

STATE AND CIVIL
SOCIETY COUNTERPOINTS:
VARIATIONS ON A THEME

Henri Lustiger-Thaler

John Keane, *Democracy and Civil Society*. London: Verso, 1988. 253 pp.

John Keane (Ed.), *Civil Society and the State*. London: Verso, 1988. 426 pp.

We live in an age of forced eclecticism in which no particular system of thought appears entirely capable of responding to so many pressing issues of current political and social concern. Consequently, some commentators have taken to speaking of interregnums whilst others sound the arrival of a profound crisis in the very substance of theoretical production, through the elegiac notes of cultural disenchantment, the colorless outer garments of modern cynical reason. The remaining optimists amongst us might argue that there is an evident sense of healthy uncertainty meandering its way through contemporary political and social theory. Boldly held paradigms are no longer perceived to contain distinctive scripts that predict a particular beginning or end to political discourse and analysis. Indeed the unacceptable (unthinkable?) tenets of conservative bourgeois thought have apparently found new and disputable issue, at least in some of their claims, in contemporary radical pluralist rejections of totalistic and redemptive perspectives. These similarities, from the perspective of the engaged Left, stem less from a disenchantment with the fruits of progressive transformative potential (a peculiar French *maladie*), than from the conviction that less historically explored themes need not be abandoned to the draw-

ing boards of the Right. Whilst conservative bourgeois thought has had its central article of faith embedded in the Hobbesian conundrum of how social cohesion remains possible in the face of a multiplicity of conflicting individual interests, the synoptic trajectory underlying new efforts in democratic reasoning is less contrived and at the same instance more open to the theoretical richness of social and political plurality itself.

The crisis of Marxism on the one hand and the general rethinking of universalistic Enlightenment claims on the other, as witnessed in the post-modernity debates, have produced the backdrop for a host of efforts geared towards a spirited defence of the political and the latter's promise of the construction of a morally intelligible world. The emergence of the political, as a way of speaking of the furthest horizon of social action and social formations, the telos of communities and states, has ushered in a new period of self-critical theory building.¹ Indeed the specificity of the political, once so assuredly resolved in Marxian scholarship has, as it were, come home to settle in a very definitive way. Nevertheless, much to the chagrin of established orthodoxy, this critical homecoming is taking place at the very heart of the Marxian claim to distinctiveness, that is to say asymmetrical relations of domination founded upon class struggle. The new and urgent immediacy given over to the primacy of the political has, it seems, triggered into motion a self-reflective process which pulsates backwards into the very depths of the Marxian *Geist*. In observing contemporary debates on the nature of politics, within Marxism, one is apt to recall a long forgotten Roman polemic which speaks eloquently of a captive Greece taking captive her fierce conqueror. Indeed what was wrongly assumed by Marx to be the abstract freedoms of civil society (in favor of concrete freedoms of a truly "emancipated" society) has returned to intrigue a new generation of theorists, creating novel assertions that purposefully tear at the crumbling foundations of the old paradigmatic home.

Certainly, some of the more compelling early results of the discovery of the centrality of politics in social theory have been the state and civil society debates currently gaining ground amongst a growing number of contemporary theorists. John Keane's recent publications, of his own essays in *Democracy and Civil Society*² and his collection of some of the finest European contributions (both East and West) on state and civil society relations in *Civil Society and the State*,³ are a distinct contribution to this literature and deserve a wide and concerted readership. Keane has succeeded in drawing together, in both efforts, a laudable range of themes, perspectives, and proposals for a substantive rethinking of state and civil society distinctions. With the publication of these two tomes, Keane has arguably emerged as one of the more prolific theorists guiding the theoretical renaissance of the old European notion of *societas civilis*.

Yet his project, however admirable, is not without its accompanying lacunae. I have some rather serious reservations regarding the overly programmatic manner in which Keane brackets relationships between the state and

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civil society. We are left, in many of his essays, with impressions and motifs of political life that tend to undervalue the complex and enmeshed institutional character of both "state spaces" and the public spheres of civil society. This leads to some notable and apparent difficulties in the task of theoretically assessing the many areas of conjunctural and spatial overlapping between the state and civil society and the enabling, as well as negative consequences, this harbors for the politics of progressive movements. Indeed we are led to believe, through many of Keane's assertions, that society might only fully recognize itself in *civil* society. The non-problematicization of intermediary mechanisms and spaces, between the state and civil society, creates an absent tension in Keane's approach. I will be returning to this later in this text. It seems especially apposite however, given the many banners that have layed claim to the notion of civil society, to contextually situate the contemporary resuscitation of this theme; a revival which clearly has all the earmarkings of being well on the way towards generating yet another academic growth industry.

