a residual externality" (#52). With property we find ourselves beyond mere natural or arbitrary will and within the sphere of right.

In modern political philosophy this distinction between possession and property was not presented abstractly. Its terms did not remain confronted to one another, nor did they retain their logical independence. It had rather the character of a transition from one term to the other, from possession towards property. Political philosophers were generally interested in legitimating property and they thought they could do this by bringing the process of appropriation into the open. In my view, it is clear that Hegel accepts the distinction as moderns do, but his understanding of it is such that it obscures and makes it practically impossible to conceive a transition from possession to property. In his hands, the distinction collapses, and the reason for this is quite simple. One of the terms of the distinction, possession, which should serve as the point of departure for the appropriating process, does not retain a logical space of its own in Hegel's philosophical elaboration. For Hegel, possession is

constituted by the manifestation of natural will as opposed to free will. It is not clear, however, why free will can, while arbitrary will cannot, break the thing's resistance. What is the nature of the barrier that protects the thing from being saturated by natural will, and which, at the same time, seems to dissolve completely in the presence of free will? Since it is inconceivable to think that the thing can control and regulate the resistance it presents, why is property not constituted immediately, without an intermediate possessive stage? In the absence of objective limitations, what prevents natural will from fully appropriating the thing? These difficulties indicate that possession cannot be conceived as being logically prior to property.

The continuation of Hegel's argument in this section of the *Philosophy of Right* shows that possession cannot be thought of being temporally prior to property. Appropriation is now immediate, and the possibility of a transition from possession to property is cancelled. Consider what Hegel says in paragraph #50:

> That a thing belongs to the one who happens to be the first to take possession of it, is both understandable and a superficial determination: a second person cannot take into possession what is already (*bereits*) the property of another.

On the one hand, it is clear from this text that the first possessor will find no objective limitations in the thing itself, limitations which would force him/her to maintain himself/herself, for an unspecified period of time, in a stage of mere possession. When a second person appears, this person discovers that the first possessor is already a proprietor. When did this latter event take place? When did the mere possessor of a thing become its proprietor? In view of that absence of objective limitations, the time lying between the possessive apprehension of the first possessor and the claim raised by the second person may be approximated *ad infinitum*. This ultimately means that the first possessor is simultaneously the first proprietor, and that therefore appropriation is immediate. There is no room for a purely possessive stage prior to appropriation. On the other hand, Hegel does not allow that the second person, who is presenting a claim on that same thing, may acquire at any moment a possessive relation with it, while the thing is still the property of the first "possessor". The thing can only serve as the term of one relationship, the property relationship. Between non-property and property there can be no intermediate stage. Possession is not able to assert a conceptual space or time

of its own. The distinction between possession and property collapses in favour of property.

One could still interpret the text quoted above as saying that property is constituted only when a second person appears on the scene. Before this second person challenges the possession held by the first person, we are in the presence of a purely possessive relationship. It is not a question, therefore, of logical or mere temporal priority. There is an additional element constituted by the confrontation between two persons, and it is precisely this that consolidates the possession of the first person and makes it his/her property. Property must be defined as the social affirmation of possession. In possession we find a purely individualistic, monadic relationship between a person and a thing, while property presupposes social recognition. The paragraph that immediately follows paragraph #50 seems to confirm this view:

> For there to be property, as *Dasein* of personality, it is not sufficient that my internal representation and will determine that something should be mine; to secure that end possessive apprehension (*Besitzergreifung*) is required. The determinate being acquired hereby by that will, includes the cognizability (*Erkennbarkeit*) in itself by others. — That the thing which I take into possession should be without a master is a self-evident negative condition or rather related to an anticipated reference to another (#51).[3]

This text seems to say that the cognition of others is an essential requirement for the constitution of property. When another person is able to know that a thing is my property, only then can that thing rightfully become mine. Prior to that, my relation to the thing would have to be merely possessive. A closer consideration of the text indicates, however, that possessive apprehension is not prior, but actually follows, the constitution of property. Property is grounded solely on the internal will of a person and it is as *Dasein* of personality that it requires external completion, *i.e.* the actual possessive apprehension of the already appropriated thing. Possession serves merely as an indication, as an outward sign attached to property to warn other parties who may desire to invade that previously constituted right. Possession appears now to be adding a social dimension to property, which in turn becomes a purely private relation of my internal will and representation to a thing. The presence of other parties does not represent a positive condition for

property. Other persons are actually always present, but it is a purely negative presence, the presence of a non-presence. It is a condition for constituting a property relationship to a thing that no other party actually be in a similar relationship with it. In order to assure the presence of the non-presence of another party Hegel includes a condition, a positive condition this time (*i.e.* possessive apprehension) whereby my property becomes congnizable to others.

It should be noted that, at this stage, Hegel is only requiring cognition and not recognition (*Anerkennung*). Recognition implies the existence of other persons actively involved in the constitution of my property relationships. The right of property loses its immediacy insofar as my rights over a thing are mediated by the will of another person. Recognition is the basis on which stands the responsibility of others to acknowledge and respect my property. Hegel, however, has been careful to point out in paragraph #51 that it is mere cognition by others that is assured by possessive apprehension. It is also clear that this cognition arrives late, that is, when the abstract property relationship between myself and a thing is already constituted.

Hegel's conception of property is not altered when he finally introduces recognition. This he does in the paragraph that marks the transition from the sphere of property to that of contract.

> *Dasein*, as determinate being, is essentially being for another. Property, insofar as it is *Dasein* as external thing, is for other externalities and it is connected with necessity and contingency. But, as *Dasein* of the will, it is only for the will of another person. This relation of will to will is the proper and true ground in which freedom has *Dasein*. This mediation constitutes the sphere of contract, namely the fact that I hold property not merely by means of a thing and my subjective will, but by means of another person's will as well and so by means of a common will (#71).

Property constitutes the *Dasein* of freedom. Freedom must therefore be characterized as being essentially for another. We have already seen that insofar as a thing becomes the property of a person, it loses its self-subsistence and independence, thus becoming essentially for another. In this case the reference is a person. Yet, Hegel perceives two other possible references. On the one hand, there is a purely natural reference, according to which a thing, as the property of a person, retains its materiality, and therefore its natural

connections of necessity and contingency with other external things. On the other hand, there is a reference that does not consider so much the *thing* that has become my property, but my *property* over that thing. This is property as "*Dasein* of the will". I can become a proprietor, *i.e.* my will can attain exclusive right to use, enjoy or dispose of a thing, when I am recognized as such by another party. Thus, I am a proprietor "for the will of another person." I hold property not as an abstract will any more, but my will is mediated by the recognition of another party. Hegel has now moved to the sphere of contract. Surely, I do not have to wait for the recognition of another person (or persons) to become the proprietor of a thing. There is a pre-contractual stage within which property is solely constituted by the relation of my subjective will to a thing. When the transition is made to contractual property, recognition becomes essential, for "contract presupposes that the parties involved recognize themselves as persons and proprietors" (#71).

The distinction between possession and property surfaces again in the sphere of contract. It is presented in exactly the same terms as it appeared in paragraph #51. Possession now constitutes a pure stipulation, a ceremonial completion for the contractual relation:

> The distinction between property and possession . . . becomes in the sphere of contract the distinction between the common will as covenant and its actualization as performance (*Leistung*) (#78).

Possession should not be taken as an intermediate station between non-property and property. Property, according to Hegel, is an immediate relation between a person and a thing. There is no place for a possessive relationship established prior to property.

II

In modern political philosophy the notion of possession is tied, in the last analysis, to that of the state of nature. In the *Philosophy of Right* Hegel, at least initially, admits such a connection by associating possession with natural will. Even though he finds a place for natural will in his political theory, he forsakes the notion of the state of nature. In modern thought this notion served as a basis on which to stand political society. It generally represented an original pre-political state of affairs characterized by the existence of equal individuals with a capacity to express their own particular desires and wills

without hindrances. The particularity of their wills was not hampered by any form of universality having regulatory power over them. This state of nature meant, in general, a sort of veritable anarchy, qualified and measured diversely according to different authors. Hegel's endeavour is aimed at making this notion perfectly dispensable. The collapse of the distinction between possession and property and the diminished status assigned to possession must be seen as a manifestation of that same endeavour.

Now I turn to a summary discussion of the fate of the distinction between possession and property in Rousseau, Fichte and Kant.[4]

The distinction between possession and property and the ascription of possession to the state of nature are visible features of Rousseau's political philosophy. In *The Social Contract* (1762), Rousseau distinguishes between possession and property, assigning the former to the state of nature, where human beings enjoy natural freedom, and the latter to civil society, the realm of civil liberty. Possession results from the "effect of force and the right of the first occupier."[5] It is a solitary relationship between a person and a thing with no manifestation of a common will. Property, on the contrary, presupposes a common will and as such it "can only be founded on a positive title."[6] Rousseau considers property as "the most sacred of all rights of citizenship."[7] Yet, for all its sanctity, it does not constitute a natural right. Human beings do not have this right in the state of nature where they can only attain mere possession of external things. Rousseau, furthermore, perceives that behind this sacred right there lies "clever usurpation."[8] This induces him to set limitations to this right. The sovereignty of the general will, which stands above it, can certainly annihilate it.[9] The right of property ceases to be an absolute right of the individual. It is now conditioned by the requirement that "no citizen shall ever be wealthy enough to buy another, and none poor enough to be forced to sell himself."[10]

Following Rousseau very closely, Fichte, in his *Grundlage des Naturrechts* (1796/7), also distinguishes between possession and property.[11] In the background one can clearly discern the notion of the state of nature. According to Fichte, within the state of nature human beings can only be considered as persons, not as individuals. A person's relation to the world in the state of nature is a purely possessive one. It is only when individuals emerge into a state of contractual right that they can attain property. Thus, property is not a natural right, and it can only be grounded on the reciprocal recognition of individuals.

> When man is posited in relation to others, his possession becomes rightful (*rechtliche*) only insofar as he is recognized by others. In this manner, he attains for the

> first time external common legitimation, common to him and the parties that recognize him. Thus possession becomes property for the first time, *i.e.* something individual.[12]

There is no space for pre-contractual property. Property cannot be conceived of as an absolute right. It is grounded on a social contract which imposes limitations on that right. This means that I can hold a certain amount of property "on condition that all citizens can make a living on their own. Civil property is cancelled when citizens cannot live on their own; it becomes their property. Obviously, this must be determined by the power of the state."[13] This is a clear expression of Jacobinism on the part of Fichte. His liberal views of earlier years have now taken a sharp turn toward radical democracy.[14] It is in these conclusions that we can perceive the revolutionary possibilities of the distinction between possession and property.

Kant, in his *Metaphysik der Sitten* (1797), was perhaps the first to perceive philosophically the Jacobin consequences implicit in the distinction between possession and property in modern political philosophy. Kant sees no point in rejecting the distinction between a state of nature and a state of right or civil state. Again, following Rousseau, he associates ownership *i.e.* property, with the state of right. "To have something external as one's own (*das Seine*) is possible only in a state of right, under a public legislative power, *i.e.* in a civil state."[15] This thesis, however, is immediately followed by one which extends property to the state of nature. Kant states: "In the state of nature there can be a real, if only provisional external ownership (*Mein und Dein*)."[16] Kant's demonstration of this latter thesis is extremely interesting because it prefigures Hegel's standpoint in the *Philosophy of Right*. If Hegel's aim in this work can be said to consist, in the last analysis, in a refutation of Rousseau's and Fichte's radical democratic posture, then Kant is surely its immediate antecedent.

> Natural right in the state of a civil constitution . . . cannot suffer attacks from statutory laws. Thus, the following legal principle maintains its validity: "Whoever follows the maxim according to which it is impossible for me to own the object of my arbitrary will (*Willkür*), does injury to me". For the civil constitution is only the state of right, through which ownership (*das Seine*) is merely secured (*gesichert*), but not, properly speaking, constituted and determined.[17]

Ownership which is secured by right, in other words, property, is not constituted and determined only when one moves towards the sphere of right. On the contrary, it is constituted and determined with priority in the state of nature. The state of right poses only a guarantee that one's property will be respected. "A guarantee", says Kant, "presupposes one's ownership."[18] Firmly anchored within the state of nature, property cannot suffer attacks from positive legislation. Moving away from Rousseau and Fichte, Kant has rehabilitated property as a natural right.

> Therefore, prior to the civil constitution, ownership must be regarded as possible. A right to compel everyone with whom we could engage in any sort of trade to enter with us in a constitution where ownership is secured, must also be regarded as possible.[19]

On this basis Kant is able to distinguish between a provisionally-rightful possession and a peremptory possession. The first one occurs in the state of nature, which therefore, by definition, presupposes the possibility of a state of right. Provisionally-rightful possession is an anticipation of and preparation for peremptory possession and it can only be conceived of under a civil constitution. Peremptory possession (which coincides with Hegel's notion of property as rightful possession), follows upon provisionally-rightful possession, perfecting it. Yet, in a certain respect, the latter presupposes the former. Kant recognizes that the transition to the state of right is prefigured in the state of nature. The state of nature is potentially a state of right. In the former I stand as a mere person defined only by my particularity, but before I become involved in any sort of civil intercourse with other persons, the possibility of such a situation precedes its actualization. This constitutes my right to compel others who are also willing to enter into a civil situation into which I will also be drawn, to recognize their own civil will, *viz.* the will to recognize me as a subject of rights. When this takes place one can be sure that a state of right has emerged within the state of nature.

Kant is careful to maintain the distinction between the state of nature and the state of right at all costs. He prevents their collapse into one another by his use of the notion "provisional", so that the state of nature must be thought of as only "provisionally" being a state of right. In order to strengthen this distinction Kant subsequently brings forth a conception of the state of right as *ideally* present in the state of nature. This becomes manifest when he explains the reason why there can be acquisition of property within the state of nature. If the state of nature is defined as a privation, *i.e.* the privation of right,

evidently no property *qua* rightful possession can arise within it. Yet, the state of nature contains the *idea* of a civil state, so that property indeed can be acquired provisionally within it.

> The state of a universal, real, unified will to legislate is the civil state. And it is only in conformity with the idea of a civil state, *i.e.* in view of it and its realization, but prior to its reality . . . that something external can be acquired originally, even if only provisionally. Peremptory acquisition takes place in the civil state exclusively.[20]

Kant has been able to trace the civil state, and therefore the right of property, back to the state of nature. This is a much firmer ground than the purely conventional one admitted by Rousseau and Fichte. Still, the fact that Kant is ready to define property as merely provisional in such a state, detracts from its sanctity and weakens it with respect to possible attacks arising from the civil state through its positive legislation. The door opened up by Rousseau and Fichte to state-imposed limitations of the right of property and expropriation, has been left now only semi-closed by Kant.[21]

Twenty-three years later, when Prussia was moving away from its reform era, and very rapidly so, especially if one considers the reactionary nature of the Carlsbad decrees (1819), Hegel strives to close this door completely, eliminating any conditions that may weaken the right of property.[22] In his system this right is now defended as an absolute right of personality (*cf.* #44). It is this assertion that produces the collapse of the distinction between possession and property that was presented in the first part of this essay. Hegel has thus definitely moved away from Rousseau and Fichte, for whom possession related to isolated persons, while property was ultimately socially conditioned. Property, as the absolute right of personality, precedes all contractual relationships. Kant initiated an approximation towards pre-contractual property. Moving towards Locke, and away from Hobbes, Kant argues that a state of nature is not opposed to a social state.[23] It is only opposed to a civil state, so that the state of nature is now defined by a mere absence of distributive justice.[24] As a social state it presupposes the existence within it of commutative justice. Still, by retaining the opposition between a state of nature and a state of right, Kant leaves undetermined the question of the degree of autonomy allowed to private property within the pre-juridical sphere. Thus, a purely natural and social state, as opposed to a juridical one, does not constitute a sufficient safeguard against possible interferences

emanating from the general will, and in particular, against the menace of socialism.

