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WORKING PAPERS ON THE CAPITALIST STATE

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POLITICAL PRACTICE & THE STATE

Kapitalistate is aimed at furthering an analysis of Marxist theories of the state. The journal is published annually by *KAPITALISTATE,* P.O. Box 5138, Berkeley, California 94705, USA.

Subscriptions: Individuals – $12.00 for four issues ($14.00 foreign); Libraries and institutions – $24.00 for four issues ($28.00 foreign). *Single issues:* Individuals – $4.00 ($5.00 foreign); Libraries and institutions – $8.00 ($10.00 foreign).

We continue to be committed to producing a journal under a collective process. The *Kapitalistate* network is made up of informally associated groups and individuals who contribute to the journal, review manuscripts and papers, and share information and ideas on each other's work and projects. If you are interested in knowing more about the network or would like to become involved, please write to us directly or to one of the network coordinators.

We would like to invite those who are doing work on the topic of the state to submit articles and book reviews to us for publication. Please send three copies of manuscripts to our editorial office and book reviews to our book review editor.

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Introduction: Political Practice and the State

The focus of this issue is political practice and the state. The articles appearing here, in one way or another, are concerned with the *use* of some of the theoretical perspectives on the state developed over the past fifteen years or so. They aim at an interpretation of existing political practice in the light of state theory. That researchers on the modern state now have sufficient theoretical resources at their disposal to begin to undertake the task of systematically studying political practice is an important turn of events in state theory. Since it is a turn of events in which our journal has participated, we thought it would be useful in this introduction to sketch briefly our path to this present issue and the direction of our current work.

Ten years ago a group of Marxist scholars circulated a prospectus introducing a new international bulletin for studies on the capitalist state. In this introduction to what became *Kapitalistate,* they recognized two needs in radical theory: the need to understand the role and function of the state in the advanced capitalist societies, and the need to reformulate the revolutionary process in the light of the changing social relations of advanced capitalism. They noted that in recent theoretical work, "the formula of revolution as a process of taking political power has remained abstract and empty." There was "no deep analysis that indicates who, in advanced capitalist societies, must take what." They argued that existing analyses of class relations, imperialism, and political crisis lacked a systematic understanding of the historical development of the state and its institutions.

> The incredible growth of the state apparatus and state functions, and the new and changing relations between the state and the "private sector" have a decisive influence on both class struggles and imperialism, not to speak of the revolutionary process of taking political power.

Kapitalistate was designed as a theoretical intervention into the political theory of radical struggle. It was intended to focus attention on several problems in state theory which had to be addressed by those working both in and outside of the state. The central political and theoretical issue concerned "the relation between the growth of state functions, capital accumulation, and the development of social classes." This formulation pointed to the notion that the state "publically

reproduces" the reproduction of capital and capitalist social relations, and to the equally complex relationship between the state's role in maintaining hegemony and the development of class movements. The initial insight that informed the early work of *Kapitalistate* was thus fairly simple: the function of the state had been changed by the growing interdependency between the nominally private economy and the institutions of public rule. The state, as well as having become a part of the capitalist economy, had itself become an arena of significant class struggle.

One area of initial analysis was the relationship between capital accumulation and the state budget; another was the relationship between accumulation and legitimation in the activities of the state. Another problem animating the early work was that of the relationship between states in the advanced capitalist nations and those in neo-colonial or subordinated nations. Finally, the first prospectus called for a more systematic study of the limits of capitalist expansion, in which the state would be seen not simply as a mechanism of accumulation and repression, but as an institutional force in its own right, a locus of demand and investment which might inhibit capitalist development as much as foster it.

The effort, in short, was to move the state to the center of analysis, an effort justified by more than analytic insight. The state had assumed more significance not only because it was seen as playing a more central and decisive role in the political economy, but because a variety of progressive and radical movements developed within these communities most directly linked to the state and most affected by state policy. State workers, dependent "clients" and communities, social groups identified and mobilized by state bureaucracies—all were sources of political conflict. The state was not simply the site in which social conflicts originating in some imaginary "economy" were mediated and resolved; the state was itself that which was struggled about. Policy, wages, the direction of transfer payments, the structures of state employment and state regulation—all were arenas and issues of struggle. Instead of locating the struggle for state power in the political future, we tried to see it as part of the present, indicating a potential future.

In the ten years since *Kapitalistate* was first published, the journal has studied some of these things well, some exhaustively, some not well at all. Our main success has been in publicizing and deepening our leading idea that the state is at the same time both a site and an object of class struggle. Through an extended process of discussion, we have distinguished our approach from other approaches. Thus, we have been at pains to distinguish our approach from that of an instrumental analysis of the state, a functional analysis, a structural analysis, empiricism, etc. We have also produced some useful analyses of particular features of the state and of the democratic values implicit in struggles against the state. We are, of course, intensely aware of the shortcoming of our previous work, of the provisional nature of many of our views, and of the disadvantages (as well as the importance for us) of emphasizing abstract, methodological issues. We are now, however, as the theme of this issue indicates, engaged in a rather more complicated reassessment of our original claim: that the state is at the center, the focus, the fulcrum, of class struggle.

Our entire project has had an implied politics, one clear to most who have read carefully and know the terrain. The claim has been that it was in and through the state that a radical movement might emerge when the other more traditional sources of rebellion seemed for a time exhausted and fractured. If, for example, the trade unions and political parties in the U.S. through which the organized working class practiced its reformist politics were not a site of radical change, then perhaps it was in the alternative organizations of state workers, communities, clients, and citizens that a radical claim could be developed. Indeed, the experience of the sixties seemed to suggest such possibilities and was, in part, responsible for the resurgence of state theory. It seemed then that the deficiencies of ordinary trade union and party politics could only be explained through a comprehensive analysis of the modern capitalist state. It seemed to us, then, that if rank and file labor in the U.S. was ever to become revitalized, it would only be through recognizing the ways in which the modern state is inextricably bound up with the modern centers of capital. In Western Europe, where the labor movement is generally stronger and more politicized than in the U.S., it still seemed true that a political understanding of labor's relation to the modern capitalist state was essential, especially in the light of the dangers that some have called 'social corporatism,' i.e., the partial integration of unions into the state. Much of our work, at any rate, was aimed at an understanding of these possibilities both through a structural understanding of the stakes of struggle in and about the state sector and through a political critique of those movements and issues which have mattered most within the state.

We remain convinced that the state is not a "secondary" or dependent location within the capitalist political economy. The state is not, in our view, simply the expression of capital logic or the regulating mechanism of and for an errant economy. The state in advanced capitalism is increasingly the location of that *part* of the capitalist economy and society in which struggles break out concerning the definition of social goods, the distribution of those goods, the direction of public life. State policy helps define the relationships between labor and capital,

between men and women, between women and their bodies, between racial groups, between regions, between persons and their own problems with drinking, drugs, or violence.