The reappropriation of the state and civil society thematic in the mid-nineteen eighties is not mere happenstance, nor an elegy for the bygone world of eighteenth and nineteenth century political concepts. Rather, it is firmly rooted in the deepening sense of doubt within contemporary Marxian scholarship. This condition is of course not unattached from the crisis of the Keynesian welfare state nor the debacle of "actually existing socialism". Revitalizing the notion of civil society, as a manner in which to escape the all too deterministic framework embedded in contemporary Marxist state theories, whilst avoiding the similarly untenable position of the neo-liberal interpretation, has provided the theoretical basis for promoting notions of radical pluralism, autonomy, and isonomy, through a reformulation of politics below the state. Against divergent theoretical strains of structuralist and cultural Marxist proclivities, which see the state as an entity, if not to be conquered, then at the very least overcome (miraculously transforming its appendage, society), the new civil society theorists speak of the critical levels of distinction between the state and civil society, as a way to assure and promote greater democratic potential within both spheres.⁴ This proposed distinction, it is argued, cannot be fully grasped through the rubric of the traditional understanding of asymmetrical relations of domination. Rather, attention is focused upon the hidden interstices of the state and civil society. The new social movements, (as informal, sub-institutional, and increasingly institutional instances of signification and protest) have been the prime beneficiaries of this sea change in theoretical perspectives, to the obvious detriment of the assumed centrality of class.

Several efforts have been evident, in the literature, to secure a pre-Marxist basis in the current civil society revival. Keane, for example, has been particularly adamant in drawing upon early Enlightenment notions of civil society, in an effort to uncover historical patterns manifested in the con-

flictual relationship between despotism and democracy.⁵ Yet the notion of despotism, buried under the detritus of later historical events, remains a dubious conceptual retrieval as it offers a rather limited understanding of complex capitalist systems nourished through the surveillance and control of the minutiae of everyday life. Indeed it is hard to appreciate how despotism might shed some light on modern forms of social and political regulation underlying the perpetual nature of strategic power relationships. And yet, regardless of where one searches for political concepts related to the putative autonomous nature of civil society (be these of a pre- or post- Hegelian strain), these singular or multiple reconstructions must invariably confront the current conjuncture of radical theoretical narratives, which are manifestly Marxian inspired. This relationship to a particular body of thought is unwittingly acknowledged by Keane himself as his central, if at times phantom-like, theoretical interlocutor.

There is, in the above regard, a sense of significant repositioning occurring vis-à-vis the Marxian opus, within the contemporary civil society literature. Indeed, in whatever sense one might pose questions of epistemological articulation to a particular meta-body of thought, civil society theories, as they are being developed tend to be most associated with post-Marxist themes. This implies that these emerging theories are ontologically networked to a host of theoretical and practical concerns (Wittgenstein's notion of "family resemblances" is more than an apt passing metaphor here) which are inextricably committed to an immanent reevaluation of the Marxian premise. The notion of civil society, in this contemporary theoretical sense, more than being equivalent to its own negativity, as Marx opined, has emerged as a busy conceptual station for the coding of transformational practices and exploratory movements, claiming autonomy from the state whilst demanding of that same state the necessary safeguards to protect and enhance acquired liberties.