It is for these reasons that Hegel chooses to discard the notion of the state of nature,[25] or what amounts to the same, to dissolve the rigid separation that had been generally established between this notion and that of a state of right, whereby each of them was understood as thematically independent and autonomous. A similar situation is visible in Locke's political philosophy. Locke ascribes to individuals living within the state of nature an absolute and unlimited property right. Only the difficulties of enforcing such a right within the state of nature forces individuals to move towards civil society, where no new rights are created.[26] Locke's conception of the state of nature is thus internally related to that of a state of right. The fusion of these two notions is concretely represented in Hegel's thought by his notion of civil society.[27] Hegel presents it from the start as presupposing the abstract rights of persons and as dominated, consequently, by the principle of particularity. A form of universality develops within civil society integrating the particular aims and centrifugal interests of all individuals. This development culminates predictably in an administration of justice through which right becomes law (#217), so that when Hegel leaves civil society behind and ascends to his State, no new rights are created.

Hegel's version of the state of nature, *viz.* his notion of civil society, is already a state of right, insofar as it presupposes the abstract right of individuals. For Hegel, the basic right of individuals is the right of property. It is a pre-contractual right and he takes it as the absolute point of departure in his exposition. Property is rightfully grounded on the absolute will of the individual person.[28] An absolutely free will abstracts from all relations to other parties; all its possible relations to other wills simply collapse. At this stage we have only the freedom of an abstract will, that is, "the freedom of an individual (*einzelnen*) person which is related only to himself" (#40). The first externalization of such a will is not directly towards other person(s), but towards external things. Property thus becomes the "first *Dasein* of freedom" (#45), and a state of right can spring out without mediations from this notion of absolute free will. Hegel defines right simply as "*Dasein* of free will" (#29). Since Hegel is considering the unmediated, absolute freedom of the individual as the primordial determination of right, the determination of property becomes a purely subjective and non-social relation of the individual to the external world. Hegel's theory of precontractual property in his *Philosophy of Right* should therefore be considered as one of the most radical formulations of possessive individualism in modern political philosophy.

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Notes

1. Shlomo Avineri interprets Hegel's views in the *Realphilosophie* (1805/6) as supporting a conception of property as "trans-subjective" and "non-individual". He states: "property pertains to the person as recognized by others, it can never be an intrinsic quality of the individual pior to his recognition by others. While possession relates to the individual, property relates to society; since possession becomes property through the others' recognition of it as such, property is a social attribute." From this basically correct interpretation of the young Hegel. Avineri wrongly concludes: "Thus not an individualistic but a social premise is at the root of Hegel's concept of property, and property will *never* be able to achieve an independent stature in his system ... Property *always* remains premissed on social consensus, on consciousness, not on the mere fact of possession" (my emphasis). *Hegel's Theory of the Modern State*, Cambridge: University Press, 1972, pp. 88-9.

   This essay is intended to show that it is an individualistic premise that is at the root of Hegel's concept of property in the *Philosophy of Right* and that Avineri is not justified in extending the themes and solutions of the young Hegel to his mature work. Indeed, Hegel's notion of possession and property in the *Realphilosophie II*, and for that matter in the *Philosophische Propädeutik* (1809/11), ed. Glockner, vol. III, p. 60, does differ fundamentally from that proposed in the *Philosophy of Right* (1820).

2. All numbered paragraphs correspond to the *Philosophy of Right*. In the translation of these texts I have consulted extensively the works of Sir Malcolm Knox and Juan Luis Vermal. *Cf. Hegel's Philosophy of Right*, translated with notes by T.M. Knox, Oxford: Clarendon, 1967; and G.W.F. Hegel, *Principios de la Filosofia del Derecho*, translated by J.L. Vermal, Buenos Aires: Sudamericana, 1975.

3. Knox and Vermal translate *Erkennbarkeit* using respectively the terms "recognizability" and "*reconocible*". These translations obscure the distinction between mere cognition and recognition.

4. H.B. Acton, noticing that Fichte's *Grundlage des Naturrechts* appeared before Kant's *Metaphysik der Sitten*, writes that "the conventional way of writing the history of philosophy, in which the views of each famous philosopher are presented as a continuous whole and each philosopher is discussed after his "predecessors" and before his "successors", can be seriously misleading." G.W.F., *Natural Law*, Introduction by H.B. Acton, University of Pennsylvania Press, 1975, p. 28.

5. *The Social Contract*, in *The Social Contract and Discourses*, trans. by G.D.H. Cole, London: Dent, 1975, p. 178.

6. *Ibid.*, p. 178.

7. *A Discourse on Political Economy*, in *ibid.*, p. 138.

8. *A Discourse on the Origin of Inequality*, in *ibid.*, p. 89.

9. *Cf. Emile*, in *ibid.* p. 303.

10. *The Social Contract*, in *ibid.*, p. 204.

11. Fichte approximates Rousseau to Locke. He interprets Rousseau as maintaining a natural right of property, that is, "a right of property before the social contract" — *Grundlage des Naturrechts*, in *Sämmtliche Werke*, Berlin: Verlage von Veit und Comp., vol. III, p. 204, note. Fichte is not considering Rousseau's clear distinction between possession and property in *The Social Contract*.

12. *Ibid.*, p. 130.

13. *Ibid.*, p. 213.

14. *Cf.* Manfred Buhr, *Revolution und Philosophie. Die Ursprüngliche Philosophie Johann Gottlieb Fichtes und die Französische Revolution*, Berlin: Deutscher Verlag der Wissenschaften, 1965, pp. 63-71.

15. *Die Metaphysik der Sitten*, in *Werke*, edited by E. Cassirer Berlin: B. Cassirer, 1916, vol. VII, p. 58.

16. *Ibid.*, p. 59.

17. *Ibid.*, p. 59.

18. *Ibid.*, p. 59.

19. *Ibid.*, p. 59.

20. *Ibid.*, p. 68.

21. Villey, for instance, believes that Kant's theory of property is, in the last analysis, conducive to socialism: "On s'imagine tirer de Kant une doctrine très affirmative de la propriété privée: Kant décrivant, approuvant l'ordre de son temps, a pris soin de marquer fortement l'antériorité à l'état de l'appropriation privée, mais aussitôt il reconnaît que cette propriété de "droit privé", de "droit naturel", n'est que "provisoire". Quand le droit deviendra péremptoire, à l'état sera reconnu un droit éminent sur tous les biens des citoyens, et ce principe peut nous conduire tout aussi bien au socialisme." Michel Villey, "Kant dans l'Histoire du Droit", in *La Philosophie Politique de Kant* (*Annales de Philosophie Politique*), Paris: Presses Universitaires de France, 1962, p. 60, note 1. A different view is expressed by Saage. *Cf.* Richard Saage, *Eigentum, Staat und Gesellschaft bei Immanuel Kant*, Stuttgart: W. Kohlhammer, 1973, p. 39.

22. The antidemocratic nature of Hegel's *Philosophy of Right* has been reserved by Ilting (*Cf.* K.-H. Ilting, "The Structure of Hegel's *Philosophy of Right*," in Z.A. Pelczynski, ed., *Hegel's Political Philosophy*, Cambridge: University Press, 1971, pp. 90-110, to his conception of a self-perpetuating monarch, conceived as the apex and beginning of the whole. It should be stressed that Hegel's notion of property is also antidemocratic insofar as he will not allow it to be regulated by the principle of equality (*cf.* #49). Not much should be made of his assertion in paragraph #46 that "the determinations concerning property may have to be subordinated to higher spheres of right, a society or the state." This has nothing to do with the limited redistributive function recognized later by Hegel when dealing with the state as *Polizei*. Furthermore, these higher spheres of right can rule only when common ownership has been instituted. But common ownership *per se* cannot belong to the sphere of abstract right, which is purely individual right. It is because of this that Hegel presents common ownership as purely exceptional insofar as it is a "community that is inherently dissoluble", so that the private property of each individual's share can always be recovered.

23. Kant, *op. cit.*, p. 112-113.

24. *Ibid.*, p. 113.

25. The notion of a state of nature (*Naturzustand*) is barely mentioned in the *Philosophy of Right*. And when it is mentioned it is only a marginal use, not determined by the structure of his thought. It is interesting to note that in the *Enzyklopädie* (1817) #415 and (1830) #502,

and in the preface to his Vorlesung 1818/9 (according to the notes of Carl Gustav Homeyer), Hegel still assigns to the *Naturzustand* a clearly defined and independent conceptual place. It is also significant that in the *Vorlesung 1818/9* Hegel does not stress the autonomy of pre-contractual property (*Hr.* #37), as he does in the *Philosophy of Right*. This lends further confirmation to the unique character of the *Philosophy of Right*, as has been discerned by Ilting. G.W.F. Hegel, *Vorlesungen über Rechtsphilosophie 1818-1831*. Edition and commentary by K.-H. Ilting, Bad Canstatt: Fromann-Holzboog, 1973.

26. *Cf.* C.B. Macpherson, *The Political Theory of Possessive Individualism*, London: Oxford University Press, 1964, pp. 210 and 218.

27. Hegel's definition of civil society in paragraph #289 ("civil society is the battlefield of the individual private interest of all against all") follows Hobbes' description of the state of nature almost word for word.

28. *Cf.* Peter Landau, "Hegels Begründung des Vertragsrechts", in *Materialien zu Hegels Rechtsphilosophie*, edit. by Manfred Riedel, Frankfurt: Suhrkamp, 1973, p. 180: "Bis zur Begründung des Privateigentums gelangt Hegel allein aufgrund der Analyse des Rechts der einzelnen Person; ohne Berücksichtigung der Anerkennung durch andere Personen." *Cf.* too Richard Teichgraeber, "Hegel on Property and Poverty," *Journal of the History of Ideas*, vol. 38, Jn.-Mr. 1977, p. 54.

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CARL SCHMITT CONFRONTS THE ENGLISH-SPEAKING WORLD

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George Schwab, *The Challenge of the Exception; An Introduction to the Political Ideas of Carl Schmitt between 1921-1936*, Berlin: Duncker & Humblot, 1970, pp. 174. DM 36, and Carl Schmitt, *The Concept of the Political By Carl Schmitt; Translation, Introduction, and Notes by George Schwab; with Comments on Schmitt's Essay by Leo Strauss*, New Brunswick: Rutgers University Press, 1976, pp. ix, 105. $15 cloth, $3.50 paper.

The monograph and translation by George Schwab under review deserve special note for two essential reasons. First, Carl Schmitt is widely recognized by German scholars as one of their most controversial national figures. Secondly, despite this renown, Schmitt is known only to a limited number of academicians in Great Britain and North America; and their perceptions of him are usually based on dated or misleading interpretations. Although the English-speaking world has generally neglected Schmitt, his legal and political works have commanded respect in certain German intellectual circles, while attracting virulent condemnation in others. As the German historian Heinrich Muth stated, "He is one of the few really significant political theorists of our century, but without a doubt the most controversial."[1]

The Schmitt controversy is perpetuated by a general disagreement over his legal and political philosophy, as well as over his role in Weimar and Nazi Germany. Any figure who writes so extensively on a variety of subjects, from constitutional law to politics and literature, will naturally attract differing interpretations. In Schmitt's case, the problem is accentuated because his work developed through various stages as he confronted the intellectual, political, and legal issues of four distinct political systems in Germany. His career extended from the era of Wilhelm II, through the Weimar Republic and

National Socialist Reich, into the Federal Republic. Moreover, Schmitt's acceptance of each regime as the legally constituted authority in Germany further complicates any assessment of him, and leaves him open to the charge of opportunism. Essentially, Schmitt is a man of many pasts.

After receiving his doctorate in law at the University of Strasbourg in 1910, he soon established a reputation as a legal scholar with three major books, each reflecting the neo-Kantianism then in vogue in legal circles. Between 1921 and 1945 Schmitt distinguished himself as a law professor at the universities of Greifswald, Bonn, Cologne, and Berlin. In the 1920's he developed an original form of legal thought known as decisionism, which was distinct from both the normativist school of Hans Kelsen and the positivist legal theory of the late nineteenth century. Ernst Fraenkel referred to Schmitt as the "most brilliant political theorist" of the period; and Hans Kohn wrote that he was "the most influential teacher of public law for two decades."[2] Ernst Forsthoff and Ernst R. Huber, two renowned legal scholars in post-World War II Germany, were, in fact, students of Schmitt.

During the Weimar Republic Schmitt gradually abandoned his earlier neo-Kantianism and became preoccupied with problems concerning politics and the state. He wrote extensively on the questions of sovereignty, dictatorship, liberalism, the crisis of parliamentary government, and the emergency powers of the president under Article 48 of the Weimar constitution.[3] A sharp critic of the fratricidal party politics of Weimar, Schmitt advocated the use of presidential emergency powers to re-establish domestic stability and to prevent a seizure of power by extremists. In 1929, he became an adviser to the coterie around General von Schleicher, the confidant of Hindenburg. From 1930 to 1932, the government relied considerably upon the legal interpretations and advice of Schmitt as a constitutional justification for the presidential system with its rule by emergency decrees.

Despite his initial opposition to a Nazi acquisition of power, Schmitt made the most decisive *volte face* of his career and joined the NSDAP after the Enabling Act of March 24, 1933, granted Hitler almost absolute dictatorial power. Schmitt then publicly supported the new regime for the next three years and became known as the figurehead "Crown Jurist" of the Third Reich. In 1936, however, the SS denounced him as an opportunist and he withdrew into the "inner-emigration." Schmitt was removed from his chair of law at the University of Berlin after the Nazi collapse in 1945 and retired from public life. In 1947 he was brought to Nuremberg as a potential defendant and witness but was never prosecuted. For the past thirty years Schmitt has continued his scholarly activity, publishing numerous works on politics, legal theory, international affairs, and literature. His *Nomos der Erde* (1950) is a major theoretical and historical study of the rise and decline of the European state system.[4]

The changing attitudes towards Schmitt corresponded to the various stages in his work and political affiliations. In the Weimar era he had both critics and followers. Intellectual debate with Schmitt during these years always remained at a respectful level without the invective that would characterize later interpretations of him. When Schmitt became involved with the presidential government in 1930, criticism of him mounted, and once he began his collaboration with the Nazis few intellectuals were willing to acknowledge their relationship to him or his ideas. Those who previously relied upon his scholarship now ceased to cite him, or they referred to him only as a critic of the republic and as a Nazi "Crown Jurist."[5] The major post-war monographs followed suit. Schmitt was made to appear, at best, as an opportunist and, at worst, as one who intentionally undermined parliamentary government and saw his ideas come to fruition in the Nazi *Machtergreifung*.[6]

Most of the post-war literature in English which referred to Schmitt was either based on these German monographs or reiterated similar theses about Schmitt as a progenitor of fascism. Franz Neumann described Schmitt as a theoretician of totalitarianism; William Ebenstein and Hans Kohn interpreted him as a political nihilist who promoted the Hitlerian notion of total war; for Earl Beck he was "the apostle of dictatorship." One of the most widely read historians, George Mosse, claimed that Schmitt was a proponent of the political theory of the Aryan race.[7] For decades there was no monograph in English on Schmitt, nor were any of his writings available in translation. As late as 1966 only one article dealing with Schmitt had been published in English; it contained the traditional thesis that Schmitt was a nihilist.[8]

Scholars and students in the English-speaking world were totally dependent upon these partial interpretations. They knew Schmitt merely as an intellectual opponent of Weimar democracy and as a prophet of National Socialism. The average student of history remained unaware of his significance in the field of German law and political theory. Consequently, there was a general absence of research on, even interest in, Carl Schmitt; his ideas were simply dismissed as fascistic. Whereas German scholars continued to discuss Schmitt's place in German intellectual history, those in Great Britain and North America failed to take note of this perennial controversy.