But where are we with these minimal insights? Our work has suggested that two main lines of analysis must continue to demand our attention if we are to move beyond banal insight (so challenging ten years ago), that the state matters. First, we must continue our efforts to locate, assemble, and critically define the elements out of which a full-fledged theory of the modern capitalist state will emerge. This enormously important task involves pursuing the question raised by structuralists in the late sixties and early seventies of the boundaries, if any, between civil society and the state, i.e., the problem which is now commonly referred to under the rubric of 'the process of statization.' Similarly, it involves us in the normative question of what boundaries, if any, should exist between the political and non-political areas of social life. The question of the characteristic form(s) of the modern capitalist state, explored earlier in different ways by capital logic and structuralist theorists, equally awaits the sort of analysis amenable to our idea that the state is both the site and object of class struggle.

These general problems, of course, can only be studied in the light of particular projects. We need to continue to make detailed analyses of the political economic functions played by the state, especially in times of forced "austerity." What impact does the state budget have in an advanced industrial capitalism, especially one undergoing some tests of its strength and capacity to change. What role does state policy have in disciplining the work force and repressing those it cannot discipline? What are the costs of such disciplinary and repressive measures? We need also to continue the analysis of the relations between states, or the role played by national states in the realignment of capitalism in this increasingly dangerous time. We need to continue the critique of the state in the era of the transnational corporations. We need to link this critique to an account of the role of militarism in and between states. Finally, we have to continue to analyze the state in connection with the complex question of class formation and the character of social relations. What role does state policy play in continuing to define relations between the sexes and races? What role does the state play in the mobility (forced or otherwise) of the working class? In what ways does the state become the occasion for bitter conflict between and among working people? To what extent has the original thesis of *Kapitalistate*—that class struggle has been displaced from the private to the public sector—been borne out by political practice?

Our second main avenue of work is political. We must continue to explicate the politics implicit in our theoretical ideas. If our ideas are

correct, our task is nothing less than to explicate the theory and politics implicit in presently existing class struggle. We must elucidate the relevance of our work to either the critique or the reconstruction of traditional social democratic, traditional Marxist-Leninist, and anarchist politics. Surely, for example, our critique of the instrumental view of the state and of the possibility of a meaningful distinction between base and superstructure bears on any possible formulation of Leninist politics. Similarly, our analyses of the increasing merger of the state with all the various social institutions raise profound difficulties for the sort of anti-statist view of politics so ably defended by recent anarchist writers. Finally, our conception of democracy is critical of the liberal conception of democracy which is virtually constitutive of social democratic politics. Rights, for us, are conceived as intrinsic to democracy rather than as the limits of democracy. Philosophic matters aside, our view of the need and tendency to struggle to democratize the state from within raises serious problems for traditional social democratic politics, which are typically focused on redirecting an existing state apparatus. Indeed, the issues which cluster around the elusive notion of poltical alienation have so far had no place in social democratic politics. Thus, to reformulate our question, we are left with the task of determining to what extent theoretical controversies about the nature of the modern capitalist state are at the same time veiled political controversies about revolutionary strategy.

These questions take on new meaning in the current passage of "austerity capitalism." Much of the work of the U.S. *Kapitalistate* collective in the past ten years has been rooted in the expansion of the interventionist state, and our work now has to be located within the context of many states which *profess* to be withdrawing from the intervention of the past. Is this alleged contention on the part of Reagan, Thatcher, and others simply a screen to cover the redirection of state policy toward more direct aid of capital? If the interventionist state is professing a withdrawal from social welfare programs, does this mean a more direct increase in repression? Will the result of current policies mean a resurgence of struggle in the state, or in the society (put more bluntly, in the streets and alleys)? Under austerity conditions will workplace militance reemerge in the U.S. or will protest take on different—and perhaps more political forms?

These are some of the questions we face in the next ten years. One thing has been clear: our focus has most often been on the U.S. capitalist state, and this has limited our ability to discuss and critique broad trends and developments in other countries and in capitalism as such. It has also limited our understanding of what is different and peculiar about the U.S. Since the French elections have returned a Socialist government and Regonomics threaten to fall apart as fast as liberals

wish, will this most recent "conservative trend" be as fleeting as the conservatives wish the interventionist state was? If Thatcherism continues to wreck the English economy and flatten the morale of the English working class, can parallel results be expected for the U.S. economy and the U.S. working class?

On the other hand, we must ask to what extent Mitterrand's victory in the French elections portends a more hopeful future for the working class in the eighties than does the Reagan-Thatcher turn in the U.S. and England. Jonas Pontusson's article in this issue is a first effort to provide some of the historical background necessary for evaluating Mitterrand's victory and for grasping the various possibilities in the French situation. As Pontusson suggests, Mitterrand's victory is partially related to exceptional features of the French state and French party politics. Nonetheless, as Pontusson also suggests, Mitterrand's victory does create the opportunity for renewed class struggle in France, class struggle, which if it develops, will almost certainly be in and about the state.

The various essays in this issue are aimed at contributing to a class struggle conception of the state. They each suggest ways in which the struggle for state power is a permanent feature of the contemporary world. They each indicate the extent to which the usual Marxist notions of class and class struggle must be enlarged and enriched in order to accommodate contemporary reality. Finally, as the theme of this issue suggests, each of the essays is concerned with the interpretation of present political practice in the light of state theory.

Patricia Morgan's essay, "From Battered Wife to Program Client: The State's Shaping of Social Problems," contributes to our understanding of the manner in which class struggle in and about the state concerns the forms of social relations. Morgan's essay illustrates how the modern state acts to reestablish bourgeois relationships, frequently strained to the breaking point in society. By doing this, she asserts, the state is thus all too often "able to defuse political issues and deflect the progressive goals of grassroots movements." But Morgan's view of the interventionist state is not that of an active agency molding passive, tractable materials. Rather, in discussing state responses to the battered women's shelter movement (one of the fastest growing political movements since the Viet Nam War), Morgan emphasizes the extent to which the feminist inspired movement, in challenging the bourgeois social relations inherent in the patriarchal family, resists an essential aspect of class domination. That the state seems to have been more or less successful in depoliticizing this issue and redefining it in bourgeois terms as a social problem was not

inevitable. One of Morgan's conclusions is that: "Cooptation . . . is rooted, at least partly, in political strength or weakness—the self-conscious awareness of movement goals and strategies."

The political insight of Morgan's paper is that what comes to be characterized as social problems are "potential political bombshells to the system." Her study of the process of depoliticization in the case of the battered women's shelter movement helps underline the vulnerabilities as well as the strength of the state. Depoliticization of the battered wife issue, Morgan describes, depends on the delicate combination of the processes of individualization, professionalization and bureaucratization. Within the state itself, the issue was "medicalized," which involved linking it to the social welfare apparatus (criminal justice, alcohol and drug rehabilitation, etc.) and at the same time reaffirmed traditional patriarchal values. And, of course, the social welfare apparatus operates in a class, race, and sex biased way. Thus, the weak links in this process of depoliticization are many and obvious. Morgan's essay, it should be noted, also suggests the extent to which a revolution in the social relations between men and women within the working class is part and parcel of the process of a working class revolution.