In the recent literature the recasting of the civil society problematic has been the subject of some discussion. P. Cooke's⁶ work has drawn freely from the Gramscian heritage. A distinct neo-Gramscian tone has been evident in the contribution of J. Urry,⁷ whilst J. Cohen's work⁸ cast in indelible Habermasian strokes, has drawn upon a critical hermeneutics and systemics approach. D. Held and J. Keane⁹ have offered one of the early institutional definitions of the range of possible civic associations within civil society. D. Held's well received *Models of Democracy* has further refined the notion of the double democratization thesis of the state and civil society, through an insightful reformulation of contemporary political theory.¹⁰ In addition, C. Pierson has made a case for the continued relevancy of the notion of civil society as a radical rejoinder to the holism, essentialism, and historicism of the Marxian problematic.¹¹

Keane's contribution in *Democracy and Civil Society* develops and indeed deepens many of these earlier conceptual attempts to redefine spheres outside of the regulative embrace of the state. In drawing together central

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themes in democratic thought since the eighteenth century, Keane delivers a far reaching interpretation of the possibility of conceiving a radical pluralist philosophy void of the arrogant search for ultimate truths or solutions. In an essay entitled, "The Limits of State Action," the author squarely addresses the stakes of the current analytical distinction between state and civil society, within the context of the diminishing popularity and impasse of the Keynesian welfare state compromise and state administered socialism. These two credos, he argues, have by and large failed to produce a sufficient account of state structures in view of the increasing demands of citizens. In fact, solutions from above have harbored the germ for a mode of passivity that could only undermine citizens' confidence in their ability to direct the nature of decision making. Keane argues for a recognition of the need to reform and restrict state power, whilst radically transforming civil society. Civil society, he contends, should be understood as a phenomenon that has no single or eternally fixed form, being an entity made up of a plurality of public spheres that are legally secured and self-organizing. Progressive politics in this ensemble of relations would therefore be focused upon determining the boundaries of state and society, through the expansion of social equality, liberty, and restructuring of state institutions.

In the remaining essays Keane juxtaposes the rediscovery of civil society with the problem of "work societies" (*Arbeitsgesellschaft*), political parties, Central European experiences and, in a rather bold stroke, the contentious issue of relativism within the post-modernity problematic. Addressing the problem of work, the author argues for the possibility of building linkages, through policy initiatives, that would broadly bind work issues to an expanded notion of democratic process. Curiously most of the enactments that the author refers to, in the restructuring of the "work society," are manifestly state directed, such as the support for the social wage, work-time reduction, early retirement, etc. The necessary redefinition of work, from below, as a use-value is barely explored. And, whilst so much of Keane's analysis depends on the vibrancy of exploratory movements within civil society he ignores what social movements have to offer in the area of work itself, particularly in its relation to community based politics. Indeed these latter groups, in the civil societies of Europe and North America, are presently generating some of the more innovative as well as arbitrary challenges to the problem of restructuring economies. In so doing they are posing some very direct challenges to the perceived limits of local democracy.¹²

Although entirely commendable, Keane's support for the establishment of the social wage begs rather than answers any substantive questions regarding the necessary rethinking of work as such. In effect, what new work priorities hold innovative potential for greater citizen control of the labor process, as redefined beyond the parameters of industrial democracy? How does one progress from struggles centered around the organiza-

tion of labor to embarking on a debate regarding the very definition of labor, for example, through endowing informal domestic as well as non-domestic activity with institutional recognition? Furthermore, if devotion to work as defined through contemporary labor markets is irrational from the standpoint of purely eudaemonistic self-interest, as Offe seems to suggest,¹³ which rationalities (collective, individual) can we point to as bearing positive transformative potential? Unfortunately Keane's neglect of these issues makes him privilege more formulaic than substantive critiques of the transforming nature of work and society.

In a further article regarding the problem of political parties, Keane makes the case for an anti-party party (a term originally coined by Petra Kelly in reference to *die Grünen*) to redress some of the historical weaknesses in both state socialist societies and Western European socialist compromise parties. The author argues for a creative tension between parties and movements. Parties in this regard become bearers of active parliamentary practice, stimulating (though not leading) political awareness amongst social movements within civil society. And yet, once again as with the work issue, little attention is actually accorded to the internal or external substance of exploratory movements. Consequently, there is a considerable underestimation of the arbitrary contexts traversing movement culture, within the overall tapestry of Keane's analysis. His relative neglect of political spaces existing between the state and civil society at this level becomes most accentuated. By the relative non-problematization of the effects of parties and political systems of the state upon social movements, we are told very little of the latter's arbitrary fields of emergence nor the substantive element of their actual terrains of struggle, which are increasingly situated on the marshlands between the state and the social web.