Therefore, it is surprising that George Schwab, an American scholar at the Graduate Center of the City University of New York, made such a major contribution to Schmitt historiography. But as Helmut Rumpf wrote, with the publication of *The Challenge of the Exception*, "The period of one-sided and complete condemnation, negation, and extensive attempts at refutation [of Schmitt] appears to have ended . . . ."[9] These comments are of particular import because Rumpf is thoroughly familiar with the life and work of Schmitt, yet he does not belong to the Schmittian school of thought. It was

obvious that Schwab's book served a dual purpose; providing the most balanced study on the subject to date while introducing the more significant aspects of Schmitt's ideas to English readers. With a marked degree of scholarly detachment, rare for such studies, Schwab carefully analyzes the various periods in Schmitt's career without allowing the Nazi affair to distort his perspective. He evaluates Schmitt's ideas in the context of the changing legal and political problems within Germany during each stage of his development.

Previously, historians had seized upon Schmitt's study of dictatorship, his latitudinarian interpretation of presidential powers, and his criticisms of liberalism, as evidence of his enmity towards the republic. It is now clear from Schwab's study that throughout the 1920's Schmitt's ideas were in harmony with the Weimar constitution. With meticulous attention to what the jurist actually stated in his writings, Schwab explains that Schmitt's objective was to arrest the disintegration of the state and to preserve the essential features of the Weimar system in the face of chaotic conditions and possible civil war.[10] Schwab indicates that Schmitt placed special emphasis upon executive power precisely for this reason, and not with the intention of undermining Weimar or introducing a dictatorship. Schmitt's acceptance of the Weimar order was most evident in his opposition to constitutional revisions which might change the republican nature of the constitution.[11]

Schwab does discern certain authoritarian tendencies in Schmitt, but he shows that Schmitt's reproof of liberalism emanated more directly from the discrepancy between liberal ideals and the actual practice of parliamentary government in Germany, than from an ideological predisposition on the part of the jurist.[12] Schmitt had defined the essential characteristics of liberalism as public debate, separation of powers, and enactment of laws through open parliamentary discussion. The tightly organized and rigidly disciplined *Weltanschauung* and *Interessen* parties of Weimar however, had turned parliamentary discussion into an idle formality. Decisions were made in secret party committees outside the sphere of parlimentary debate; thus parliamentarianism had lost its *raison d'être*. While most historians recognise the peculiar party-system in Germany as a major factor in the disintegration of Weimar, Schmitt is often accused of anti-republican sentiments because he acknowledged this problem.

According to Schwab, it was only when Weimar entered its final crisis stage, after 1929, that "... Schmitt developed his notion of the presidential system as an alternative to a Nazi or Communist victory."[13] Schmitt then looked to a strong president who, supported by the bureaucracy and army, would institute emergency measures on the basis of Article 48 to prevent the economic and political collapse of Germany. To achieve this goal and preclude a legal or revolutionary seizure of power by extremists, the president

could, Schmitt held, violate the letter of the constitution. One might question the legality or wisdom of such a manoeuver. Yet, as Schwab, and more recently Heinrich Muth, point out, anyone taking this public political stance in 1932 was surely not a National Socialist sympathizer.[14]

Schwab also rejects two apparent explanations, opportunism and ideological conversion, for Schmitt's sudden collaboration with the Hitler regime in 1933. Instead, Schwab continues to assert that one must analyze Schmitt in the context of the political and legal circumstances he confronted once the Nazis controlled the German government. It is Schwab's contention that Schmitt realised the Enabling Act had, in effect, destroyed the Weimar constitution and inaugurated a new political and legal order. "By opting for National Socialism Schmitt merely transferred his allegiance to the new legally constituted authority . . ."[15] While critics might remain unconvinced by this argument, those familiar with Schmitt's ideas know that a basic precept of his philosophy was always to obey the legally constituted authority. He had constantly adhered to the Hobbesian concept of the relationship between protection and obedience; citizens obey a sovereign so long as he protects them. Rather than seeking personal advantage, Schmitt also hoped that, by joining the party and playing the role of "Crown Jurist," he could direct subsequent constitutional developments (*i.e.*, regarding the structure and function of the one-party state) into a traditional conservative framework.[16] In a recent book on German conservative theorists, Walter Struve presents a similar explanation, noting that many conservatives, including Schmitt, sincerely believed that they could exert this type of influence in the early stages of the Third Reich.[17]

It is clear that Schmitt accepted Hitler's leadership and the predominance of the party after these became established facts. However, Schwab shows there still existed a wide gap between the way Schmitt and Nazi theorists envisioned the future direction and nature of the new order. Although he accommodated himself to the Nazi regime, Schmitt never embraced the fundamental ideological tenets of Nazism. Whereas the Nazis worked prodigiously to establish totalitarian control over all aspects of society, Schmitt sought an authoritarian state that would protect the physical existence of its citizens and at the same time guarantee a private sphere of life. Schmitt also wanted to preserve the integrity of traditional institutions of the state (namely, the army and bureaucracy) against encroachments by the NSDAP, in contrast to the Nazi attempt at usurping all power and turning the state into a mere appendage of the party.[18] Moreover, Schwab emphasises that Schmitt was not basically an anti-Semite and never accepted the biological racism on which the entire Nazi ideology was premised.[19]

Schwab did not write an apology, however; he is actually quite critical of the choices Schmitt made during the Nazi years. Schwab does not hesitate, for

example, to disclose the basic contradiction in Schmitt's attitude towards the Hitler dictatorship. As Schwab points out, Schmitt's acceptance of Hitler as absolute sovereign undermined any hope of sustaining the traditional state structure and protecting the private sphere of life.[20] Furthermore, Schwab sharply rebukes Schmitt for compromising himself on the Jewish question between 1935 and 1936. Although he discounts opportunism as a motive for Schmitt's collaboration in 1933, Schwab states categorically that this ". . . recently acquired anti-Semitism was certainly opportunistic . . ."[21] and intended merely to placate the Nazis. Such compromises were all the more despicable, Schwab adds, because of the perilous situation of Jews in the Third Reich and because no trace of anti-Semitism existed in Schmitt's previous work or personal relationships. As Schmitt's position within the Nazi order became increasingly untenable, he used anti-Semitism to prove his ideological conversion. Schmitt tried to assure his own welfare "at the expense of the Jews"[22] but even here Schmitt never indulged in biologically oriented racial arguments. In fact, his non-racial theories and his new opportunistic display of anti-Semitism were so obvious that the SS publicly denounced him for these reasons in 1936; he was soon removed from all party offices.

Schwab has discredited the longstanding assumption of a continuity between Schmitt's Weimar ideas and the Third Reich. At the core of Schmitt's legal and political theory was the state; but one should not infer from this that he worshipped the state. "None of Schmitt's Weimar writings," Schwab contends, "reveal that he entertained the thought of endowing the sovereign [state] with absolute power over the individual."[23] The purpose of the state was to assure order, peace, and security; Schmitt criticized Weimar because it failed to provide this stability. Despite attempts at promoting this concept of a strong state in the early phases of the Third Reich, Schmitt eventually realised that the Hitler dictatorship offered no such security. The totalitarian nature and nihilism of the Nazi regime by no means conformed to Schmitt's paradigm of the state. It is evident from Schwab's book that the preconceived notions and inaccurate descriptions of the political philosophy and personality of Schmitt manifested in so many earlier studies provide neither a solid foundation for scholarship, nor offer an adequate comprehension of the man and his work. While Schmitt's compromises with the Nazis remain inexcusable, they should not be allowed to detract from his major contributions to German legal and political theory. Equally important, this concise book shows that attempts at understanding do not have to end in exculpation.

Schwab's other important contribution to the study of Schmitt is his recent translation of the 1932 edition of *The Concept of the Political*. This is the first complete work by Schmitt to appear in English. Schwab made a very judicious choice when he selected this book as a means of introducing the

ideas of Schmitt to an English-speaking audience. *The Concept* contains much of what is fundamental in Schmitt's understanding of the political nature of man and the state, including his contentious definition of the political as the distinction between friend and enemy. This thesis has often been cited out of context to prove that Schmitt was a nihilist or advocate of war.[24] Those who actually read Schwab's translation, however, will discover that this friend-enemy thesis is comprehensible only in terms of the sovereign state, whose function it is to preserve peace and security for its citizens. In order to fulfill this function the state must have the power to distinguish friend from enemy and take the appropriate action to secure itself. Schmitt was not promoting war or aggression, but simply stating that in extreme circumstances there is an ever-present possibility of conflict between organized political entities, (*i.e.*, states), or within these organized units as in the case of civil war.[25] Although Schmitt did believe that the state must suppress the domestic enemy, he was not advocating totalitarianism. Competing groups and political parties may exist within a state, he argued, so long as they do not seriously endanger the existing political and legal order.[26]

Even a cursory reading of *The Concept* will convince one that, in style and content, the quality of its scholarship is unquestionable; any misconceptions about Schmitt as merely a rightwing polemicist will be removed. In his introduction, Schwab points out that Schmitt's analysis of the centrifugal forces within the German state proved to be a fairly accurate estimate of the factors that produced the demise of the Weimar Republic less than a year later.[27] Also, the domestic enemies Schmitt wanted the state to suppress in 1932 were the Communists and Nazis. Schwab relates *The Concept* to the problems of the European state system and the decline of the *jus publicum Europaeum* on which that entire system had been based since the seventeenth century.[28]

Although the style and accuracy of this translation are commendable, the value of Schwab's introduction might have been enhanced by a discussion of the various editions of *The Concept* which appeared between 1932 and 1963. Excluded from this translation of the 1932 edition, for example, are three corollaries and Schmitt's article on the "Age of Neutralization and Depoliticalization" contained in the 1963 edition. These additions by Schmitt are certainly of some importance. Schwab also fails to mention that Schmitt revised the 1933 edition in an effort to make it acceptable to the Nazis. In that edition Schmitt eliminated his references to Karl Marx and the leftist theorist Georg Lukâcs, and replaced words such as "association" with "*Genossenschaft*," the Nazi jargon for social relationships which has racial overtones.[29] Although not essential to understanding Schmitt's thesis, such information is necessary for evaluating *The Concept* as an historical source. Perhaps Schwab felt that this type of commentary would distract attention

from the content of the book and result once again in unwarranted concentration on the Nazi period.

Schwab did show sound editorial judgement when he included Leo Strauss' 1932 article on *The Concept* as an appendix to this translation.[30] Strauss, who later distinguished himself as a political philosopher at the University of Chicago, is a scholar whose writings are generally recognised as credible and noteworthy. By no means a Schmittian, Strauss nonetheless basically agreed with Schmitt's analysis of the crisis of the modern state and liberalism. As Strauss notes, "The critique of liberalism that Schmitt has initiated can be completed only when we succeed in gaining a horizon beyond liberalism . . . To show what is to be learned from Schmitt for the execution of this urgent task was therefore the main concern of our comments."[31] This is the first opportunity for English readers to see how reputable scholars viewed Schmitt before the Nazi experience led to an almost universal condemnation of his ideas.

There is, of course, much to criticise in the life and work of Carl Schmitt, but such valid and necessary criticism in no way diminishes his significance. No student of the Weimar Republic can neglect his writings, nor deny his intellectual contributions or influence; his position in the history of political and legal theory is well established. Furthermore, an objective reading of Schmitt's writings should be a preliminary step towards any understanding or criticism of his ideas and politics. Only then can his thought and place in German intellectual history be properly studied. Particularly for this reason, the works by George Schwab are welcome additions to the literature on Carl Schmitt. As more of Schmitt's works become available in translation, scholars in the English-speaking world will have an opportunity to formulate their own interpretations of this enigmatic jurist and assess his significance accordingly.

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Notes

1. Heinrich Muth, "Carl Schmitt in der deutschen Innenpolitik des Sommers 1932," *Historische Zeitschrift, Beiheft*, 1971, p. 75.

2. Ernst Fraenkel, *The Dual State: A Contribution to the Theory of Dictatorship*, New York: 1941, p. 131; Hans Kohn, *The Mind of Germany: The Education of a Nation*, New York: 1960, p. 337.

3. The more important Weimar books by Carl Schmitt are: *Legalität und Legitimität*, Berlin: 1932, *Der Begriff des Politischen*, Berlin: 1932, *Der Hüter der Verfassung*, (Tübingen, 1931, *Der Völkerbund und das politische Problem der Friedenssicherung*, Leipzig: 1930, *Hugo Preuss: Sein Staatsbegriff und seine Stellung in der deutschen Staatslehre*, Tübingen: 1930, *Verfassungslehre*, Munich: 1928, *Volksentscheid und Volksbegehren: Ein Beitrag zur Auslegung der Weimarer Verfassung und zur Lehre von der unmittelbaren Demokratie*, Berlin: 1927, *Römischer Katholizismus und politische Form*, Hellerau: 1925, *Die geistesgeschichtliche Lage des heutigen Parlamentarismus*, Munich: 1923, *Politische Theologie: Vier Kapitel zur Lehre von der Souveranität*, Munich: 1922, *Die Diktatur: Von den Anfängen des modernen Souveränitätsgedankens bis zum proletarischen Klassenkampf*, Munich, 1921, *Politische Romantik*, Munich: 1919.

4. See Carl Schmitt, *Politische Theologie II*, Berlin: 1970, *Theorie des Partisanen: Zwischenbemerkung zum Begriff des Politischen*, Berlin: 1963, *Verfassungsrechtliche Aufsätze aus den Jahren 1924-1954: Materialien zu einer Verfassungslehre*, Berlin: 1958, *Hamlet oder Hekuba: Der Einbruch der Zeit in das Spiel*, Düsseldorf/Cologne: 1956, *Der Nomos der Erde im Völkerrecht des Jus Publicum Europaeum*, Cologne: 1950.

5. This change of attitude is particularly noticeable in the writings of Waldemar Gurian and Sigmund Neumann. Gurian had earlier made extensive use of Schmitt's ideas in such publications as *Der Integrale Nationalismus in Frankreich: Charles Maurras und Die Action Francaise*, Frankfurt: 1931, *Die Politischen und Sozialen Ideen des Französischen Katholizismus 1789/1914*, Gladback: 1929, "Zur Soziologie der Wahlpropaganda," *Archiv für Politik und Geschichte*, III, 1925, pp. 585-589, "Ein Traum vom Dritten Reich," *Hochland*, Bd. 22, 1924/1925, pp. 237-242. But in later publications he cited Schmitt merely as a National Socialist theorist. See Waldemar Gurian, "Trends in Modern Politics," *Review of Politics*, II, No. 3, July, 1940, p. 335, *The Future of Bolshevism*, New York: 1936, p. 53, and the attacks on Schmitt found in *Deutsche Briefe*. In "Germany: Changing Patterns and Lasting Problems," *Modern Political Parties: Approaches to Comparative Politics*, Chicago: 1956, pp. 354-392, Sigmund Neumann excluded any references to Schmitt in contrast to his 1932 book *Deutschen Parteien*.

6. Peter Pattloch, *Recht als Einheit von Ordnung und Ortung: Ein Beitrag zum Rechtsbegriff in Carl Schmitts "Nomos der Erde"*, Aschaffenburg: 1961; Jürgen Fijalkowski, *Die Wendung zum Führerstaat: Ideologische Komponenten in der politischen Philosophie Carl Schmitt*, Cologne: 1958; Christian Graf von Krockow, *Die Entscheidung: Eine Untersuchung über Ernst Jünger, Carl Schmitt, und Martin Heidegger*, Stuttgart: 1958; Karl Schultes, *Der Niedergang des staatsrechtlichen Denkens im Faschismus: Die Lehren des Herrn Professor Carl Schmitt, Kronjurist der Gegenrevolution*, Weimar: 1947.