No single author has had an influence on *Kapitalistate* comparable to James O'Connor. Indeed, his book, *The Fiscal Crisis of the State,* was one of the seminal works which led to the formation and present direction of this journal. It is a matter of great interest to us, therefore, that in "*The Fiscal Crisis of the State* Revisited: Economic Crisis and Reagan's Budget Policy," O'Connor has undertaken the task of reassessing his earlier account of why the modern capitalist state must grow in the light of a political development within capitalism (namely, Reagan's budget policy) which seems to indicate a shrinking (as opposed to a growing) state. The key to O'Connor's symptomatic analysis of the state budget lies in his general view that an understanding of modern political economy requires an understanding of modern class struggle. O'Connor develops his ideas in explicit contrast to the orthodox Marxist notions that an understanding of the economy must logically precede an understanding of class struggle and that the modern state can be understood in functional terms as a mode of protecting and promoting the process of capital accumulation. The central weakness of the orthodox Marxist argument, as O'Connor sees it, is that the development of modern capital is, if anything, a process of "disaccumulation" (the underproduction of capital) rather than accumulation (the overproduction of capital). The process of "disaccumulation" is ultimately a result of class struggle, of a great refusal on the part of the working class to play its assigned role as variable capital. To the degree that the

working class can play an active role in defining its own needs (both quantitatively and qualitatively) capital will be unable to enforce its profitability criteria. In this situation, O'Connor suggests, capital goes on strike, as it were, as part of a continual battle to force the working class as much as possible back into its role as variable capital. This perspective, which O'Connor mentions but does not develop in his article, forms the background for grasping his basic theme: "The budget issue as well as the general economic issue are seen as nothing more or less than capital's problem of reestablishing its social and political domination over labor.

In the "*Fiscal Crisis of the State* Revisited," O'Connor reaffirms his view that, far from being superstructural, the modern state is an active agency in the modern capitalist economy for socializing many of the essential costs of private production. Yet the state must gain the acceptance of the working class to capital's incorporation of the state into itself; this involves paying the price of the welfare state (and maintaining a high level of private consumption) in exchange for the political consensus and legitimation which the state requires. The working class agrees to socialize (and thus subsidize) capital's costs of production. The requirement of buying legitimacy for the state is likely to be enforced, however haphazardly and disjointed, by the demands of various segments of the working class. Fascism would be the political cost of denying the need for legitimacy and consensus. This central point, as opposed to any presumed function of the state, is crucial to understanding (in opposition to orthodox Marxism) both the relative autonomy of the state and the dialectical connection between the crisis of the economy and the crisis of the state.

Thus, according to O'Connor's argument, the Reagan budget will not significantly cut those areas of government spending which go into maintaining or enhancing the skills, discipline, motivations, and even variability of the working class. Political risks aside, such cuts would undermine capital's own aim of socializing the costs of private production, including especially the production of human capital. What the Reagan budget does attempt to do, according to O'Connor, is to attack those programs, e.g., food stamps, CETA, etc., which are inconsistent with the overall aim of capital to motivate, discipline and "vary" the working class according to the requirements of the wage relation. It is possible for Reagan to do this, politically speaking, since a main part of the working class perceived "welfare" as a measure of its own exploitation and domination. The real point of Reagan's budget is thus to further fragment the working class and to reassert the integrity of a society defined in terms of the wage relation, the variability of capital, the commodification of labor power, the work ethic.

The extent to which the Reagan administration can succeed in this

task is, of course, a matter of politics. The political "vanguard" of the struggle against Reagan must be state workers, O'Connor concludes, because it is in the material interests of state workers to unify the rest of the working class with the unemployed and other clients of the state. The struggle of state workers is thus inherently opposed to the definition of political legitimacy in terms of the wage relation. In this sense, O'Connor suggests the long march through the institutions of the state remains the political destiny of state workers.

Colin Sumner's article, "The Rule of Law and Civil Rights in Contemporary Marxist Theory," surveys the recent controversies about the status of the notion of rights and the rule of law in Marxist theory. In various ways, participants in this controversy have differentiated themselves from the crude, dismissive Marxism which holds that the rule of law is nothing but an instrument of bourgeois class domination and that the notion of individual rights is just an emanation of bourgeois ideology, useful for dominating the working class. Those authors who stress the *form* of bourgeois law (Althusser, Poulantzas, Hirst, and Pashukanis, whose writings were revived from the 1920s in the USSR) are contrasted critically with authors such as E. P. Thompson and Jürgen Habermas who insist on the positive *functions* of bourgeois civil liberties and the rule of law. Yet, although Sumner writes from this latter tradition, he is critical of both Thompson and Habermas for failing to adequately formulate the relations between civil liberties and class struggle. What is needed, Sumner suggests, is a conception of the process of class struggle broad enough to account for legal rights both as results of class struggle and as necessary conditions for continued class struggle. To this end, Sumner expresses sympathy for Hirst's efforts to understand the specific forms and conditions of democracy, although he is critical of both Hirst's analytical separation of the political sphere of life from the rest of society and, ultimately, of Hirst's inability to relate his views about the ideal forms of democratic rights to the demands of class struggle. Sumner, thus, concludes his essay provocatively by asserting that "no one has satisfactorily analyzed bourgeois legal rights or the rule of law in a thoroughly Marxist way." Any satisfactory analysis of bourgeois legal rights, Sumner suggests, would indicate an answer to a large, practical question: "What forms and principles of law should we try to develop now as a necessary precondition for a libertarian socialist future?"

There is much in Sumner's essay that contributes to the development of our point of view. If rights are conceived as state conferred power relations rather than as reflections of the exchange relations (à la Pashukanis), then obviously the struggle for state power can be located in the present. Spontaneous political struggles for rights can be

seen as an aspect of class struggle, as a precondition for (rather than a limitation of) democracy, as simultaneously reformist and revolutionary. Moreover, Sumner's essay emphasizes the extent to which a proletarian revolution requires a revolution within the proletariat, a revolution which can only be directed at the ways in which the state supports the internal colonization of the disadvantaged working class by the advantaged working class. In fact, these conceptions are compatible with neither the traditional Marxist base/superstructure model nor with a narrow economist definition of class struggle.