Keane further explores the issue of redefining parliamentary practices in a deftly critical essay on Carl Schmitt's theory of political sovereignty. In another piece the author draws upon the deep divisions separating Central European and Western European perspectives of socialist transformation in a well crafted "mood article" chronicling a clandestine conversation with Central European friends and colleagues. In the last essay of *Democracy and Civil Society* Keane attempts to relate his retrieval of the state and civil society dichotomy with the insights of the relativist supposition regarding modernity and post-modernity. Although this essay is suggestive of the necessity of positively examining the relativist problematic for democratic theory, the author gives short shrift to the dispersive and unintended dimensional aspects that relativism holds for democratic theorizing. Whilst I find Keane's argument convincing insofar as the problem of relativism underlines the need to institutionally ensure the plurality of public spheres, through which individuals express their solidarities, oppositions, etc., his treatment of this dimension too quickly obscures the problematical complexity of the reconstituted agent in this contemporary drama.

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It appears that actors, in Keane's appropriation of the relativist scenario, are more so constituted by the apparent diversity of positions, prefaced upon the state and civil society distinction, rather than by the idea that the preferences of actors themselves create unintended and arbitrary conditions that contain a political momentum and causality capable of traversing boundaries as such. This is a rather important point as the latter condition harbors a great deal more uncertainty than the former in the melee of events which form the everyday stuff of political life. In this sense there is always the possibility of a certain unmooring of the political (from state containers as well as social movements) which risks being transformed or dissolved in the ether of new discourse. This is all the more accentuated when the dividing lines between the state and civil society are notably less clear and exacting than Keane might suggest, through the presence of intermediary mechanisms and institutions conceived by the state. Indeed Keane's linking of the relativist position to the problem of the state and civil society is too neat and tidy and obscures the real theoretical hurdles that post-modernists and their philosophical discontents pose for a critical assessment of democratic practices.

Civil Society and the State, the companion volume to Keane's collection of essays, contains a judicious selection of themes and authors as well as an extensive bibliography of the recent literature. Some of the articles have been reprinted, with good reason, others appear for the first time. Keane's two contributions to the volume are astute in their analytical attempt to gain a directional purchase on current trends. The book begins with Norberto Bobbio's seminal article on the unique position that civil society achieved in Gramsci's thought. This is followed by a timely piece by Carole Pateman on the negative meaning of civil society for women within contract theories. Agnes Heller takes on the problem of transforming formal democracies into socialist democracies, arguing that the very survival of the former rests in its transformation into the latter. Helmut Kuzmics offers a perspective of the civilizing process, the unfolding of civilization through the emergence of civil society, as Pierre Rosanvallon examines the statist and liberal scenarios of the future of the welfare state, proposing a redefinition of the boundaries between the state and society as a way out of the current impasse. Hinrichs, Offe, and Wiesenthal put forward a case for the development of new policy options that would recognize the disparity between individual perspectives, collective strategies, and systemic needs. The crisis of the welfare state, they argue, is not only in the different levels of the state but in the core civic arrangements of civil society. The section on Western European writers concludes with Alberto Melluci's by now well known micro-analyses of social movements.

Perhaps the most innovative contributions to this collection of essays are the much welcomed inclusion of Central European perspectives. In this section Jacques Rupnik examines the phenomena of Soviet style totalitarian systems imposed on Central Europe. In his analysis he shows how the notions of civil society, "parallel polis" or "second society" have

become ways of speaking about political ruptures within the post-totalitarian era. Jeno Szucs reconstructs the complex historical development of Europe, paying close attention to the emergence of civil society. Mihaly Vajda examines the essential European traditions of Eastern Europe, whilst Z.A. Pelczynski analyzes the difficult early trajectory of the Solidarity movement in Poland. As a final contribution, the playwright Vaclav Havel offers a sensitive plea for a politics of practical morality against the impersonal power of totalitarian regimes. Anti-political politics, for Havel, represent a way of rediscovering meaningful practices in a condition where in the state has taken its form virtually everywhere, nurturing a purposeless regularity.¹⁴