7. Franz Neumann, *Behemoth: The Structure and Practice of National Socialism, 1933-1944*, New York: 1963, pp. 42-71; William Ebenstein, *The German Record: A Political Portrait*, New York: 1945, pp. 48-51, and *Man and the State: Modern Political Ideas*, ed. William Ebenstein, New York: 1947, pp. 294-295; Kohn, *Mind*, p. 338; Earl R. Beck, *The Death of the Prussian Republic: A Study of Reich-Prussian Relations, 1932-1934*, Tallahassee: 1959, pp. 106-107; George L. Mosse, *The Crisis of German Ideology: Intellectual Origins of the*

Third Reich, New York: 1964, p. 285. More accurate treatment of Schmitt is found in Hannah Arendt, *The Origins of Totalitarianism*, New York: 1964, p. 339; and Clinton Rossiter, *Constitutional Dictatorship: Crisis Government in the Modern Democracies*, Princeton: 1948, pp. 33-69. But these exceptions were overshadowed by the more traditional interpretations.

8. Charles E. Frye, "Carl Schmitt's Concept of the Political," *Journal of Politics*, Vol. 28, No. 4, November, 1966, pp. 818-830.

9. See Rumpf's review of George Schwab, *The Challenge of the Exception: An Introduction to the Political Ideas of Carl Schmitt between 1921 and 1936*, in *Die Öffentliche Verwaltung*, Heft 23, December, 1971, pp. 827-828.

10. Schwab, *Challenge*, pp. 38, 43, 49.

11. *Ibid.*, pp. 41-43, 69-71.

12. *Ibid.*, pp. 67-69.

13. *Ibid.*, pp. 77, 80-89, 94-97.

14. *Ibid.*, pp. 88-89; and Muth, "Carl Schmitt in der deutschen Innenpolitik," p. 97.

15. *Ibid.*, p. 106.

16. *Ibid.*, p. 105.

17. Walter Struve, *Elites against Democracy: Leadership Ideals in Bourgeois Political Thought in Germany, 1890-1933*, Princeton: 1973, p. 416.

18. Schwab, *Challenge*, pp. 107-113, 130, 146.

19. *Ibid.*, p. 137.

20. *Ibid.*, pp. 125, 132.

21. *Ibid.*, pp. 138.

22. Geroge Schwab, "Carl Schmitt: Political Opportunist?" *Intellect*, February, 1975, p. 337. In this article Schwab continues to argue that Schmitt's opportunism was limited to this anti-Semitic phase.

23. Schwab, *Challenge*, p. 147.

24. See Frye, "Schmitt's Concept," and Laqueur, *Weimar*, p. 100.

25. Schmitt, *The Concept*, pp. 32-34, 49.

26. *Ibid.*, pp. 38-39.

27. *Ibid.*, pp. 11-16.

28. *Ibid.*, pp. 6-11.

29. See Carl Schmitt, *Der Begriff des Politischen*, Berlin: 1933, pp. 27, 43-44.

30. Strauss originally published this article as "Anmerkungen zu Carl Schmitts *Begriff des Politischen*," in *Archiv für Sozialwissenschaft und Sozialpolitik*, Bd. 67, Heft 6, August/September, 1932, pp. 732-749.

31. Schmitt, *The Concept*, p. 105.

ANNOUNCEMENT

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Canadian Journal of Political and Social Theory/Revue canadienne de théorie politique et sociale, Vol. 2, No. 3 (Fall/Automne 1978).

THE SOCIAL LIMITS OF BOURGEOIS DEMOCRACY

David P. Shugarman

Fred Hirsch, *Social Limits to Growth*, Cambridge, Massachusetts: Harvard University Press, 1976. A Twentieth Century Fund Study.

Rufus E. Miles Jr., *Awakening from the American Dream: The Social and Political Limits to Growth*, New York: Universe Books, 1976.

Capitalism is in a crisis once again. The seventies have not been bright times for most of the industrialized nations of the West. But a dismal subject need not always be treated by a dismal science. As economies fluctuate, so too, it seems, do economists. The more prescient among them have been obliged to re-examine their theoretical baggage: "the experience of living in a civilization that suddenly loses momentum and begins to veer off course"[1] has required the questioning of a number of postulates that have previously been crucial in both bourgeois theory and practice: a commitment to continual economic expansion; faith in the unending achievements of technological progress; a view of man as a being with insatiable wants and needs who is an infinite consumer of utilities; a conviction that the injurious effects of movements in the business cycle — especially unemployment — can be ameliorated by governments applying Keynesian principles; a sense that somehow capitalism and democracy go together in as palatable a mix as, say, Scotch and water. All of these hitherto *trustworthy* givens and more are now under closer scrutiny.

The central figure in much of this on-going re-appraisal has been John Maynard Keynes, and when Keynes is being considered, so too is the spectre of Marx. For Keynes in many quarters has been bought and sold as the saviour of capitalism, the twentieth century's progressive, liberal answer to, and way around, socialism.[2] If Keynes were wrong, if his theories won't work, then maybe, just maybe, Marx was right. For both Rufus Myles Jr. and Fred Hirsch it is time to say goodbye to Keynes; neither is quite prepared to say hello to Marx, though Hirsch, much like Robert Heilbroner, comes close to doing so.

A rejection of the capitalist centre does not of course necessarily mean a move to the left. Some bourgeois economists have never been very pleased with Keynes' incursion into the sanctity of the marketplace. Neo-classicists and monetarists of the Milton Friedman and Friedrich Von Hayek variety have always spurned Keynes. There is also growing evidence that a resurgence of interest and influence in the back to basics (*i.e., laissez faire* principles of Smith and Marshall) branch of liberalism is taking place (in the U.S. these right-wing liberals have been given the misnomer of neo-conservative).[3] The move to the right of Keynes is representative of the fetish for modelling, a preference for theory over practice. Here the view is "the theory's fine, (not Keynes', mind, but *laissez faire*), it's reality that's at fault." Now there's nothing wrong in principle with holding that present realities are not fixed, that things change, and that they might even be changed for the better, in *accordance* with theory. However, what the model-builders on the right envision is a capitalist utopia. There's very little that is particularly new, insightful, interesting, progressive or realistic about this school of economics — save, on the *realistic* side, their political clout, which reflects the power of business interests rather than the rationality of social analysis.[4] The same cannot be said for the two books under review.

Hirsch and Myles have issued thoughtful and provocative studies of the current impasse: high inflation running alongside high unemployment, a severe interruption in the sustained growth profiles of bourgeois economics. They both focus attention on what they regard as hitherto unexplored or misapprehended constraints on the expansionary capacity of capitalism. Their analyses of the societal nature of the limits to growth and the implications they derive therefrom display the strengths and weaknesses of sensitive liberal theory wrestling with itself and the society it allegedly discloses, but in which it is more often enclosed.

Myles' *realpolitik* approach has much in common with "ecodoomsters" like Barry Commoner, the Meadows, Jay Forrester, and the Ehrlichs. Although the book is ostensibly about social and political factors it draws heavily on an updated fatalistic, and almost mechanical, rendering of Malthus. Roughly a fifth of the book is concerned with the problems of population increase relative to energy use and food supply. Bleak prospects are envisioned as a result of procreation figures in the underdeveloped, agrarian, world. In considering the possibilities of a widespread redistribution of people, food and energy resources — here what is at issue is the question of world resources as public rather than private property — Myles curiously opts for a cavalier dismissal of such a reorientation: "it would not benefit the human race"; the Third World is caught in a "Malthusian trap" (Myles, pp. 152, 155). He castigates Marxists and "Western liberal idealists" for believing that science and technology might be redirected in ways that overcome poverty and

scarcity. Myles' position is curious in this regard, not because of his tough-minded Malthusianism — if he consistently maintained his "political realism" his comments here would not be curious they'd just be tough to take, and wrong.[5] They are curious because towards the end of his book he abruptly changes ground to advance the cause of a new ethics of ecology, a concern for the spiritual over the material, and a brief on behalf of a conserver society propped up by "a proposed change in values". The underlying message that population control is an international problem while food and energy production remain national or private matters thus has to hollow ring to it. The problem here stems from what the major failings in Myles' analysis are.

On the one hand he has isolated one important aspect of modern capitalism, namely the generation of high energy technology, and abstracted that aspect without delving into the roots of the problem, *i.e.* the dynamics of capitalism *per se*. What we get in the end is another version of humanized capitalism through a sort of reconstructed conservative pluralism. Marketplace essentials and bourgeois rights will be left intact but the economy generally will be moved to a lower priority in a social matrix infused with ecology consciousness. There is a good deal of space devoted to the problems that have been created by a proliferation of rights without corresponding responsibilities, but little attention is given to the development of democracy.

On the other hand Myles is so concerned with reaching an American audience and dealing with American problems that he is unable to seriously entertain possibilities outside the liberal tradition, *and* he seems incapable of dealing with the implications of American business policy outside American borders. On the few occasions he mentions multinational corporations he refers to their deleterious influence on employment possibilities and community life in the U.S. The American psyche, he holds, is too accustomed to "individual initiative and freedom of choice . . . . coupled with hard work", and having come a "long way along [the] road [to] an ever more comfortable and rewarding life", (and this in a book whose message for the most part is that American society is in danger of disintegration, terrorism and increasing alienation), Americans are not about to consider a socialist alternative. The book concludes on an unabashedly chauvinist note: "Once they have sorted out their values, Americans can be extraordinarily imaginative and resourceful and less inhibited than the people of any other nation in bringing their convictions to bear on both personal life-styles and public policy." In passing, the reader may be amused to learn that, according to Myles, Canada is "in the process, just as the United States is, of seeking to reduce its interdependence." (p. 190).

There are serious drawbacks in Myles' understanding of the material conditions of bourgeois democracies, and severe problems with his tendency to treat the dilemmas of underdeveloped countries mainly in terms of

procreation. His exploration of the limits to the political management of nature and the difficulties of establishing greater, more equitable political interdependence in the world is more plausibly grounded and consistently argued. For this, after all, is the territory of the conservative, and Myles' main appeal is for prudence, common-sense, and moderation in planning and living the future:

> Insofar as man has concern for the long-run preservation and further development of the human species, logic would seem to lead to the conclusion that evolution be best enhanced by the encouragement of diverse ecologies and cultures aware of and tolerant of each other's individuality and experimentation, but not so interdependent that if one fails in its adaptive process, all others succumb with it. (p. 207)

In his emphasis on a new ethics of ecology Myles is especially concerned with the nuclear energy option. Although he overdoes the use of pejorative catch-phrases — "plutonium minefield", "nuclear trap", "quagmire of nuclear energy" — his reminder of the dangers of nuclear reactors is useful. Even here he unfortunately does not focus attention on the weaknesses inherent in the management of "fail-safe" systems; to do so would have been consistent with the conservative thrust of his thesis that humanly designed systems have upper limits of complexity which, when reached, result in breakdown. Instead he emphasizes the dangers of plutonium theft and nuclear terrorism. Myles doesn't want his fellow Americans moving from a dream to a nightmare. For all that, his awakening still has the promise of apple pie.

To turn from Myles to Hirsch is to move from interestingly idiosyncratic, and inconsistent popularization to profound economic philosophy. Hirsch deals with some of the central contradictions in the evolution of bourgeois society. In the course of doing so he attempts to lay the foundations for a reconstructed economic liberalism. The direction his reconstruction would take points to an increased democratic participation in decisions, a new delineation of private and public spheres with a more collective orientation in bourgeois norms, and a re-orientation in expectations (a scaling downwards) at the mass level in conjunction with a more modest appraisal of the promise of capitalism.

Bourgeois democracy has fostered a number of sharply conflicting characteristics, three of which Hirsch emphasizes: its economic drive rests on a calculative, asocial, individualistic and possessive set of incentives which are

taken to be the well-spring of human motivation; its political legitimacy rests on an ethic of universal participation, not just in the narrow sense of representative government and the franchise, but in the broader sense of a wide-scale sharing of society's fruit as well as its labour; its economic performance results in a highly skewed income distribution which reflects a system in which the levees of power as well as the heights of consumption are enjoyed and open to a select minority. The rush for the spoils as well as for roles is costly and frustrating. Moreover, it is morally damaging, not just to the individual, but to society at large. Capitalism has appropriated democracy without embedding the democratic ethic in its constitution. It is an economy without a soul, giving rise to a society without a base of social morality. The old defense that the ethic is tied to the result, a kind of materialist utilitarianism — everybody in the end is better off — will no longer suffice. The trickle-down, or snowball effect (as the pie grows there will be more pie for everyone), is no longer applicable for three different reasons. First, there is increasing evidence that the pie may not be continually growing larger; or put a slightly different way, although the pie might be getting bigger, portions are also costing a lot more, so there's not really much more to go around. Hirsch says little about this; he concentrates on the next two. Second, the satisfaction that is derived by individuals at the end of the line is not equivalent to the satisfaction they expected to get when they started out. Saving up to buy a car to get out of town to enjoy a designated "fun park" is one thing (consistent with bourgeois expectations), taking eight hours to get there in stop and go traffic to find that the park is congested and polluted is another. Third, the exhortation to play the game fairly, respect the rights of other players, accept the outcome, falls on deaf ears alongside the more vocal and visible evidence that the best way to win may be to cheat, or at the very least spurn social co-operation, and, failing that alternative, not play the game at all. The satisfaction of private wants through the maximization of individual interests in the market process does not add up to satisfaction of wants for collective goods. In addition, the social norms governing the one arena are not compatible with the norms applicable in the other. What is individually rational and what is socially rational are at odds. Thus, as Hirsch puts it,

> the moral lacuna in the capitalist system no longer appears in the traditional view of enlightened liberals, from Mill to Keynes, as a kind of esthetic blemish to be put up with for the sake of its superior efficiency compared to the alternatives. The absence of explicit moral justification and/or specified moral obligations within the system is now seen as weakening its operating

> efficiency in the previously neglected problem of securing the necessary collective goods and socially functional individual norms.[6]

Keynes' managed capitalism, no less than Smith's self-interest maxim, was a miracle drug whose effectiveness, in Hirsch's terms, has been seriously weakened by its side effects.

If much or all of this sounds less than revelatory to readers familiar with a Marxian understanding of the contradictions of capitalism, that is, in a particular sense, beside the point. For Hirsch is addressing himself to the liberal problem of what to do now that Keynesian answers to modern capitalism are found wanting. I said earlier that Hirsch was parting company with Keynes, but in doing so he has performed a kind of liberal *aufhebung*. His new synthesis combines marginal economics, managed capitalism, the new sociology of relative deprivation, a Rawlsian emphasis on a sense of justice and a selected version of social democracy.

This new liberalism calls for "not a revolutionary change in attitudes... but an adjustment of degree" (p. 189). The thrust of Hirsch's new ethic is not that people should act altruistically, but rather that they should pursue their individual wants by behaving *as if* they were altruistic. Hirsch knows that capitalism as an economic system requires constant expansion of markets and production. He also knows that any system that claims to be democratic is constantly in need of legitimation. Both of these requirements are in a state of critical tension, in their own terms and with one another. There are then, as Hirsch holds, "social limits to the extension of welfare through economic growth." His book is an attempt to push back those limits or at least lessen "the damage caused by their existence." In addition to advocating the internalization of social norms that entail more modest expectations and which are more conducive to collective action and sacrifice, Hirsch's main policy recommendation is to lessen the monetary rewards attendant upon the competition for place.

In many respects Hirsch's predilections are circumspect. I am inclined to think that a number of the book's ambiguities will be treated with favour by many of its readers. When Hirsch speaks of the long run he sounds like a committed democrat, ready to substitute equality and participation for the rights and prerogatives of those who now have the upper hand in the class struggle. Hirsch, however, also reverts now and then to Keynes, and like Keynes, he's more concerned with the short run. In the short run Hirsch's attempted reconciliation of economic liberalism and democracy leaves unresolved the inherent contradictions in their respective demands. If Hirsch has provided more reasons why extra water is needed for capitalism's Scotch

we are still left with a vision of society where disparities in wealth, income and power are made more palatable to the majority. When read alongside Rawls, I suspect that Hirsch may be ushering in a new era of post-Keynesian liberalism.