Michael Burawoy's essay "State and Social Revolution in South Africa," is an extended critique of the comparative social and political historical analyses of Barrington Moore, Theda Skocpol, and Stanley Greenberg. But the essay is much more than a mere critique of methodology or an invidious comparison of rival methodologies. It is an attempt to lay bare the rudiments of an adequate Marxist analysis of South Africa and, therefore, of the possibilities of a South African revolution. Doing this involves the working out, in Marxist terms, of a detailed analysis of the connections between race and class in South Africa. Accordingly, it involves a rejection of the idea that racism and racial orders are all of one kind. Burawoy's argument brings out, in no uncertain terms, the increasingly important role of the state in reproducing and restructuring the relations between racial groups in South Africa. Yet, none of this is meant to belittle the importance of Stanley Greenberg's book, *Race and State in Capitalist Development,* with which Burawoy is principally concerned. Rather, what Burawoy shows is that the wealth of materials assembled by Greenberg cannot, on pain of incoherence, be confined within his (Greenberg's) own comparative perspective. As Burawoy states, "Greenberg inadvertently demonstrates that there cannot be a *theory* of racial orders, only of capitalist relations." Drawing on much of Greenberg's own work, Burawoy argues that a real continued basis for racism within the South African working class lies in a complex web of exploitative social relations of production and of reproduction. Burawoy even speculates on a way of analyzing this complex web of social relations in a style reminiscent of such structuralist writers as Poulantzas.

Perhaps the most interesting of Burawoy's contributions is his treatment of the state. For he sketches the crucial role played by the state in the transformation of the complex racial and class order from a period of primitive capital accumulation, in which the semi-proletarianization of the peasantry was of primary importance, to the present period, in which the reproduction of labor power for a developed system of production becomes paramount. Moreover, Burawoy shows how this story of the state's role in articulating and rearticulating a system of racial

domination and exploitation cannot be told in a functionalist manner without glossing over all the openness and uncertainty of outcomes in class struggle. Nor can the process of legitimation in this racial order be ignored as an aspect of political domination even in the brutal context of South Africa. In a word, only a class struggle perspective of the state is capable of explaining how and why the South African state came to take on the particular role it now has in reproducing South Africa's particularly horrible racist society. And only a class struggle perspective makes sense of the life work of Steven Biko or of the Soweto uprisings in unmasking the legitimacy of racist ideology in South Africa.

Jonas Pontusson's essay, "Apropos Mitterrand: State Power, Class Coalitions and Electoral Politics in Post War France," examines the meaning of François Mitterrand's victory in the recent French elections. Pontusson argues that Mitterrand's electoral victory, its problems and prospects, must be understood in the light of the paradoxical character of the French state. On the one hand, the French state appears as a model of the modern corporatist state: it is an important force in the French economy and society, its economic stance is interventionist, it virtually requires a dominant executive. On the other hand, far from integrating labor unions or other working class institutions into itself, the French state has been structured so as to exclude the influence of the working class. In France, Pontusson notes, "organized labor has come to stand in a distant and almost exclusively adversarial relationship to the centralized state apparatus." As Pontusson argues, the locus of class struggle in contemporary France must now be in and about the state; no true understanding of present relations between labor and capital in France is possible, in other words, which fails to see the French state as both the site and object of class struggle.

As might be expected, the French working class has paid dearly for its exclusion from the state. Yet, according to Pontusson, "It would only be a slight exaggeration to argue that there existed already in 1968 a social majority of the Left, and that it is the rigidity of the political system, including the Left parties, that has hitherto prevented that majority from assuming a political expression at the national level." Mitterrand's victory, then, must be seen as the entry of the working class into the state. This will, of course, affect the interests of traditional strata and of small capital, previously favored by Rightist policies in opposition to the interests of the working class. However, it may conceivably open up the possibility of class conflict within the state between reformist politicians and bureaucrats, who will speak for the working class, and the professional corps of bureaucratic elites

that, with the gradual abandonment of indicative planning, manage the state's connections to the economy behind public view.

Whether the preconditions for open, political class struggle (in terms of organization and popular mobilization) can be achieved is not clear. And whether the outbreak of class struggle in the very core of the French state will set in motion a dynamic of class struggle is even less clear. But if Pontusson's assessment is correct, it is very clear that the only certain terrain of battle is within the French state itself.

Finally, in this issue's only book review, Dudley Burton argues that Andre Gorz's book of essays, *Ecology as Politics,* is only a beginning attempt (and an unsatisfactory one at that) to integrate the concerns of environmentalism with the politics of the Left. Gorz's book had long been awaited in the English-speaking world, as his earlier essays on social theory and radical politics had been singularly impressive in their ability to provide a clear and powerful voice in European social democracy. Burton argues that Gorz does not develop his critique in a full and impressive way this time, that the book's importance lies in its ability to call attention to important issues rather than in its ability to provide solid answers to our questions about ecology, environmentalism, and the development of a radical critique. Burton's review invites us to look further than Gorz, to a host of American writers who have developed a variety of analyses of environmental questions. He also suggests, as others have, that Gorz's more recent efforts may provide the more fully developed argument missing in this book.

What is encouraging about the Gorz book, Burton suggests, is the increasing willingness of radical theorists to take ecological and environmental issues seriously rather than consigning them to the reformers and apologists of the industrial capitalism which causes so many of these problems in the first place. Socialists are increasingly willing to look at issues of the environment—both in the Capitalist nations and in Socialist ones as well—in large part because the environmental and ecology movements have proved to be so strong (and growing) in the face of the mounting attack on environmental quality and protection by the Right. But Burton argues that these movements cannot afford to remain as they are, that the gains of the past few years are extremely vulnerable, and that the present moment calls for a more sustained and critical analysis of the dominant institutions by those movements if they are to continue to develop. Burton argues that Gorz offers a beginning of this more radical critique, that the increased level of struggle concerning environmental questions will provoke more sophisticated critique, and that we should devote more attention to these questions. We agree, and hope that in the future *Kapitalistate* can provide a context for analyses of the struggles and issues in this arena.

One last feature of this volume of *Kapitalistate* should be brought to the attention of our readers. We regard this volume as the outcome, however modest, of ten years of our own political practice as a journal collective. Our political development has not moved in a convenient straight line. Rather, it has been the result of many detours, a continuous process of criticism and self-criticism. Our very beginnings, after all, implied a criticism of traditional Marxist politics for neglecting the importance of the state, especially in the context of modern capitalism. Accordingly, we sought to intervene theoretically in a political movement which, in our opinion, had overemphasized empiricist and instrumentalist conceptions of research to the neglect of the structural connections between the state and the economy. The requirement of showing the inadequacies of an instrumental conception of the state attracted a number of us to a structuralist view of the state. The self-criticism forced on us by our collective style of work soon revealed, however, that structuralism was no more of a solution to our problems than instrumentalism and empiricism had been. What was needed, we soon realized (cf. *Kapitalistate* 7 and 8) was a *class struggle* perspective of the state.