These collected essays do not follow any particular or privileged approach to state and civil society relations, but rather expose the rich variety of opinion and scholarship associated with them. In this regard the essays are as challenging as they are arguable in their many implications and assertions. Keane, in a sense, was left to offer the synoptic viewpoint, articulating these many expressions of post-bourgeois forms of individuation (in which the privatism of civil society is overcome) without renouncing older bourgeois achievements of rights, liberties, and popular sovereignty. In this Keane performs a both critical and admirable task. Yet one is left with the impression that what has been offered, in a more general sense, is a rather stark paraphrasing of a much more nuanced and interrelated condition that has direct consequences on how politics comes to be enacted. This is particularly the case regarding conflictual regions within which social practices are localized once a particular action has succeeded in procuring some form of political momentum in a given time and space contextuality, whether it be in the state or civil society. This points to the necessity for improved theorizing of intermediary spaces between the state and society which not only function in the post-bourgeois sense of a "public sphere", but actually find themselves overextended, in an elastic sense, within the state (or its mediative periphery) whilst maintaining critical links below the state as such. Politics, in the above singular regard, is perhaps best defined as diverse and embedded practices in perpetual lateral as well as horizontal movement, continually creating strategic forums for power relationships.

Keane's contribution is here at its weakest. He leaves us with unnecessary theoretical polarities, a sort of Manichaeism that posits forms of state politics and societal politics with little conceptual places linking their transformative articulation. Indeed, the formulation of democratic practices between the state and civil society, or on the periphery of the state, must be acknowledged to be as important as what occurs deep within the state and civil society. It is here that one can locate the absent tension in Keane's theorizations which counterpose, albeit dialectically, distinct spheres and their accompanying politics whilst ignoring mediative processes (often enacted by the state) that have a transformative effect upon political content. In this scenario, one risks losing the sense of institutional and extra

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institutional struggle to a radical constitutionalist agenda that views the state and civil society as containing conditions for the other's democratization. Indeed this is, in the most hopeful and progressive scenario, ultimately the preferred case within transforming liberal democratic contexts, but, if analytically left as such this understanding remains somewhat thin, reclining on the level of mere description. By ignoring conflictual and regulative processes integral to the conjunctural and temporal contracts between the state and civil society (founded upon institutional compromises) too much is given away (too early) to the still problematical formulation of current radical post-liberal and post-Marxist claims. More sympathetically (but perhaps nonetheless disquieting), Keane seems to be pointing to the end product of a process without informing us as to how we might have arrived there, nor what price may have been paid.

It should be made clear however that these critical reservations, regarding the state and civil society problematic, are not intended to obfuscate levels of distinction, as B. Frankel has attempted for example.¹⁵ Nor do I think sufficient the overly ethereal treatment of these issues, typified by Habermas' colonization and decolonization thesis, as in J. Cohen and A. Arato's more recent work,¹⁶ which tends to bypass the problem of mediative spatiality in favor of a critical systemics bias. Rather, greater emphasis should be accorded to the complexity of the state and civil society distinction in view of the fact that social struggles themselves cut through both spheres in their pursuance of the political. In this regard, Foucault's intuitional notion of "decisional distance" as a way of speaking of the optimal horizon between decisions made and the groups concerned by those decisions, with an eye towards circumventing the maze of regulative processes, is perhaps a propitious manner in which to reexamine the events and practices finding current expression under the rubric of the state and civil society problematic.¹⁷ Indeed to speak of the boundaries of the state and civil society, or the problem of *between-ness*, requires at the very least concepts that can capture the temporal and spatial movement of politics, the latter being causal mechanisms which actually form the conditions in which they are situated.

As the "long march through the institutions"¹⁸ becomes the conflictual terrain of the new exploratory movements, this type of interrogation is all the more purposeful for both analytical as well as practical political ends. In this sense, positing a theory of state and civil society distinctions cannot simply remain fixed upon the abstract locational differences that separate these two spheres. This analytical tendency may in fact have the inverse effect of distancing us from a clearer recognition of the actual processes and diverse surfaces of social and political struggle, as well as new forms of embedded regulation. In this overall sense, a good part of the current state and civil society literature suffers from a particular lingering attribute of classical political philosophy in which one can detect more than a gust of the displaced heritage of the thought experiment.