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Notes

1. Rufus Myles Jr., *Awakening From the American Dream, The Social and Political Limits to Growth*, New York: Universe Books, 1976, p. 4.

2. For the mainstream of academic and intellectual liberalism Keynes plays the same role in economics as Max Weber in political sociology, *i.e.*, repudiation of Marx.

3. There is more than a hint of this influence in recent pronouncements by Trudeau and Chretien that the government intends to remove itself from the spheres that are better served by the corporate sector. Moreover there is now a disciples of Friedman organization calling itself the Fraser Institute in B.C. *Cf* "The New Economists" *Newsweek* June 26, 1978.

4. A group of right-wing monetarists is now being referred to as the "school of rational expectations". This only underscores the fact that the labels used to identify academic concerns are often as misleading as the names and slogans adopted by political parties.

5. "The simple fact is that, contrary to popular preconceptions, there is ample land available to provide food for a burgeoning world population." See Geoffrey Barraclough, "The Great World Crisis, I" *New York Review of Books* XXI, (21 & 22) Jan. 23, 1975, pp. 20ff.

6. Fred Hirsch, *Social Limits to Growth*, Cambridge, Massachusetts: Harvard University Press, 1976, p. 157.

Six Characters Out of Context *(after Virginia Woolf)*

Richard Royal*

I am soft, says Neville,
I comprehend the true aesthetic of sensuality.

I am hard, says Bernard,
I comprehend the true vision of nature.

I am an artist, says Rhoda,
I comprehend my own redemption.

I am a thinker, says Louis,
I imitate other people's comprehensions.

I am a sex object, says Susan,
I comprehend the superiority of the oppressed.

I am a child, says Jinny,
I comprehend the needlessness of age.

***

I am a yawn, says Jinny,
a picture looked at too long.

I am an embryo, says Susan,
graying yet unborn.

I am nostalgia, says Louis,
stuck in the second time around.

I am bureaucracy, says Rhoda,
the echo of a feeling.

I am a wave, says Bernard,
staking my claim in the water.

I am a brilliant idea, says Neville,
suitable only for fiction.

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CELEBRATIONS IN EXILE

Arthur Kroker

> . . . the moments at which we thus grasp ourselves are rare, and that is just why we are rarely free. The greater part of the time we live outside ourselves, hardly perceiving anything of ourselves but our own ghost, a colourless shadow which pure duration projects into homogeneous space. Hence our life enfolds in space rather than in time; we live for the external world rather than for ourselves; we speak rather than think; we "are acted" rather than act ourselves. To act freely is to recover possession of oneself, and to get back into pure duration.
>
> Henri Bergson, *Time and Free Will*

> It is as though we all preferred to die to preserve our shadow.
>
> R.D. Laing, *The Politics of Experience*

Michael A. Weinstein, *Meaning and Appreciation: Time and Modern Political Life*, West Lafayette, Indiana: The Purdue University Press, 1978; and *The Tragic Sense of Political Life*, Columbia: University of South Carolina Press, 1977.

It is ironic that in this, the most publicized of histories, an era in which reflection passes effortlessly into the sociological currency of destiny, that the most creative of theoretical tendencies should choose to abandon the public

situation, to extricate itself from the spatial representations of the social self and of the "conventional ego" in order to exile intellectuality to a sometimes quixotic, always indeterminate, exploration of the depth levels of the intuited self.

As with any innovative theoretical tendency, this self-expulsion of thought from the nominally "public" sphere — the inversion of the direction *and* object of reflection — is less an exercise in political quietism or disinterested social inquiry than a radical recovery, a recapturing through intuition of the extraordinary dimensions of "concrete durational being" in its relations with the constitutive processes of human experience.

With the publication of *The Tragic Sense of Political Life* and *Meaning and Appreciation*, Michael Weinstein signals his intention, an intention which I suspect is but a premonition of a coming shift in the focus of theoretical studies, to press the philosophical imagination to the limits of its expression in developing anew the tradition of intuitive phenomenology. In its radical denial of the efficacy of reason in the midst of the "exclusivities" of political life and of the validity for "durational being" of the Cartesian thinking ego as the informing impulse of the logic and space of modernity, this intuitive phenomenology foreshadows an attempt to situate the viewpoint of the "fundamental self" as the focus, first for political theory and then for a "recovered" human situation.

The significance of this project is that it is unequivocally an act of final rebellion: a. rebellion not simply against the *contents* of that accidentality, History, and the passing parade of its partial ideological representations but as well against the *forms* of History — the abstract institutional space of modern culture, the estrangement of thought typified by the "spatialization of cognition", and the eruption of the "extensive" public ego from the expressive self. In Weinstein's perspective, literary existentialism, the "existentialism before the letter" of Dostoevsky and Kazantzakis, and philosophical existentialism, or more elegantly the "finalist" perspectives of Unamuno, Bergson, Stirner and Kierkegaard, are combined into an eloquent political synthesis. An "agonic" perspective is marshalled against the ultimate facticity of the traditions of relativism and formalism; the life of appreciation is opposed to the "practical" viewpoint; the intensive, qualitative and heterogeneous character of the "time of duration" is alienated on the side of emancipation from the "abstracted" concept of historical space; and, finally, with Bergson, the possibility of "concrete durational being" is contrasted with the actuality of the "conventional self" living in historical time. What occurs, in short, is a celebration of the self in exile: a celebration of the possibility of denying, in thought and in action, the extensiveness of History by erecting in the solitude of "expressive" experience a life philosophy capable of redeeming

the "recaptured" conventional self and of satisfying the human hunger for expiation, understanding and immortality.

* * *

With Weinstein, how can we not but remain silent in the face of the nihilism of modern culture, the almost fetishistic sense of tragedy exhibited in political and social life? It is with mute astonishment and a frustrating incapacity to summarize, at first from feelings into images and then into words, that I stand before the shadow-like quality of the public situation: representations without duration, spatializations without content, institutions without constitution. Is it not the mark of our existence that the absolute singularity of the individual, the constitutive foundation of the life of expression, has been revoked and in its place the projects — the prophetic intuitions, feelings, habits and attitudes — of "durational beings" forced into relativity with the surrealism of mass organizations? 'I' becomes the 'they' of the conventional ego, my death becomes the victory of their forgetfulness, my being is evacuated with the precision that could only be possessed by institutions of "instrumental activism". My aspirations, and most of all, my failures are spread out for purposes of collective exhibition and, indeed, shame by a sterile reality that squanders the sacredness of the human and the natural.

Weinstein is correct in this regard: the crisis of the twentieth century is experienced most acutely as a generalized depreciation of the possibility of "meaning"; and the sources of this crisis of meaning are embedded so deeply within the logic of History as to require for their resolution, for the revelation to ourselves of the *reality* of the intuited viewpoint and of the *unreality* of the spatializations of historical time, a radical rupturing of the "veil of consciousness".

For us, the heirs of a decayed culture, the legacy anticipated by the "methodical doubt" of Descartes and by the political doubt, the fearful externalizations of Hobbes, is the collapse not only of satisfactory systems of transpersonal meaning — the scission of the modern from medieval space and time — but also, in its wake, the collapse of "cultural time perspectives" and the tragic debilitation of the quest for comprehensive political meanings in the twentieth century. "The Cartesian predicament may be defined as the absence of a stable and certain transpersonal meaning through which human beings can integrate themselves into the public situation.[1] Furthermore, for Hobbes, "The state of nature is not a counter-factual idealization, but an accurate description of the structure of modern politics, just as Cartesian provisional doubt is not a method, but a precise rendition of the level to which con-

sciousness continually falls in modern times."[2] That the march to "the dead-end of the minimum structure of experience" — the search for a comprehensive synthesis of cultural time and transpersonal meaning — in the midst of the "exclusivities of action" has failed to evade the prophecies of Descartes and Hobbes is witnessed by the present wreckage of the two "master" traditions of contemporary political thought: relativism and formalism.

Relativism, the general doctrine that understanding is principled by the structure of cognition, that reason is dependent on the form, then content, of experience, originates with Hegel's transfer of reason "from the thinking individual, where it had been lodged since the Cartesian experiment, to history." In evading the abstract tensions of "subjectivism" of the "unhappy consciousness" — the antinomies of "matter and spirit, passion and reason, practice and theory" — Hegel contributes a vision of cultural time, the specifics of which, Weinstein argues, are less important than "the general notion that transpersonal meaning is found through a relation between the individual and his historical circumstance." This "abstraction" of the individual into the externalities of History, of thought into a phenomenology of estrangement, reaches maturity in the nineteenth century with the development of "images of the public situation" principled by the coordination of scientific naturalism and political sociology. In practice, voluntaristic, and as science, deterministic, the images of the public situation immanent to positivism and historical materialism, and later to structural-functionalism, "unify cultural time by offering a vision of history that is necessary rather than contingent." The tragedy of relativism, in its journey from Hegel through Marx to the "inter-perspectival" debates of the modern century, is that in its forced yielding of the grounds of cognition from the aesthetic to the material, of History from spirit to function, is that it issues in the savagery of jurisdictional debates among an irreconcilable range of mutually exclusive historical meanings. Under the auspices of the sociology of knowledge, reason is reduced to the vacancy of power; and negation becomes but a "defensive posture" around, in principle, indefensible syntheses of cultural time and historical determination. In the relativistic perspective, the under-determination of the heterogeneity of the forms of History is accompanied by the over-determination of the exclusivity of its contents.

So, too, with the general doctrine of formalism, "Conceived as an attempt to make the uncertainty about transpersonal meaning and the search for it substitute for any particular substantive meanings, the formalist response to the problem of relativism ranges from Royce's 'loyalty to loyalty', James's 'will to believe', Camus' absurd revolt, to Ortega's, Mannheim's and Sartre's notions of authenticity . . .".[3] The decisive shift in formalist philosophy from the nineteenth to the twentieth century, and here Weinstein notes the parallelism of the thought of Alejandro Korn and Josiah Royce, lies in its

internal transformation from a philosophy of "mediation" to a philosophy of "immediacy". "Philosophies of mediation employ conceptual structures as bridges between some basic human experience and a realm of being beyond present experience."[4] An elegant description of the evolutionary idealism of Royce's thought: in Royce's terms the tension of reason derives from its uneasy vacillation between the "acknowledgement" of the existence of an absolute — a metaempirical realm — and the present of "limited and alienated experience." On the other hand, philosophies of mediation ". . . employ conceptual structures as bridges between finite human experiences."[5] Consider the thought of Korn: an irreducible commitment to the exploration of that " 'polarized activity', consciousness, 'in which the I and its opposite are reciprocal functions.' " History, however, is uncompromising in its extensiveness and homogeneity; and formalism collapses into a radically absurd effort, at synthesizing, in an increasingly "specious" present, the uncertainty of transpersonal meaning and the inward journey of the intuited self.

A digression to self: My desires, my will, hunger for the continued vitality of formalist philosophy, whether of mediation or immediacy. What intellectual journey has been taken to the interiority of the tensions of self and ego, of intuition and behaviour, of serene contemplation and political fury, that has not inspired a renunciation of the solitude of psychological exile for the familiar homeland of History? Who, in active consciousness of Ortega's philosophical presentiments of the indispensability of human singularity in the presence of death and of Camus' eloquent rebellion in and against absurdity, would not abrogate the life of expression in favour of "normal psychological space" — to "walk on the wild side" of spatialized cognition and, of its counter-part, the politics and sociality of mutual advantage and mutual fear — if, and only if, formalism could fulfil its promise of providing, not meaning, but a minimum structure of authentic practice in a world of absurdity?

Formalism, however, fails. Camus' absurd — "the will to unity and the lack of response" — is an irrelevancy to a History without amnesty. Royce's idealism vacillates without expiation between the absolute and the intuitions of consciousness: unwilling to abandon itself to the completion of meaning at the sacrifice of immediacy; and incapable of resolving itself into the constitutive processes of alienated experience without, simultaneously, recovering "acknowledgements" of the absolute in uncertainty. The bitterness of secular abandonment, witness Sartre's injection into historical time through Marxism; and the quixotic futility of faith squandered in the defence of overdetermined forms of uncertainty, heed Korn's apology of "intellectual probity". The denouement is predictable: twentieth century formalism, having discounted the possibility of historical time, and with it, faith in transpersonal meaning, has returned "to the Cartesian situation with the difference

that what is certain is no longer the thinking ego, but present experience constituted by subjective internal meaning, objective external meaning, and their synthesis in action."[6] It is the perfect fissure for the injection of the nihilistic tendencies of modern culture into the last defence of the life of reason. Probity stands against virtue, and action against knowledge. The ideal of creative freedom, now in its final contortions, explodes onto the public situation under the sovereignity of the "vital lie"; or implodes onto an increasingly "specious" present — a present without memory or possibility; a carnival of probity without will, and virtue without significance.

The life of expression finds no solace in the sphere of existence. The dethronement of reason, the disjunction of reflection and History, has not conspired to effect an inversion of practical life — to compel the world into relativity with the projects of concrete durational being, but how could it be otherwise? The vacuum left by the collapse of "transpersonal meanings" and by the disunification of "perspectives on cultural time" has been rapidly filled with mass organizations, the essential structures of which organize increasingly "accidental" publics into mechanical, but coherent, contexts of historical meaning. The quest for meaning thus passes from the contradictions of philosophy into the sphere of sociology and, thereupon, into the sullen pathos of administered society, into the abstract authoritarianism of institutional space. It is as if in the fallen plenitude of philosophical relativisms and in the temporizings of Ortega, Korn and Royce, our future memories had already been screened. Our fate now is to be condemned to a History that is as predictable in its senescence as it is demeaning in its brutalism, but this time, in political life as opposed to the life of reflection, without grace or elegance, without the civility of a decayed idea that falls with the announcement of its contradictions.

At this juncture, however, with the eruption of the contradictions of philosophy into the public space, I depart from Weinstein, although in a curiously ambivalent way. The lesson that I take from the last temptation of reason, the impossibility of publicizing concrete durational being through that estranged medium, meaning, is loss of faith in the civilising habits of reason and in its regulative ideal — the appreciation of a heteronomy of political experiences. For Weinstein, the tragic sense of political life inheres in the impossibility, the *constitutive* impossibility, of particularizing reflection or limiting will to any one of a plenitude of mutually exclusive, but internally intelligible, political perspectives. This is against the background of a public situation, the autocratic character of which apparently demands for its amelioration the sacrifice of the fundamental self to political activity and the imprisonment of reflection and feelings within those asylums of estranged mentalities, ideologies. Guided by the appreciative ideal, reflection hovers in pathos around a History indifferent to its anguish: History the logic of which

implicates reflection within the paradox of acting publicly only at the expense of probity and not-acting to the detriment of authenticity. Pure politics and pure reflection; and both choices are ultimately irrelevant to the inevitability of the chain of historical determinations — the actual condition of injustice with probity.[7]

Authenticity, probity, the illusion that the life of reflection can "turn" History within the structures of its own logic: these are but epigrams to the vanity of a fallen consciousness; defensive outposts of a dispirited intellectuality in a History of no hope. The value of appreciation, the vacillation between the demands of reason and the public situation, cannot be said to be a radical gesture: it is, instead, uncontrite consciousness caught up in the act of gutting itself and, thereby, squandering the possibility of a redeemed humanity in a heroic but hapless gesture of sacrifice. The contradiction and tragedy of the appreciative experience derives less from reason's injection into History, that is the obvious peril, than from the passive enslavement to History, the negative necessity, implied by the act of not-acting to maintain probity; by being, without the justification of contingency, the last survivor of a broken phenomenology.