In a sense, a class struggle perspective had been latent in our work from the very beginning, but it was unaccountably mixed up with other notions. James O'Connor's self-criticism in "*The Fiscal Crisis of the State:* Revisited," for example, brings out the extent to which his book had relied upon a functionalist, as opposed to a class struggle, pattern of explanation. Though the other articles in this issue do not involve explicit self-criticism, they all involve criticism of the political forms which class struggle has taken at present. Since all political movements must be, at least to some extent, self-theorizing, our attempts to account for political practice in the context of state theory is our search for appropriate political forms of class struggle and, however modestly, an attempt to assess the possibilities within existing forms of class struggle. We have little doubt that these first, halting steps toward an understanding of political practice will be subjected to the criticism of future political developments. As Marx noted:

> . . .proletarian revolutions. . .criticize themselves constantly, interrupt themselves continually in their own course, come back to the apparently accomplished in order to begin it afresh, deride with unmerciful thoroughness the inadequacies, weakness and paltriness of their first attempts, seem to throw down their adversary only in order that he may draw new strength from the earth and rise again, more gigantic, before them, recoil ever and anon from the indefinite prodigiousness of their own aims, until a situation has been created which makes all turning back impossible, and the conditions themselves cry out:
>
> Hic Rhodus, hic salta!
>
> Here is the rose, here dance!

What is required of us above all else, then, despite the twists and turns of practical politics, is not to lose sight of "the indefinite prodigiousness of our own aims."

IN MEMORIAM

Before his accidental death last August in the Greek Island of Karpatos, Luca Perrone had been for many years an active member of *Kapitalistate*.

Luca was a dear friend and a very special person in whom intellectual rigor, political engagement, and youthful love for adventure remarkably coexisted. His intelligence, wit, and generosity will be missed by all his friends in Italy and abroad.

Luca was one of the most brilliant sociologists of his generation. He graduated from the Catholic University of Milan with a major in Philosophy and a dissertation on the thinking of the young Lukács. At the time of his death, Luca was completing a doctorate in Sociology from the University of California, Berkeley while teaching methodology of social research at the University of Milan. Luca had already made important contributions to the theory of social classes and to the study of labor unions. He was recently conducting comparative research on social classes in capitalist societies, studying the impact of strikes on industrial networks, and editing a book of readings on the sociology of inflation.

Our memories of Luca will live, and we will strive to carry on the spirit of his intellectual and political work.

The Italian *Kapitalistate* Collective,
Milan, Italy

From Battered Wife to Program Client: The State's Shaping of Social Problems

Patricia Morgan*

The interventionist state, the object of much attention by Marxist scholars, remains essentially a puzzle. The state's expanded role into social reproduction (the welfare state, if you will) is understood more in terms of its *effects* than in terms of *process*. Even less understood is the role played by, and the impact of, community or popular movements which have emerged around this expanded intervention. To be more specific, studies of popular movements organized around social needs have examined the process of these movements, while treating the state essentially as a set of apparatuses, and not as a set of social relations determined by capitalist interests. Thus demands for expanded, more complete or guaranteed health care services and welfare rights, for example, leave us with a fairly incomplete picture of the state to which these demands are raised. Analytical examinations of social welfare state intervention, on the other hand, often describe state expansion into social life in materialist or structural terms which do not substantially increase our knowledge of class or community struggles which have historically acted to shape the process of state intervention.

This leaves us with a big gap in the middle; a gap which prevents us from sucessfully organizing to radically change social life on the one hand, and from understanding more fully the process whereby the

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*I would like to acknowledge the ongoing help of the San Francisco Bay Area *Kapitalistate* collective, especially Sheryl Lutjens. I would also like to thank Dorie Klein, Jim Mosher and Connie Weisner for their help on previous drafts.

state attempts to meet the systemic needs of capital accumulation on the other. This gap in our analytical approach prevents us from understanding the nature of grassroots movement failures or cooptation, and thus keeps us on a treadmill of ineffective organizing.

The problem must be addressed from two sides simultaneously. First, we must develop a more critical understanding of grassroots movements for progressive social change, which means we must analyze the contradictions existing withing these movement themselves. In the process of organizing there is a consistant failure to become conscious of the organizational contradictions which provide the greatest openings for cooptation, or the means to overcome or circumvent them. Our understanding of this process has tended to be build on hindsight: more casual than systematic. Left organizers generally fail to recognize exactly how and why the state is able to defuse political issues and deflect the progressive goals of grassroots movements. Moreover, they tend not to make the necessary analytical link between the state's intervention and its role in reproducing capitalist relations—in maintaining class domination. The relationship between the state's role in maintaining class domination and community struggles needs to be clarified during the creation and organization of these movements, not after a movement has failed or been coopted. In failing to do this, our practical treatment of the cooptation of community struggles by the state is limited to assuming a class analysis rather then building one.

The second important task is to look more systematically at the *process* of state action. This involves locating a specific state apparatus historically within the state itself in relation to: a) the overall requirements of the state to promote capital accumulation; b) the relations between other state institutions and apparatuses; and c) the impact of these apparatuses on the maintenance of capitalist social relations. The last point cannot be stressed enough. The state is the embodiment of a particular set of social relations identified as bourgeois or capitalist. This set of social relations can be broken up into various aspects which when working in concert act to impede non-capitalist forms of organization from below. These include the processes of bureaucratization, professionalization, and individualization which will be discussed in more detail throughout the paper.

Briefly however, bureacratization involves the fragmentation of class issues through bourgeois structures, and the deflection of political demands into social ones. The stratification of society into interest groups, electoral constituents, and tax paying citizens produces a "mass of individuals" subject, by this abstraction from class relations, to a bureaucratized political order which serves to fragment class struggle (Holloway, et al. 1978). Struggles from below loose their class

character and become individualized and segmented into expanding facets of the state bureaucracy. Social relations become artifically constituted as bureaucratic forms absorb more and more demands from below.

Individualization is the process of narrowing structural issues into single ones, or fragmenting class relationships into atomized segments of the social order. Bureaucratization offers a method whereby "individuals" can be removed from their class relations in production, placed in artifical categories, and reconstituted as a "mass of individuals" (cf. Holloway, et al. 1978). Professionalization further insures that these individuals are kept from recognizing their own class position and needs. They can then be "blamed" for the social ills brought about by capitalist social relations.

Professionalization is the process whereby collective non-capitalist forms of organization become hierarchically stratified through the ues (or misuse) of science. The ability to determine one's own health, safety and welfare—the fulfillment of social needs—becomes the property of the state and is funnelled into the community instead of being an integral part of it. In this way, the definitions of problems (or of social needs) and the methods used to address them become compatible with capitalist social relations rather than threatening.

Thus, bureaucratization creates false categories of social relations; individualization fetishizes them; and professionalization keeps the control of these fetishized relations in the hands of the state. In essence, one must examine these interrelated processes as they impact on the relationship between a particular state apparatus and grassroots struggle—one must examine process. Moreover, a state apparatus must also be viewed as the embodiment of both capitalist social relations and of struggles from below. The tendency of the state apparatus to act in the interest of capital in the long run is not a simple outcome of these state processes. The impact of struggle itself must be assessed; the contradictions found in both the state and grassroots organizations must be examined. The gap must be closed. This paper is a modest attempt to do this by looking at a particular struggle, the movement to shelter battered wives, and at one particular part of the state, the social problem apparatus.