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Further examination of the state and civil society problematic requires a more sustained political and sociological (empirical?) scrutiny. As mentioned above, this should not be pursued with the intention of dissolving the problem of distinction, which remains a complex and intriguing issue, nor to create a state versus society gavotte in which the state assumes the stance of the leading partner, but rather to deepen our understanding of their discursive, practical and institutional interconnectedness, through the constant production of new surfaces of mediation and their concomitant power relationships. This hopefully might give us a better understanding of the regulative and participative designs of contemporary liberal democracies, underlied by a critical spatiality that exists between and within state and society as well as pointing to the unstable political temporality affecting and being affected by new social movements. The overwhelming merit of Keane's two recent books lay in the fact that none of this has to be rethought *de novo*, but can be built upon a critical research agenda that is already well under way, a project to which John Keane will no doubt remain an increasingly central contributor.

Faculty of Social and
Political Sciences
University of Cambridge

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Notes

1. Indeed the notion of the political that seems to be reclaiming a position in contemporary theory has a particular empathy for the classical view of politics which not only refers to governments and their apparatuses of domination, but also points to the shared public life of a community. For seminal efforts in reintroducing these understandings of the political in contemporary theoretical debates, see. H. Arendt, *The Human Condition* (Chicago: The University of Chicago Press, 1958); S. Wolin, *Politics and Vision: Continuity and Innovation in Western Political Thought* (Boston: Little, Brown and Company, 1960); and G. Sartori, "What is Politics" *Political Theory* 1 (1) 1973 pp. 5-26. See also the recent work by D. Howard, *Defining the Political* (London: Macmillan Press, 1989).
2. J. Keane, *Democracy and Civil Society* (London: Verso, 1988).
3. J. Keane, ed., *Civil Society and the State* (London: Verso, 1988).
4. The notion of the double democratization of both the state and civil society, as containing the conditions for the other's advancement, was first developed in D. Held and J. Keane, "Socialism and the Limits of State Action" in J. Curren, ed., *The Future of the Left* (Cambridge: Polity Press, 1984), and later refined in D. Held's very useful *Models of Democracy* (Cambridge: Polity Press, 1987). For an impressive collection of articles on contemporary applications of democratic theory see D. Held and C. Pollitt, eds., *New Forms of Democracy* (London: Sage Publications, 1986).

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5. See J. Keane, "Despotism and Democracy" in *Civil Society and the State*.
6. P. Cooke, *Theories of Planning and Spatial Development* (London: Hutchinson, 1983).
7. J. Urry, *The Anatomy of Capitalist Societies: The Economy, Civil Society and the State* (London: Macmillan Press, 1981).
8. J. Cohen, *Class and Civil Society: The Limits of Marxian Critical Theory* (Amherst: The University of Mass. Press, 1982).
9. D. Held and J. Keane, "Socialism and the Limits of State Action."
10. D. Held, *Models of Democracy* (Cambridge: Polity Press, 1987).
11. C. Pierson, "New Theories of the State and Civil Society: Recent Developments in Post-Marxist Analyses of the State" in *Sociology*, 18, (4), 1984. See also, "Marxism, Democracy and the Public Sphere" in P. Lassman, ed., *Politics and Social Theory*, (London: Routledge, 1989).
12. See H. Lustiger-Thaler, *Public Spheres, Work and Civil Society* Ph.D dissertation, Dpt. de sociologie, Université de Montréal, 1988. See also H. Lustiger-Thaler, *Work and Local Politics*, Forthcoming, 1990.
13. C. Offe, "Time, Money and Welfare State Capitalism" in J. Keane, ed., *Civil Society and the State*.
14. Havel's continued exposure to the West is of particular importance as he has been recently convicted and imprisoned for 9 months, in his native Czechoslovakia, for anti-state activities. These activities consisted of placing a wreath at the grave of Jan Palach, a student activist.
15. See B. Frankel, *Beyond the State* (London: Macmillan Press, 1983), and *The Post-Industrial Utopians*, (Cambridge: Polity Press, 1987).
16. See J. Cohen and A. Arato, *Social Theory and Civil Society* Forthcoming.
17. L.D. Kritzman, ed., *Michel Foucault: Politics, Philosophy and Culture; Interviews and Other Writings 1977-1984*, (London: Routledge, 1988).
18. This is a term first used by Rudi Dutschke.