In place of appreciation, the coordinative principle of the life of reflection, I would invoke as the ideal of the life of expression the bitterness of living in a public situation that is never one's own — the salutary despair at finding no exit for the fundamental self into History. The tragic sense of political life is not impossibility of accomodating the "agonic doubt" of the Pascalian within History; but that the tension of the agonic and the Historical, and, thus, the accomodation of the self in exile *within* the logic of the public space, should continue to be legitimated and taken as problematical by a philosophical tendency that has yet to confront the revolutionary character of its intuitions. In a politics of no hope, a pure politics of pathological power, the agonic must be cured of its illusions by being cured of History. For just as the self cannot be saved in History, so too History should not be redeemed at the expense of the inward journey of human expression. Bitterness, the motif of a humanity without hope, is also the instructor of a humanity without illusions. Bitterness, that primal intuition of man's fate, forces into the vanity of consciousness the elemental insight that for the "man of flesh and bone" it is constitutively intolerable for the exploration of the "depth levels of the intuited self" — the one possibility extant for the eventual recovery of the human spirit — to be held ransom further to probity and injustice, the hostages of historical time. A radical scission of political obligations and emotional impulses, of "spatialized cognition" and "durational time" is, indeed, warranted. Confronted by the unhappy tension of the "vital lie" and inert reason, the life of expression must surely be de-implicated from the *logic* of a culture that is as debasing of its negative moment, of its critical

oppositions, as it is of its apologists and practioners.

The intuitions of the embittered self visit the nullity of History: what emerges is, at last, "an inversion of the practical viewpoint"; the relativization of the processes of reflection, will, and the beautiful as dialectical moments in the recovery of the constitutive foundations of human experience, the social processes of human expression. Once divided from the extensive spatializations of the social self and from the mechanical representations of the "conventional ego", the fundamental self discovers in the anarchy of intuition, in the inward journey of the publicly injured individual, the "person" of intension and duration — the prophetic, and for now private, person of and for time.

* * *

It is in the analysis of this suppressed, "extraordinary" dimension of human experience — the sphere of the intuited self and of its relation to Bergson's concept of "pure duration" — that Weinstein is most insightful. While I would contend that Weinstein's commitment to the ideal of "appreciation" ultimately begs the question of the relationship of intuition and politics, of the *political* significance of the collapse of relativism and formalism, I am convinced of the productive and fruitful character of the theoretical analysis opened up by his re-interpretation of Bergson's metaphysics. ". . . [O]nly Henri Bergson undertook a full-fledged philosophical critique of meaning by associating it with spatialized cognition and contrasting it with the intuition of pure duration, which reveals a process of expression that is creative of meaning. Bergson's . . . work announced a philosophical revolution that would have made practice relative to the processes disclosed by intuition."[8] Furthermore, "Bergson's contribution was not his particular metaphysical attempt to bind a fractured experience together, which simply added to the 'explosion of meaning' but his intuition of the depth levels of the self that are the very generators of meaning and his suggestion that these levels are not usually accessible because of the requirements of social life."[9] Against Bergson's "metaphysical" intentions in *Time and Free Will*, although not in *Creative Evolution*, the possible social significance of the "intuition of pure duration" cannot be under-estimated. The intuition of duration, the "unnatural act" of inverting the "practical viewpoint" to reveal the immediate, dynamic, heterogeneous, and qualitative aspects of human experience, is the epistemological instrumentality of surplus-will, "negative aesthetics", and "surplus-consciousness"; in short, it is the epistemological point-of-disclosure of those silent, but directly experienced, social possibilities that comprise the basis for an eventual return of the emancipatory impulse to the public

situation. In preparation for this moment of return, if only as a provisional moment, the intuition of duration provides a method of exploring, through a recovery of awareness of the "fundamental self", the relationship of the social process of expression to reflection, will, and the desirable. If not thereby provoking a gradual change in human sentiments, a silent aggregation of prophetic intuitions ready to explode onto the public situation, this removal of the "veil" between consciousness and durational being provides, at the minimum, an understanding of the human possibilities denied to us by the accidental quality, if not by the social necessity, of existence. In an era noteworthy for confusing eternity with transitory actualities, the reclamation of the sphere of social possibility through the intuition of duration is not an insignificant political act.

As to how the social character of the intuition of duration could be made intelligible, Weinstein is explicit: "Bergson's original intuition was not of duration only, but of an entire self process, the form of which is a way of temporalizing, but the content of which is expressing the contents of consciousness unimpeded by the restrictions imposed by social conventions. Opposed to the self process of expression is that of reflection, which is constituted by the objectification of the self in homogeneous time. The interplay between expression and reflection is what is meant by human existence, which takes different attitudes in accordance with the relations between the two processes of temporalizing and experience."[10] The "polemical" intermediation of reflection and expression — the former "selective and centrifugal", the latter "receptive and centripetal" — dissolves into a unitary dialectical moment the "warring tendencies" identified by Bergson as constitutive of human experience: extensive, homogeneous space — the place of reflection; and intensive, heterogeneous time — the situation of expression. In *Time and Free Will*, Bergson notes these "warning tendencies": "The intuition of a homogeneous medium, an intuition peculiar to man, enables us to externalize our concepts in relation to one another, reveals to us the objectivity of things, and thus, in two ways, on the one hand by getting everything ready for language, and on the other by showing us an external world, quite distinct from ourselves, . . . prepares the way for social life. Over against this homogeneous space we have put the self as perceived by an attentive consciousness, a living self, whose states, at once undistinguished and unstable, cannot be separated without changing their nature, and cannot receive a fixed form or be expressed in words without becoming public property".[11] Weinstein adheres to Bergson's conception of the contradictions of freedom and social life, of History and durational being; with this single, important difference: the process of self expression represents a scission from the division, made familiar in modern times, of subject-project and their extensive synthesis in homogeneous space. In its place, Weinstein, first

refusing the temptation of projecting a theory of historical meaning under the auspices of Bergson's "vital impetus", seeks to recover durational being by forcing reflection back upon its *constitutive* foundation in expression for the generation of meaning. Bergson has warned that in the absence of an "inner life", of a process of self expression, "our psychic states separating them from each other, will get solidified; between our ideas, thus crystallized, and our external movements we shall witness permanent associations being formed; and little by little, as our consciousness thus imitates the process by which nervous matter procures reflex action, automatism will cover over freedom".[12] It is in response to the debilitation of inner life — the tragic process in which expression is, at first, subordinated to and then displaced by the *forms* of reflection, forms which originated as representations of expression, of durational being — that Weinstein insists on remaining faithful to the "implosion of meaning" anticipated by Bergson. In preserving the vitality of prophetic intuition, the eruption through reason of charismatic emotion, Weinstein's vision of the "implosion of meaning" maintains the possibility of combining within the sphere of the intuited self the "totalizing" impulses of the expressive self and the "introspective" projections of reflection. The realm of the intuited self, of "concrete durational being", — a realm which is beyond and in opposition to the "ordinary experience of human action" and "normal psychological space" — is thus postulated as the basis for the recovery of social possibility, for the "inversion" of the requirements of social life.

Can the intuition of duration be related to the political sphere? If so, how is the *social* referent of "inner space and time" to be maintained in view of the tendency of "deep introspection" to "fall into time", to retreat to the silence of contemplation, then mysticism? Ultimately, is it possible for the durations of the life of expression to emerge from the depths of the archeology of the ontological impulse into the decay of History, to displace the "modular time frames" of conglomerate society with the variegated texture of lived experience?

Just as Weinstein remains silent in these works about the ultimate epistemological justification for the "polemical" basis of the social process of expression; he is hesitant, as well, to subscribe to a theoretical idiom that provides for the mediation of intuition and the public sphere at the expense of "organic solidarities" among radically dependent beings. While the intellectual probity represented by this limitation of perspective is consistent with Weinstein's claims on behalf of appreciation; this sacrifice of the possibility of mediation between intuition and the "social necessities" may be unnecessary, if not unwarranted. On a final note, I would suggest that if the self in exile — the intuited self in durational time — is not to fall into a vacant mysticism, two projects must be undertaken and, against the actualities of

History, completed. First, intuitive phenomenology can do no better than to create cultural exits into an inner space and time which, in awareness of the singularity of the experience of death — the last principle of relativization, is kept "out of formation" with the social sphere; distanced from the secular spatializations of the public realm. Secondly, intuitive phenomenology must procure direct, "polemical" relations between expression and aesthetics. In the deeper recesses of durational time, our estranged emotions must constitute, in negativity, a vision of the beautiful. For it is this vision of the beautiful, validated by the prophetic intuitions of consciousness and supported by the torn fabric of human emotions, which will be ultimately our guide in the present human exile — a vision awaiting its "return", awaiting in Bergson's sense, the resurrection of Reality.

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Notes

1. Michael A. Weinstein, *Meaning and Appreciation*, p. 11. (cited hereafter as *Meaning*)
2. *Meaning*, p. 13.
3. *Meaning*, p. 26.
4. *Meaning*, p. 35.
5. *Meaning*, p. 35.
6. *Meaning*, pp. 38-39.
7. See particularly Chapter VII, *The Tragic Sense of Political Life*.
8. *Meaning*, p. 3.
9. *Meaning*, p. 53.
10. *Meaning*, p. 52.
11. Henri Bergson, *Time and Free Will*, London: George Allen & Unwin Ltd., 1971, p. 236.
12. *Ibid.*, p. 237.

Canadian Journal of Political and Social Theory/Revue canadienne de théorie politique et sociale, Vol. 2, No. 3 (Fall/Automne 1978).

"HAYEK'S RESIDUAL PLATONISM"

Richard Vernon

F.A. Hayek, *New Studies in Philosophy, Politics, Economics, and the History of Ideas*, University of Chicago Press, 1978, pp. vii + 314.

Professor Hayek, to his credit, has never followed fashion: and if at last he almost risks being taken for a fashionable thinker, that is because fashion has followed him. Many of the tenets of the "New Conservatism", as it is called — a negative conception of the state, a re-assertion of the right to property and of individual responsibility, and the reliance upon voluntary rather than public mechanisms — are themes which Hayek has vigorously expounded for forty years or more. If his writings belong among the dinosaurs — a published view to which Hayek understandably takes offence (305) — then we must face the fact that the dinosaurs are flourishing once again, and that the laws of natural selection assumed by the progressively-minded have apparently been cancelled or suspended.

Persistence, to be sure, does not make for very exciting reading; and if Hayek is to be applauded for standing by his beliefs until opinion, or a segment of it, has caught up with him, we may nevertheless complain that in his latest volume he has given us little that is new. To the reader familiar with his remarkably interesting 1967 collection, *Studies in Philosophy, Politics, and Economics*, this book may be a disappointment. Emphases differ — the topical problem of inflation, notably, is treated here at rather greater length — but there is little if anything of substance that the earlier collection did not provide. Moreover, the internal repetitions in *New Studies* are occasionally a little trying, and one may doubt the wisdom of collecting together essays and lectures which sometimes duplicate one another, as well as earlier published pieces, to an extent which detracts from their interest. But perhaps repetition is the price to be paid for the consistency of mind which accompanies high seriousness.

New Studies is no work of pure scholarship alone. It is at least as much — more so, or more insistently so, than the earlier collection — a manifesto, inspired by the existing state of economic and political affairs, which fills Hayek with dismay. He fears (as he did in his most widely-read book, *The Road to Serfdom*) that the world may be in the grip of powerfully or even irresistibly destructive political forces; and added to this long-standing fear, now that the era of post-war growth is ended, is another — that mistaken economic policies have created an *impasse* which nations lack the will to break. Hayek's speculations on "philosophy" and the "history of ideas" are rarely more than a hair's-breadth away from "politics" and "economics", which in turn are considered in intimately close inter-relation, if only because economic knowledge cannot be put to use except by governments which are willing to face the political costs. Nor, indeed, would Hayek accept any hard-and-fast distinction between scholarly or technical or scientific matters on the one hand, and practical or political or "value-laden" matters on the other. For disagreements on questions of social policy "turn inevitably, not on differences of value, but on differences as to the effects particular measures will have" (296), and hence on scientific knowledge. One may suspect that this assertion will not bear very much weight: for if there are (as Hayek stresses) always unknown or unknowable elements in the prediction of such "effects", it is precisely in the assumptions or guesses that we make about effects that values enter into our choices.

Occasionally Hayek appears to underplay essential differences regarding "values", despite his claim to be centrally concerned with this matter (298). Most strikingly, he is convinced that the search for "social justice" is not only ruinous, for reasons to be touched on later, but also vain, on the grounds that there is less than full agreement as to what a just distribution of social goods would be. Justice, therefore, he contends, can only be a matter of observing certain general rules of just conduct, which will regulate the actions of men but leave undetermined the distribution of goods resulting cumulatively from their actions. But it would appear to follow that if disagreement over distributive questions renders "social justice" absurd, then disagreement over matters of personal conduct ought to render justice *in genere* absurd, which is not a conclusion which Hayek would welcome. The possibility of such disagreement, however, is not one that he entertains seriously. He remarks (incautiously?) at one point that "All moral problems . . . arise from a conflict between a knowledge that particular desirable results can be achieved in a given way and the rules which tell us that some *kinds* of actions are to be avoided" (87). But surely there are disagreements (Antigone!) as to the *kinds* of actions to be avoided or performed, and surely, too, moral problems are traceable to such disputes at least as much as to tensions between universal rule and particular case. Conflicts among different moral beliefs tend to be

dismissed a little too briskly here as conflicts between right and wrong. For example, egalitarianism is condemned outright as "immoral" (157); socialism is repeatedly written off as an atavistic renascence of mere "tribal" sentiments — and here one may note in passing that Hayek should scarcely complain about being placed among the dinosaurs when he himself relegates his opponents to the dawn of human history. Moreover, what appears to be a suggestion that the capitalistic spirit may be understood in terms of liberation from the "restraints" of culture (189-90), rather than as a system of cultural imperatives itself, comes oddly from a writer who so admires the sociological tradition springing from Ferguson and Hume and Smith.

Here a further distinction is attached — rendering Hayek's argument doubly problematic — between (disputed) distributive ideals which compel individuals to serve prescribed ends, and (allegedly undisputed) rules of just conduct which preserve the individual's right to use his own knowledge and resources in his own way, and which alone, therefore, it is held, are compatible with individual moral responsibility (58). But it is not at all clear that much if anything is left of this distinction if the rules of just conduct are regarded as functional requirements of a market society (17), or as necessary to the satisfaction of compelling global needs (65); for such arguments subordinate *rules* to *ends* in a manner which Hayek regards as illegitimate (89), and effectively obliterate the difference he seeks to establish between societies in which individuals choose the ends which they are to serve and those in which they do not.

But at bottom Hayek's argument surely rests upon something better than such suspect definitional linkages between liberal notions of propriety and morality as such. He offers, indeed, a number of causal assertions which qualify as empirical ones even if, as Hayek points out, the extent to which they can be tested is in some respects limited. It is Hayek's view that a market economy is more efficient than any other known system, because, by bringing individual initiative into play and directing it by means of price signals it makes use of the dispersed knowledge and capacity of millions of men, and not merely of the knowledge of a planning board; and although it cannot be said to distribute wealth according to merit or need or traditional expectation, it does provide a larger aggregate pool of wealth for individuals to draw upon. This important point is expressed in several slightly different ways in the course of this book, sometimes, moreover, rather ambiguously, and one cannot be sure that one has grasped Hayek's meaning. Sometimes it is held that *everyone* is better off under a market than under a command system (67), rather as John Locke held that even the propertyless were better off under a system of private property than under one of common use. But sometimes it is argued, rather, that the market system improves "the chances of any member of the community picked out at random" (63, also 184). Unless we

(eccentrically) read "chances" as a synonymous with advantages, these two positions are clearly not identical: nor can we quite tell whether "chances" are improved in the sense that (a) every person has a very good opportunity to become wealthy, (b) every person has some opportunity to become very wealthy, (c) any person picked out at random is very likely to *be* somewhat wealthy, or (d) any person picked out at random is somewhat likely to be very wealthy. Whether men in some fictitious pre-social "original position" would find any or all of these prospects appealing, or whether they would opt instead for the distributive egalitarian rules which Rawls has laid down, is wholly a matter for speculation. Hayek does not even speculate, for unfashionably he mentions Rawls nowhere in his book, and is apparently content to assert that no distributive rules could command consent. Nor, in the absence of argument or even speculation, is it apparent to the reader that any of these possible readings of the claim, any more than the much-disputed Lockean (Pareto-optimal) view which is offered alongside it, supplies good reason to dispense with "social justice" as an end, however imperfect and problematic it may be.