The Social Problem Apparatus

In no sector of the state is the growth of intervention more apparent that in those institutions charged with managing the more problematic aspects of capitalist social relations: mental health, deviance, violence, and crime. It is this sector of the state which, in the U.S., has expanded most rapidly in the last decade and been studied the least.

Encompassing both social welfare and criminal justice bureaucracies, this apparatus has a particular historical purpose made increasingly relevant since the civil rights and anti-war movements of the 1960s. The essential purpose is to keep those conflicts and contradictions which arrise out of maintaining order separate from the relations of production, and thus depoliticized. This is done by labelling as "social," problems which in fact are political and economic; hence the growth of "social problems" and an apparatus designed to manage them, especially among the more marginal sectors of the working class—women, minorities and youth.

The tremendous expansion of the social problem apparatus during the past decade was accompanied, in turn, by a shift in the character of some non-workplace struggles; single issue movements arose which, while corresponding in form to the state's bureaucratized apparatus, placed tremendous demands on it. By the late 1970s this had led to a fiscal crisis within the state. Demands began straining the supply of state resources.

In an attempt to alleviate their own internal crises stemming from both expansion and demands, the social welfare and the criminal justice parts of the state began developing overlapping functions. Social welfare-type programs were incorporated into the criminal justice system in an effort to lessen the economic costs of maintaining the system and reestablish its legitimacy. Social service agencies, as well, began promoting the social control aspects of treatment and counselling for problematic populations as an inexpensive alternative to a coercive approach, but also as a way to defuse criticisms of the "giveaway" nature of social programs more generally. In the process, the two functions—social services and repressive social control—became merged and somewhat indistinguishable. The result was a social problem apparatus designed specifically for social control in ways which further isolated the more marginal segments of the labor force. For example, Weisner (1981) has recently described the process whereby alcoholism treatment institutions have mortgaged themselves to the criminal justice system. Treatment agencies are able to maintain clientele, and thus funding, by receiving clients through local criminal justice diversion programs. Although most of these clients are not "alcoholics" this alleviates the overloads existing in the court system while helping to control specific segments of the population. No cure is intended; the purpose of alcohol treatment in these situations has moved from medicalized services to social problem management.

Marxist analyses of the state have not only generally neglected to account for this process within the state, but have also failed to advance

systematically our knowledge of community movements and struggles emerging around these redevelopments. There is instead a tendency to neglect these struggles once they have been coopted by the state and redefined as "social problems." State intervention into social problems is viewed as either basically inherent in the state's repressive apparatus (cf. Taylor, et al. 1975), or as undifferentiated activities within the social welfare system (Mandel, 1975).

Holloway and others argue that this is a failure of the left to distinguish between state appartus and state form, that is, the state as a set of social relations committed to reimposing capitalist class relationships. Such a separation provides a better means for looking at the contradictions within the state which result from constant pressures from below and alerts us critically to assess the methods and process of state intervention. However, their attempts to derive a Marxist analysis of the state from a highly abstract analysis of capital relations still does not allow an adequate explanation of social problems. Too often these issues represent struggles containing subtle and elusive connections to class relations not acknowledged through this framework.

The appearance of social problems in capitalist systems often masks political ends by being publically presented as problems agsinst a society identified as a mass of individuals empty of class context. Drug and alcohol abuse, mental health, juvenile delinquency and child abuse are only a few examples of problems that have been twice removed from the political economic context. While the state has broadened its intervention to subsume more and more political issues under social problem programs and policies, it is clear that their management no longer falls easily under an analysis of the state's repressive institutions. Further, welfare policies in advanced capitalist systems cannot simply be superficially characterized as programs designed to deflect real political threats or as concessions to demands from below. Social problem management through the capitalist state serves to depoliticize political questions: to incorporate demands through quasimedical models, to individualize and personalize structural problems, and to obscure any class interests inherent in them. Generally, Marxists have ignored these more problematic investigations leaving mainstream social science free to legitimize the state's ownership of social problems through their narrow explorations of problematic populations, or symbolic meanings of societal responses, instead of the larger structural issues.[1] In sum, what mainstream social science has characterized as social problems, and thus generalized out of class context, are potential political bombshells to the system.

The Movement to Shelter Battered Women

Although organizations to shelter battered women grew out of the feminist movement, the problem itself can be traced back to antiquity (Dobash and Dobash, 1979). The "right" of husbands to "chastise" their wives became transformed with the rise of industrialization into a random and vicious expression of male domination. The breakup of the nuclear family during the last decades, along with the increased participation of women in the workforce and the dissemination of feminist issues into mainstream society, brought strains on the traditional male-dominated household which too often took violent forms.

The issues involved in the manifestation of violence against women thus require a combined understanding of the historical role of gender domination in capitalist societies, and the role of the nuclear family in its relationship to the state and in the reproduction of capitalist relations. A more detailed examination of the history, nature and extent of violence against women in the family has been done by others, especially Dobash and Dobash (1979) and Klein (1980, 1981) who critically evaluate these issues. The task here is to begin with a brief history of the shelter movement, its class composition, political priorities, its goals and those characteristics and contradictions which most directly affected and were affected by the state's response to the problem.

The shelter movement can be seen as part of the larger feminist movement confronting issues of gender domination and patriarchy and including a critique of the role of the nuclear family in advanced capitalist systems.[2] Although the rise of the women's movement produced new inquiries into family life and the victimization of women (Caufield, 1974; Zaretsky, 1976), it was only the specific response to rape crises hot lines, and the discovery that many callers were victims of physical assault by the men with whom they lived, that sparked the initial feminist response to wife battery. The first shelters, set up as crisis intervention resources for these women, were structured similarly to other feminist community groups and often had formal ties to local women's centers. They included gay and straight women and were organized collectively.

At its inception the movement had both humanist and political goals: to offer immediate help to battered women, to build political consciousness and independence among these women, and to awaken the community to the problem and its origins in male dominated institutions. Usually co-existing within the same organization, the particular combination of these two goals stemmed from the political consciousness of the group itself. An understanding of the attempts to organize around these increasingly conflicting goals helps explain the development and exacerbation of the basic contradictions inherent in the women's movement.

The political goals of the movement manifested themselves on both organizational and strategic levels. Radical feminist and socialist feminist groups were, in general, strongly committed to organizing around principles of collectivity and direct democracy. Attempts to create organizational structures by and for women with a non-hierarchal distribution of power and authority represented the basic political tenets of the feminist movement (Gould, 1979). As embodied in shelter groups this structure was explicitly rooted in the importance of allowing the maximum opportunity to develop a self conscious political awareness among all the women within the organization—battered women and shelter workers alike. Thus, radical and socialist feminist ideology which integrated the personal with the political was expressed strongly in organizational form.

Tied into this principle of organization was the vision of building a broader awareness of the fundamental structural components of patriarchy's (and for socialist and Marxist feminists, capitalism's) relation to the immediate problem of wife battery. Specific strategies included an ongoing educational process of encouraging self-awareness among battered women and within the larger community. They also included demands on the state to recognize this crime of violence against women, by demanding criminal sanctions against wife beaters, as well as increased protection for these women.