A second set of empirical claims concerns the more specifically political effects of economic arrangements, a theme very close to the centre of Hayek's thinking. It is argued that economic and political liberalisms are inseparable (132), and the link between the two, for Hayek, evidently consists above all in the fact that economic liberalism alone makes it possible for government to be confined to the enforcement of general negative rules, whereas a command economy requires it to issue particular, positive and discriminatory instructions. Hayek works this point hard, and often one wishes that he would pause to consider whether the distinction made here will do as much as he supposes. Is it really the case (to take one notable example) that only a flat rate of taxation qualifies as a general rule, while progressive taxation violates the principle of "equality before the law" (142)? A progressive tax law, after all, bears upon classes of persons, not particular persons, in a manner which is not obviously distinguishable from any other law, such as civil laws bearing upon persons who happen to have made contracts or municipal by-laws bearing upon persons who happen to own houses. What is a general law and what is not? We are not helped much here by the (in some respects valuable) distinction between (general) *opinion* which should inform legislation at any given time, and (particular) *will* which has no place in law-making (82 ff, 95); for the distributivist notions which Hayek seeks to exclude may enter into the formation of general beliefs (and have done so, to some extent), in addition to expressing the purposeful and interested claims of specific social groups.

Hayek's proposals for political reform, which are intended to secure the supremacy of opinion over will, are perhaps the most curious feature of this volume. It is surprising to find a thinker who believes so strongly in the play of spontaneous forces, who believes, in fact, that the most significant human

achievements are stumbled upon unwittingly, and are significant *because* they are unforeseen (68), engaging in a frankly "Utopian" (118) exercise in constitutional design. The growth of political institutions and of language are perhaps the two most striking paradigms of spontaneous development; but Hayek subjects both constitutional principles and political language to quite high-handed tinkering which displays little awe indeed of the historically given. What Hayek proposes is the reduction of existing parliamentary assemblies to the role of executive bodies, and the creation of senatorial legislatures composed of, and elected by, citizens who have reached the age of forty-five (102-3, 116-7, 160-1). Lawmaking, thus guided by mature opinion, would be the exclusive preserve of the senatorial body, while the lower chamber (which would contain parties, as at present) would be confined to governmental tasks. Any political scientist will find much to criticise in this proposal, which assumes a clear separability between legislative and executive functions which the political science and political experience of this century tend strongly to discredit. One difficulty of a far-reaching kind is that general beliefs can scarcely be thought to control particular actions in the manner in which one constitutional body may control another; for even agreed-upon general beliefs permit divergent practical interpretations in assuming an operational form, and the notion that we may strictly separate particular goals from the general beliefs which they translate is surely at least questionable.

Whatever the merits of Hayek's Utopia, it is in the general area of the relations between economic and political arrangements that many readers will find this book most provocative. It has often been maintained (as for example by Joseph Schumpeter) that some fundamental link or parallel exists between "capitalism" and "democracy"; but what Hayek draws from Schumpeter is his other, pessimistic view that over time democracy may tend to submerge or cripple a capitalistic economy (107) — if, that is, democracy is understood in something like its current sense. For democratic governments are driven to make use of their law-making power in order to satisfy a host of special claims, and thus to distort the essential generality of rules upon which a market economy rests. Especially, they will seek to shelter groups which suffer the losses necessarily produced from time to time by the impersonal logic of the market economy, thus introducing rigidities which impede the market's operation and reduce its efficiency. Hayek notes in passing the apparent paradox that the governments of communist countries have been less reluctant than democratic governments to allow their citizens to bear the costs of change (188); and this evidently brings into play the disturbing possibility that more authoritarian regimes may be better able than democratic regimes to sustain a market system. Such a view is only implicit in what Hayek says; but he explicitly denies that "liberal principles" logically preclude authoritarianism, as opposed to totalitarianism (143). The doctrine of the

inseparability of economic and political liberalisms must be understood, then, in a special sense, for it would appear that the political features inseparably connected to economic liberalism are of a kind which permit authoritarian rule. But what is surely required by liberalism — as the drift of Hayek's own argument seems elsewhere to imply — is some guarantee that government will respect individual rights, and this is something that an authoritarian system is by definition unable to supply.

Whether liberalism allies itself with or separates itself from democracy, its cause, if we assemble the various pieces of Hayek's argument, would appear quite desperate; and his explanation for its plight would be that the central conceptions of liberal thinking have lost their force. The task of institutional reform, he writes, though difficult, is far exceeded in difficulty by the task of restoring a lost concept (113). There is here a most interesting tension (I do not say contradiction) in Hayek's thinking, which, arguably, has characterised many of his major writings, and which is certainly evident beneath the surface of this book. As a social scientist his standpoint is that of process; social science focusses its gaze upon the discontinuities between action and outcome, displaying in the course of events patterns of things which are not (and could not be) contained in individual or collective intention (73; 264). As opposed to idealist thinkers or theorists of *Verstehen* he contends that the social sciences differ from natural science only in the complexity of their subject-matter (24), and in his essay on Carl Menger he contends that at least some of the techniques of social enquiry may dispense entirely with subjective understanding (277). But as a political theorist Hayek places his primary stress upon the central role of diffuse impalpable beliefs and convictions, as well as upon theoretical knowledge, to errors in which he ascribes enormous significance (192). Whether social and political orders are to be understood as the realm of spontaneous process, of unintended consequences, of naturalistic growth, or, on the contrary, or somehow in addition, as structures depending upon intention and will, is perhaps the largest of the problems central to Hayek's work.

As social science, to extend this point, Hayek's work may be read as a running critique of Plato, departing from a sharp rejection of the view (*Republic*, 497c-d) that there must be some locus within an order from which that order is fully comprehended and guided; from this rejection stems that stress upon spontaneous process, upon what men do "without thinking and knowing" as Bernard Mandeville seminally put it (262), which underpins all Hayek's fundamental concepts, and which, as he insists, distinguishes the social science of the post-Enlightenment period from earlier traditions of political and social thought. But as political theory Hayek's writings present an order as something governed by ideas, "objective rules" as is surprisingly claimed at one point (139), which speak unambiguously to those who,

"undeceived" (196), are open to them. At bottom, it does not appear to be political power that engages his interest, but the power of thought; and politics, in which thought is characteristically so adulterated by interest, is not something that he admires with any warmth. Politics might well be located (as Aristotle came close to doing) precisely in the contentiousness of the notion of justice; and perhaps Hayek's residual Platonism is nowhere better displayed than in his central view that such contentious beliefs are *ipso facto* snares or "mirages", and are to occupy no place in the sane polity, in which, thanks to consensus, the differences among men become the source of harmonious complementarity.

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THE MORALITY OF LAW

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Law, Morality, and Society: Essays in Honour of H. L. A. Hart, edited by P. M. S. Hacker and J. Raz. Oxford: Clarendon Press, 1976, pp. 312, $21.95 cloth.

H. L. A. Hart represents the integration of legal philosophy with modern philosophical thought. We see in his work a traditional attempt to find the necessary balance between the autonomous liberty of the individual, and the smooth evolution of social and political morality. Hart is also identified with the restoration of legal philosophy. This identification is warranted by Hart's consistent application of the methodology of moral and political philosophy, the philosophy of mind, language, and philosophical logic. For this, we must be grateful. It has made the philosophy of law more accessible and more meaningful.

To examine Hart's contribution is to examine more closely the world in which we live. Our world evinces a morality. We live in social settings which partially disclose this morality through their legal systems. Thus, law may be viewed as illuminating the foundation of morality. It is a resting place as well as a platform from which we are able to step to derivation and implication. Therein lies logic; and of course, within a broader category, analysis. Logic is the tool. Simplification and elegance are the desired result.

Another aspect of law is that it both imposes and exposes structure. It exposes the ways we think about some things and it imposes ways of doing things. Where law exposes structure, we learn something about human nature and human relationships. Where it imposes structure, we come to know something of what it means to live peacefully together. Law reflects a morality and morality is the foundation of society.

This book honours a man who has fundamentally changed the nature of Anglo-American jurisprudence. No serious work on subjects dealt with by Hart can afford to neglect him. He has expanded the narrow views of law expressed by legal positivists, realists and formalists. MacCormick says that there must be many for whom the beginnings of wisdom in the understanding

and analysis of legal systems and legal concepts have been found in the lectures and writings of H. L. A. Hart. I am certainly one of them. Finnis says that Hart's Concept of Law restored the theoretical vigour of jurisprudence and its openness to all other philosophies and sciences of human affairs. This is certainly true — of some sixty works, there are many landmarks. *Theory and Definition in Jurisprudence, The Concept of Law, Law, Liberty, and Morality*, and *Punishment and Responsibility* are but a few.

I

Phillipa Foot asserts that, "It is an important fact about the phenomenon we call 'morality' that we are ready to bring pressure to bear against those who reject it." But this pressure (in the form of approval or disapproval) depends on our ability to influence others. So, the moral point of view taken by society will depend on whether and on what a community will agree. There is a ground common to man. We have agreed that all of us have the authority to speak against some things, *e.g.* murder. Moral approval and disapproval exist only in a setting where morality is taught and heeded. Foot concludes that if approval and disapproval are essentially social, then so is the morality that we are trying to analyze. Lucas reminds us that, "the concept of law, therefore, cannot be given too tidy a definition. It can be elucidated, but only as a social phenomenon that arises when men, who are rational but not very rational, and moral but not very moral, live their lives together." We live in a world of laws; natural and otherwise. We live socially, and most of us morally.

Inevitably, we are in the realm of social contract. Professor Barry laments this. In "Justice Between Generations", he finds later generations without bargaining power. Those who know contracts know that agreement is essential to contract formation, and that bargaining power is often crucial to agreement. It would appear, if this reasoning were sound, that (1) certain kinds of harm to generations (*e.g.* 500 years from now) would be immoral and (2) that if those generations cannot contract with us, then (3) social contract theory will not always produce a moral result. This sort of reasoning is misguided. Professor Barry needs something more to make his point. He believes that since morality is at bottom no more than mutual self-defense, we have nothing to fear from future generations. Therefore, we run the risk of not looking out for them.

But do moral obligations really arise from a base of self-protection? Is there any intrinsic value to being good? Food may be good not only because it provides nutrients, but also because it is delicious. Sexual love may be moral or good because it is a form of communication, of a beautiful sort, but also because it is good directly. It feels good. Or, more subtle perhaps, a promise

may be good not only because it produces externally justifiable reliance, but because of the pleasure it gives to *use* that convention. It is a pleasure to be in a world where promises exist. This kind of integrity brings stability and serenity to the souls of those who are, with fair consistency, moral and honest. It does the same for those who benefit and rely upon it. The whole interaction is an instance of something good. The interaction *ipso facto* produces a unit of goodness. The world is somewhat brighter. An example is set for future generations. This, however, is probably not enough to reassure Professor Barry — he believes it impossible to take everyone into account.

J. Feinberg contrasts an "ideal-regarding" theory of interest to something like Barry's "want-regarding" theory of self-interest and self-protection. "The ideal-regarding theory of interest holds that it is in a person's interest ultimately not only to have his wants and goals fulfilled, but also to have his tastes elevated, his sensibilities refined, his judgement sharpened, his integrity strengthened: in short to become a better person." Feinberg gives us examples of the historical intensity with which this idea has evolved by mentioning Socrates' belief that moral harm is the only genuine harm that may befall us and reminding us that, "Epictetus was so impressed with the harm which consists simply in having a poor character that he thought it redundant to punish a morally-depraved person for his crimes." Is this a resolution to Barry's dilemma? Not as it stands but it hints that there is more to the self-interest theory of morality than meets the eye at first. Feinberg may be in a philosophical jungle here — but he is in Barry's company. They both run the danger of suppressing the correlative (non-selfish) and thus stating philosophical propositions which make no difference at all to the way things are. If everything has elements of self-interest in it, then it makes little sense to compare this to something that is without self-interest. (Where would we find anything?) In Barry's view all morality is of the self-interested sort, and to Barry, this has unfortunate consequences. To Feinberg, self-interest may explain moral behaviour, but it is also capable of encompassing what we would ordinarily call good (self-less?) behaviour (*e.g.* refined sensibilities). If everything is selfish, we cannot know what it means to be not selfish, therefore self-interest talk is not enlightening. However, it is unfair to leave Feinberg with this dilemma in an article of this kind. For it is possible that he resolved it adequately by describing a balance of selfish and unselfish behaviour, although I retain some doubt about this method of analysis.

Barry's problems with self-interest and future generations may be resolved in other ways. This resolution ultimately settles on the following: If there is intrinsic good in rational behaviour, in seeking truth for its own sake, then our *lack* of knowledge about a remote generation's future needs when coupled with a desire for the intrinsic value of other moral virtues (*e.g.* fairness) is precisely what controls our present policies. If we are ignorant (*i.e.* lack

adequate information to form a true judgement) as to the future needs of some remote generation, we will adjust our own consumption on the basis of this ignorance.

J. M. Finnis' essay "Scepticism, Self-Refutation, and the Good of Truth" provides a partial answer to Barry's rejection of the social contract theory of morality. Finnis notes that behaviour and linguistic activity, "display patterns of reason(ing) and will(ingness); jurisprudence advances by going beyond the display." He disputes Hart's thesis that knowledge and its quest are somehow less important for man than survival. It is in this article that I found the most direct reply to the theories of self-interested morality which Barry discusses and with which Feinberg disagrees.

It may be that Augustine's terminology of love is the best expression of what lies behind our morality. But Finnis' essay is more "a reflection on the implications of our willingness to further our understanding, to raise questions, to seek clarification, and to make efforts to sharpen our perception." Finnis is aware of a difference between generations 2000 years old and present generations (which seem to be more cynical and perhaps more defeated). He rightly recognizes, but does not discuss, the ways in which a survival point of view affects the methodology of such disparate discussions as Hart's *The Concept of Law*, Rawl's *A Theory of Justice*, and Nozick's *Anarchy, State and Utopia*:

> Rather my concern is to contribute to a more exact understanding of a practical principle which Plato, Aristotle, and Aquinas regarded — rightly — as self-evident. What most sharply differentiates the classical from the modern philosophy of human affairs is that one asserts while the other denies that truth (and knowledge of it) are as self-evidently and intrinsically good for man as life is.

Finnis does not defend classical expositions of this principle. Both life (survival) and truth are "intrinsically, underivatively, fundamentally good, and there is no priority, ranking, or hierarchy of the fundamental forms of good." There are other good things, play, friendship, aesthetic experience, etc., and their goodness derives from practical reason. For example, it is morally wrong to destroy a friendship without sufficient justification. It is the necessity of this justification which steers us toward truth. We want true justification to be the only kind capable of allowing us to destroy something so important as a friendship.

That truth is good is self-evident. That moral evaluation must be concerned with true evaluation is not precluded by the difference between facts and evaluation. "The difference between 'factual' judgements, such as 'this book is blue' or 'iron melts at 1535°C' and evaluative statements such as 'truth is good', do not warrant the conclusions that only the former class of judgements can be objective." Nor is it impossible to *truly* determine that such and such an act is morally wrong. It is self-evident that there is much more to morality than self-interest. Of course, the philosophical objection to this may be stated: It is not self-evident *to me.*

II

Peter Hacker discusses Hart's philosophy of law as a distinguished contribution to moral and political philosophy, and to social theory in general. Hacker attributes two primary aspects to Hart. The first is methodological; the second jurisprudential. To those who practice the art of philosophical analysis, the insights yielded are rich and invaluable. Hart quoted J.L. Austin in an explanation of his method. The analysis undertaken in his work was designed to give us "a sharpened awareness of words to sharpen our awareness of the phenomena", and it reveals, "the similarities and differences, recognized in language, between various social situations and relationships."

Yet Hart was aware of the problems with classical definition. Perhaps too much so, as Hacker mentions, for it seems to have led him astray. Hart believed there are three recurrent issues in any attempt to state a definition of law: (1) the binding nature of law which renders conduct obligatory, (2) the difference between law and morality, and (3) the role of rules. He does not, however, state a definition of law. Perhaps Hacker is right, philosophical illumination will not come from the concise definition of law but rather from the expository analytic matter which precedes any attempted definition of it.

There is an inseparable affinity between Hart and analytic philosophy. He draws from Frege's ideas on presupposition, revived by Strawson in the early fifties. Hart distinguishes between internal and external statements of law so that, naturally, certain types of normative statements presuppose a background of attitudes upon which any external statement relies. The force of this is the implication allowed. If a speaker says x, then y may be implied — and this y may also be analyzed. So Hart abandoned speech act analysis in favour of "statements made from the internal point of view." If it is possible to make this distinction clear and useful, it is not apparent here. However, what is intended, I believe, is simply to recognize that some set of attitudes, beliefs, unconscious desires, and certain experiences together are internalized

(assimilated) and form a substantial foundation for what we state to the world as our opinions and beliefs (external statements). This distinction is of course relevant to an external statement of law (*e.g.* a statutory declaration). Surrounding this distinction is Professor Hacker's discussion of the profound influence of the philosophy of language on Hart's work. Hart was aware of a steady theme of Wittgenstein's namely, that there exists a wide range of complex issues surrounding the gap between rules (external statements) and their application (which takes into account the internal point of view.) A vagueness and open-texture exists in concepts Hart welcomed. Therefore he was aware that rules cannot dictate their own application — we must do that. The open texture of language (the *statement* of a rule) allows us to be flexible and reasonable when we approach an individual case.

Hacker discusses Hart's conception of law as a combination of primary and secondary rules. This is a famous distinction and has occasioned much comment. Secondary rules have been called "power-conferring" rules and are analogous to procedural rules. Primary rules are those, Hart says, which impose duties. Hart realized that a system of "duty-imposing" rules does not produce a normative system, it would be missing a subset of rules which govern the internal relations between various members of the duty-imposing set. For example, there would be no category of rules which would tell us whether one statement of duty-imposing rules was a true statement. Therefore we would be uncertain about both the identity of various duty-imposing rules and their permitted area of application. There would be no procedure for improving them, and no process by which we could reach a decision in disputed cases.

Hart believes the evolution to a normative system is accomplished in part by a set of secondary rules and in part by the rule of recognition. The rule of recognition allows us to identify exactly what rule we are talking about and where it does or does not apply. We become efficient in our system with rules of adjudication. As I have already stated, I believe this set of secondary rules is analogous to the rules of civil, criminal, administrative, and legislative procedure. If we are able to recognize all these rules and their proper application at the right time, we have a legal system. Hacker notes that perhaps this is only a "distinction by enumeration". However, I believe that there is so little which distinguishes them, that even distinguishing them by enumeration is misleading, and prejudicially so. This sort of confusion shows up in the characteristically legal distinction between substantive and procedural law and related rights. We read from opinions that the "merits" of a claim may not be reached because of some procedural problem; when the biggest "merit" was the procedural one. I often sense a great deal of misunderstanding in this area of the relationship between substantive rights and procedure. From the layman, we often hear that so and so got off on a

procedural technicality. What is inexcusable is when a lawyer explains something in the same way to a client or group of non-lawyers. I believe Hart neglected the substantive aspects of procedural law. He is misleading in his characterization of rules of obligation as primary and somehow substantively different from rules of procedure. Hacker mentions that secondary rules seem to do as much behaviour-guiding as primary rules. Indeed they do. Nothing will be served by distinguishing them on the ground that one imposes obligations. Judges must follow procedural rules, and are bound by them, just as we are bound, contractually, to keep our promises.

I find Hart's discussion of this distinction troubling and confusing, but not without value. This kind of distinction is important if only in pointing out the trouble we get into when we make it. For surely, a power-conferring rule cannot profitably be separated from the duty that goes along with it. A judge not only has the power to decide a properly pleaded case; he has a duty to decide it. This distinction would probably be a harmless illusion if it was not for what Hart seems to accomplish with it. Hacker reveals Hart's employment of this distinction:

> The notion of a power conferring rule is one of Hart's main instruments in demolishing the obsessive picture of legal norms as hugely complex, imposing duties only (Bentham) or directed exclusively at officials (Kelsen) and containing in their antecedent conditional clauses as much legal material as would fill several volumes. Constructively, the notion not only provides a basis for the proper analysis of legal relations which will supersede the inadequate Hohfeldian analysis, but is the first step to a proper typology of laws.

There is a risk in trying to demolish complexity. If the objective under consideration is *necessarily* complex then obliterating this complexity with an ill-conceived or at least useless distinction prevents us from finding out what is really going on. Western civilisation has evolved a concept of right which includes the right to due process, fair hearing, and other procedural rights. If it is true that rights are correlative but conceptually and logically subsequent aspects of duties, then before these procedural rights were logically possible, there must have been some duty from which they could be derived. Thus a power-conferring rule does little more than express a social duty to properly identify which rules are used in adjudicating issues, a duty to truly ascertain their scope, a duty to test the validity of these rules and a duty to provide a

method of changing them and many other obligations.

Such a distinction will not serve to demolish Bentham's view of legal norms as complex entities. The law is majestic in its complexity and intricacy. Justice is evident in even the most intricate and complex relationships. This does not mean law is basically incomprehensible. It means only that a simple distinction between rules of procedure and other kinds of rules is certainly not sufficient to preclude the possibility of a complex legal universe.

In R. S. Summers' view, Hart is a naive instrumentalist. In "Naive Instrumentalism and the Law" he describes a point of view which distorts reality and hides complexity. What is it that a naive instrumentalist misses? For one thing, he misses the importance of private parties in a legal system. For another, he misses the value of analyzing procedure in legal methodology. Both Bentham and Austin neglected the importance of private parties and the process by which they maintained their rights. We live with legislation and regulation, but also with contracts, wills, corporations, unions, personal injury and family. The extent to which each of these evolve, depends, at bottom, on the strength and integrity of the process that permits us to complain when something goes wrong with one of them. Summers agrees that Hart too often thinks of law as a means of social control, yet, statistically, the largest group of litigators and legislators are private parties. In Summer's words, "private individuals, classes of individuals, and groups set far more legal goals in a given day than all of officialdom combined in the course of a year." The law is not a set of prescriptions and proscriptions. This distorts reality, and, Summers says, fails to recognize the complicated task of attempting to apply well-recognized moral principles of equity and justice to disputes between individuals. This is the mystery and majesty of law. This is the delicate nature of jurisprudence.

III

Analytic philosophers tend to look for something else in any system under consideration. This is also true of legal philosophers, or it should be. There is no justice in a system that is incomplete or that is unable to handle each possible combination of facts. Nor is justice obtained in a system where one outcome is inconsistent with another. The law expresses this kind of problem by prohibiting decisions which are arbitrary or capricious. Or it sends up signals when like cases are treated unequally. The logician looks for completeness, consistency, methods of verification and validity. We want our legal system to be sound and unified. We must know whether or not a rule belongs to our system. In jurisprudence, this has been called the problem of unity in a legal system.

As with Hart's system of primary and secondary rules, his method of establishing the unity and validity of a legal system is incomplete and obscure. He attempts to do this with a rule of recognition. Hacker believes this much at least is clear about the rule: (1) that it is necessary; (2) that it is ultimate (meaning it is neither valid nor invalid); (3) that it is found in social practice; (4) that it contains criteria for identifying other rules in the system and has the ability to subordinate one rule to another (*e.g.* the rules of precedent to statutory enactment); (5) that it is open textured (allowing interpretation); and (6) that it is accepted generally and is perceived from the internal point of view.

One of the problems with Hart's explication of the rule is that he neglects its employment by ordinary people (private parties) and tends to think of it as primarily addressed to judicial officials. Judicial officials have a duty to apply laws satisfying a certain criteria of validity. But a more serious problem, epistemologically, is Hart's characterization of the rule as ultimate (meaning neither valid nor invalid). This point of view rests the validity of a legal system on a merely stipulated unverifiable function of some "rule of recognition". This validity is certainly an object of legal reasoning (it is undoubtably of prime import to an innocent criminal defendant), and it will not come from a principle that will not admit validity or invalidity. Hacker argues that it is possible for Hart to get along without such a strong statement of a rule of recognition. He argues that there may be many such rules addressed to various judicial officials. The rules of recognition may be distinguished by their content, though their form remains identical — and Hacker argues that these rules need not be ultimate; that the validity of a legal system need not rest on something neither valid nor invalid. Epistemologically we must be grateful for Hacker's arguments, for we should feel uneasy with a system so puzzling that we are unable to tell when we have a true answer and when we do not. There are principles which can establish validity but these are ordinary principles of reason and therefore are not peculiar to legal discourse. The rules of recognition, therefore, (to preserve Hart's thesis) must be viewed only as adjudicative rules. They are not logical rules; although this is where their validity must ultimately be grounded. The foundation of a legal system must be logical, founded on reason. The ultimate principles must be self-evidently moral and may be taken to include statements like: avoid unreasoned remarks, do not confuse x with y, do not allow immoral decisions, be just, fair, good, compassionate, and moral, and maximize freedom and happiness. Of course, these principles are not unambiguous, and clarification is necessary to elucidate the foundations of our jurisprudence. Moreover, this point of view removes the simplicity of Hart's system. However a system founded upon truth and morality will ultimately be more than just one founded upon artificial simplicity. Yet Hart succeeds even when he fails. He has brought us

closer to the truth about our laws and our morality and he has fundamentally influenced the debate about the central problems in legal philosophy.

IV

In "Defeasibility and Meaning", G. P. Baker discusses two principles central to Hart's jurisprudence. The first is that it is possible to explain legal concepts and legal statements. The second is that legal statements are *sui generis*. This means, as Baker puts it, they cannot be shown to be logically equivalent to non-legal concepts and non-legal statements. This is a controversial synthesis, and many philosophers believe it is not possible to adequately explain legal statements without reducing legal discourse to non-legal discourse. For the practioner this presents insurmountable difficulties if Hart turns out to be correct. This is due to problems involved in explaining to juries and even judges just what a particular law means. Definitions appear elliptical if not absolutely circular and the result is confusion. Imagine the problems of explaining legislation to the democratic public. Fortunately, Baker has found a way to resolve some of the controversy.

In "No Right Answer?", Ronald Dworkin probably finds Baker's resolution of Hart's problems unsatisfactory. If Baker's resolution were successful there might be justification for Hart's contention that legal concepts are open-textured and inclined toward a contextual sort of definition. All this leaves the judge a great deal of discretion in applying legal principles to particular circumstances. There are many lawyers and judges who rally to the truth of the statement that, in law, there are no right answers. Though the same lawyers, when found on the wrong side of this discretion, may decry it. Is it all a seamless web? Dworkin may be heard from the darkness asking, no right answer? He believes that it is possible, even in difficult cases, to arrive at an answer that scientifically and analytically we would call the right one.

A. M. Honoré describes in "Real Laws" the differences between laws spoken of by professionals (lawyers and judges) and laws as described by legal theorists. Though it is ungenerous to suppose that a thorough practioner may be distinguished from a legal theoretician, there are other problems with this distinction. The most salient of these is Honoré's peculiar tendency to claim that law is identical with its expression, the intellectual whole, is immaterial and that "to suppose otherwise is to become the victim of a strange form of analytical metaphysics." Bentham and many others have been victimized by this if Honoré is right. Fortunately he is not. His mistake is in not realizing the difference between the sense of something and its referring expression. "Blue" refers us to an idea which we could spend a lifetime becoming more definite

about. The word blue is not what we contemplate when we think about the colour blue. A statute is not what we think about when we contemplate statutory law. The real law like the real colour blue always remains partly unexpressed.

In "Positivism, Adjudication and Democracy", G. Marshall discusses aspects of Dworkin's article "Hard Cases", exposing the fallacy of the positivist proposition that recourse to moral principles and policies is unnecessary in difficult cases. Is judicial discretion ever a sufficient basis for a decision? Along with Dworkin, Marshall agrees that there is probably less room for this kind of discretion than is commonly supposed.

Rupert Cross discusses rules of precedent and the problems involved in failing to recognize that judicial statements about them are neither the reasons for deciding cases nor can they form any incidental support for an opinion. A preceding opinion may or may not express a true statement of law. To the extent that it does its truth is not to be governed by its precedental expression (*i.e.* the mere fact that it has been expressed historically). The expression must stand on its own, and nothing is "well-settled" that fails to make sense. We shall be thankful that "A statement read by the Lord Chancellor on 26 July 1966 announced that the House of Lords proposed to modify its existing practice of invariably following its past decisions and to 'depart from a previous decision when it appears right to do so'."

Intention has always formed a significant distinction in law. One is generally more culpable when he intends his wrongful conduct than when one does not. Professor Kenny discusses the role of intention in murder, neglecting somewhat the role of recklessness. The law has often stated (second degree murder) and left unstated the rough equivalence of recklessness with intention and this equivalence often explains a great deal. J. L. Mackie's analysis allows us to focus better on the role of recklessness in law; to conflate the distinction between 'x knew' and 'x should have known' when applying legal sanctions. Although both Kenny and Mackie seem to be aware of this, they both neglect a *direct* analysis which is necessary to a complete understanding of intention and responsibility.

D. N. MacCormick in "Rights in Legislation" argues that legislation is not a creator of rights, but rather an expression of rights. He is absolutely correct in stating the logically prior step, that *recognition* of the right justifies the imposition of a legislatively remedial provision. Experience and discovery establish moral duties (logically prior to rights); recognition of these duties permits valid legislation *ubi ius, ibi remedium* (Where there is a right, there is a remedy). It is said that the rule of primitive law was the reverse, Where there is a remedy, there is a right.

Hart seemed to rely on a distinction between statements like: "x ought to do such and such" and "x has an obligation to do such and such", although his

reasons for so relying are as unclear as the results he believed he accomplished with it. J. Raz sides with those who find the distinction a matter of style or emphasis. Although the distinction may be of historical importance, it is of little practical significance. The discussion is an interesting explanation of the normative institution of a promise.

V

In this collection of essays we have a fairly comprehensive account of the central problems in Anglo-American jurisprudence. The essays themselves, through their imperfections, point out something quite human about the nature of jurisprudence. Like the artist, the musician, the accountant, the engineer, and the physicist, lawyers must solve their problems by looking to the world they live in — to its social, political, and moral structure.

Wittgenstein warned us that we must be careful of our logical eyeglasses, our professional attitudes and complacency. We must realize that Beethoven's symphonies are philosophical as much as musical; musical notation the language, combination and sequence the thought. We must realize that law is the same; the foundation is philosophical and moral. The superficial notation (*e.g.* the statute) is merely the expression. Often it is imperfect, inadequate, and usually in difficult cases, in need of supplemental reason.

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