The humanist goals of the shelter movement were grounded more in strategy than in organizational form. They were goals shared by liberal, radical, socialist and Marxist feminists, and were the easiest around which to establish legitimacy. Few would question the immorality of wife battery or an active community response to provide immediate crisis intervention; assistance for a battered wife and her children was relatively easy to establish. Strong moral claims could be made on the state at all levels of government. The humanist goal also most easily captured media attention.

Initially most refuges operated under the principle that the shelter workers and the women residents would be able to work together in understanding the issue, overcoming the problem, and coping with the immediate needs presented. In describing the early phase of a shelter organization, Ahrens states:

> At the time, there seemed to be general agreement on issues such as the value of a feminist prespective in the shelter, inclusion of lesbians as visible members of the collective, and the need for workers and residents in the shelter to share in decision-making and leadership. We viewed ourselves as a collective, and a very successful one (1980: 42).

Although the numbers of battered women in the U.S. remains unknown, from the very beginning all shelters and services for these

women were overwhelmed by demands for help. The number of women's refuges in the U.S. grew from none in 1975 to over 400 by 1978, and demand has always exceeded supply (Warrior, 1978; Klein, 1981). Battered women's shelters thus represent one of the most rapidly expanding nationwide grassroots movements since the Vietnam War.

The increasing need for services resulted in the rapid growth of sheltering organizations, a widespread interest in the problem throughout the U.S., and the expansion of the problem's visibility beyond the feminist community. This was all accompanied by clear demands for state resources to address the problem: funds for shelters, police protection for women, and criminal sanctions against batterers. They spread from the left and radical feminist community to liberal feminist, humanist and religious organizations. The response was surprisingly quick: within two years of the establishment of the first shelter the federal Departments of Justice, and Health and Human Services had issued initiatives to their funding agencies to address the problem (Morgan and Wermuth, 1980). This was accompanied by state and local governmental responses nationwide.

Faced with increasing calls for help, existing shelters, including most of those with left and radical feminist ideologies, took advantage of the state's responsiveness. Initially, shelters relying mostly on volunteer help, obtained funds from a variety of private foundations, local funding sources and community donations. However, these limited resources were strained by increased demands. With an overwhelming amount of sparse organizational resources taken up by fundraising, many saw the acceptance of state money as the best way to meet demands, as well as to stabilize and even expand services. State funds also provided the impetus for the creation of many new shelters.

This need conflicted with the organizational goals of many shelters. Although state funds offered the possibility of large blocks of money, there was a price to pay. To qualify to receive federal money, many shelters had to abandon their collective organization and form elected Boards of Directors (including members from outside the shelters); incorporate as non-profit tax-exempt organizations; develop professional staff, administrative and counselling positions; and expand services offered at the shelter. Within the shelters more emphasis was placed on service provisions and less on providing battered women with a broader, more political awareness of the problem. The personal-as-political structure inherent in the feminist refuges became submerged under the immediate needs of expanding services, obtaining government funds, and legitimating themselves as a shelter organization to the funding agencies.

Much of the shelter movement thus became quickly enveloped in the

apparatus set up by the state to absorb demands and in the process channel them into a bureaucratic, professionalized and individualized form. Battered women and the shelter movement became identified as another "interest group" as quickly as it captured state legitimacy. The state succeeded in turning collective organizational forms into bureaucratic ones, establishing professionalized service models to replace feminist political education. In the process a narrower image of the problem became established, an image which legitimated the problem by transforming any class or structural characteristics into atomized individualized pathologies: linking it to problems of mental health, or substance abuse social problems already established in the state apparatus.

New, non-feminist shelters founded on state money were generally organized through this narrower framework and did not face a political or organizational dilemma. Often battered women preferred the more bureaucratic professional shelter because it generally provided better resources without the confusion found in collectively run feminist shelters which were attempting to impose some larger political understanding. Where socialist or radical feminist organizations tried to incorporate help and assistance into their political strategies on an organizational level, liberal feminist and non-feminist groups were content with providing services without worrying about organizational forms and political strategies around issues of gender domination.

Even at the earliest stage, however, few shelter organization incorporated a conscious clas analysis directly into their political goals. The main enemy, strategically, was often solely identified as the patriarchal system which tied women into relations of domination (McGrath, 1979). One major contradiction which developed within feminist oriented shelters was tied to this lack of analysis. Too often there was little systematic attention paid to the underlying class divisions between the generally white middle class feminist shelter workers and the battered women who tended to be working class and third world. Although there is general agreement that battery cuts across class and racial boundaries, poorer women who have fewer resources to fall back on tended to turn more toward the shelters for support (Fuszara et al. 1980; Klein, 1981). Feminist organizational and political strategies tended to be developed separately from the battered women themselves. It was primarily a movement for, rather than of, battered women.

Such organizational problems are not new, but ones that have plagued other movements in the past. They require, however, an exploration of the ways in which state intervention intrudes and exacerbates these class conflicts through policies and programs designed to promote the humanist strategies, deflect the political, and,

in the process, transform the problem's image into a segmented individualized aberration of society.

Political Demands for Structural Change

The political strategy of the shelter movement was largely aimed at reforming the criminal justice system to bring public sanctions against the abuser, and at educating the community to identify wife battery as a crime. The two were often linked together; the drive to awaken public consciousness was often viewed as essential to force the criminal justice system to recognize that violence against women in the home was a legitimate problem and that battering men were criminals. Wider links to issues of gender domination were often implied and sometimes articulated. But they were rarely incorporated systematically into an analysis linking responses by the criminal justice apparatus to the role of the state in general, or class relations in particular. These connections were sometimes made by left feminist scholars (cf. Dobash and Dobash, 1979) and by shelters organized by Marxist or socialist feminists (cf. Warrior, 1978), but they were not fully integrated into movement strategy. Instead, political strategies were split into two forms inadequately linked together: one to address specific reforms in the criminal justice system, and the other to identify, for women in the shelters and the community at large, the broader problem of gender domination. Little attention was paid to the fact that reforms developed within the criminal justice system would, in effect, reestablish gender domination, social control and class domination under other guises.

Historically, the foremost priority of the criminal justice system has always been the identification, sanctioning and punishment of particular or deviant segments of the working class. Laws are created, enforcement apparatuses built, and incarceration systems developed to control working class behavior, to isolate segments of the labor market, and generally to insure the continuous production and reproduction of labor power for capital. Thus, the system has functioned to keep the working class divided and less powerful by the promotion of racial or ethnic differences among the working class. In the U.S. as elsewhere, laws were passed promoting the deviance of some groups, and identifying a particular population as a social threat, in order to deflect economic problems away from the state or capitalism. Repressive policies were often formed as a result of crusades waged by interest groups representing petty bourgeois moral standards. The successful incorporatin of these moral standards into the state provided the rationale for setting up a machinery capable of controlling working class behavior.

In the post World War II period an increase in street crimes coupled with widespread civil unrest, the anti-war movement, demands for racial and sexual equality, and growing drug use, all contributed to a more sophisticated, expanded and expensive criminal justice system. However, these were accompanied by corresponding growing costs and demands which became increasingly problematic by the early 1970s. First, struggles within segments of the working class, especially the marginally employed and racial minorities, intensified and became more sophisticated. A growing awareness of legal rights, for instance, has brought an overwhelming increase in legal suits against misapplication of the law, demands for jury trials, police review boards, and pressures for full constitutional guarantees within the legal process. This contributed to an unwieldly criminal justice apparatus which, under local and state level control, began to lose some discretionary power to the central government in the attempt to rationalize the system. The creation of the Law Enforcement Assistance Administration (LEAA) under the Department of Justice in 1968, and other expanding programs within the Department, were developed to oversee the handling of the increasingly widespread offenses coming through the system and the various demands for "due process" within the system itself.

Second, there were breakdowns of traditional institutions, which forced the state to assume more responsibilities. Problems which at one time were brought to the family or church, and thus were maintained as relatively "private," became public. Juvenile delinquency, family crises, and disputes between friends and neighbors were increasingly handled by the criminal justice system. Widespread mass alienation in contemporary capitalism and the general overall expansion of state intervention have both contributed to this process. However, a repressive response to social problems, although more pervasive, is a strategy least suitable when applied to formerly private settings such as the family.

The devaluation of traditional institutions, the crisis in the nuclear family, the growing anomie in personal and social life placed new and growing pressures on the contemporary family and especially on women within it. Fuszara, et al., suggest that the family is increasingly providing the social context within which grievances and disputes become manifest (1980: 11). Bannon (1977) estimates that over 60 percent of police responses are in answer to domestic disturbance calls, a growing number of which result in court backlogs, and police injury or death (Fuszara et al. 1980). This target for the nascent shelter movement, then was the institution least able to arbitrate successfully in domestic violence, and the least likely to be responsive to women's needs.

The failure of the criminal justice system to manage the problem was evident to both feminists and criminal justice workers alike, although for different reasons. The police were the prinicpal (if not only) means of official intervention into the problem. The reluctance of the police to arrest the assaulter or to assist the victim, coupled with the almost impenetrable red tape of the court system generally, resulted in humiliation and increased danger for assaulted women. The laws themselves are not designed for, nor intended to be used against, cases of assualt against battered women who have no realistic legal safeguards and little police protection. Most police never viewed wife battery as a criminal offense, but rather as a "social problem" or a "domestic matter between husband and wife" (Eisenberg and Micklow, 1976). Consequently, over three-fourths of domestic disturbance calls did not go beyond the initial intervention and were "solved" by the police dispatchers. And when women were able to have arrest warrants issued, they would sometimes not be processed for months (Ford, 1978).

A criminal justice system with strained resources was thus more likely to neglect violence against women in the home viewing it as a "family matter" and disposing of it quickly before it reached the courts. When the shelter movement began to demand that the police and court systems cease discriminating against battered women, the system was caught in a particular bind. Demands were made for changes in state law, for local ordinances forcing police cooperation and assistance for victims, and for reforms in police practices on a case-by-case basis.

However, local or regional criminal justice systems were often unwilling or unable to respond adequately. Instead, the centralized apparatus stepped in to set up guidelines and policies able to defuse the political impact of the problem while developing a rationalized system capable of relieving pressures on local courts and police, probation and prosecuting offices. This has merely furthered the discretionary functions of the criminal justice system.

The federal Law Enforcement Assistance Administration (LEAA) led the attempt to rationalize police response to the problem of battered women. Between 1974 and 1979, over 35 direct service programs for battered women were funded: shelters, technical assistance projects, information dissemination networks, police crisis intervention training, and court diversion programs (Morgan and Wermuth, 1980). The stated rationale was to improve police response to domestic disturbance calls and promote services for both "victims and perpetators." The actual purpose, however, was a bit more complex.

First, LEAA, an agency with a long history of identity problems, was experiencing its own crisis in the mid 1970s. Established to centralize and professionalize the widely dispersed and uneven local and state criminal justice systems throughout the country, it soon turned into a

testing ground for military technology during the Vietnam War. By the mid 1970s, policy again shifted somewhat away from this paramilitary role which was seen as too expensive in a slowing economy. However, the agency had little support to return to an earlier mandate or to improve its own organizational legitimacy (*Wall Street Journal,* December 2, 1980). It consequently began broadening its focus to include the management of wider social problem issues. Wife battery was an early target.

Second, as a viable public issue, the potential criminalization of wife assaulters threatened to put too many strains on a system already burdened by high crime rates and limited resources. However, there remained a need to control institutional legitimacy through social control interventions. Simply put, although the coercive methods of the police legal system could not afford to regularly process the wife abuser, the general repressive apparatus remained wedded to its historical social control mandate. The solution was to provide service models for local police departments to divert offenders, that is, to more efficiently "manage" the offense through social service networks.

Thus, the reforms instituted by the criminal justice system *seem* to have been quite responsive. New local and state regulations throughout the country did mandate police to arrest battering husbands. Public defender and district attorney offices did set up programs to deal more directly with the problem. These programs were generally set up from models developed by LEAA and often were funded from LEAA resources. Although there were many well-meaning agencies created during this time, the overriding purpose of these programs was first, to minimize costs to local criminal justice systems; second, to expedite the handling of family dispute cases; and third, to capture control of the problem in such a way that its more political tendencies would be minimized.

Consequently, the police arrested more violators who were then diverted from the court process by probation department programs that generally involved minimum counselling requirements. Wife battery became subsumed under the general rubric of "domestic violence" in these agencies which tended to treat all violence in the family as the same problem. Domestic violence service centers opened up under probation or district attorney departments with LEAA funds. These service centers did little to distinguish among "clients"—whether battered women or abusive husbands. Often they utilized the record keeping requirements of the various sponsoring agencies to ferret out "welfare cheaters," probation violators, or others normally caught up in the criminal justice system. Those "offenders" with money were generally allowed to be diverted to private treatment facilities, e.g., alcoholism clinics or private psychiatrists where records of attendence

are rarely kept. Conversely, lower class batterers either were sent to jail or were routed into state-run services designed chiefly for social control.

Sheltering and the Social Welfare System

During the past twenty years, political problems have been increasingly handled through the social welfare apparatus in general, and social service institutions in particular. The expansion of social welfare itself is a product of growing social needs, working class pressure and the general expansion of the state into the economy (Gough, 1979). The social welfare system offered a way to legitimize intervention policies directed toward maintaining the nuclear family in the problematic environment brought on by advanced capitalism (Stark, et al. 1979). Gough for instance, writes,

> . . . the welfare state denotes state intervention in the process of reproducing labour power and maintaining the non-working population. It represents a new relationship between the state and the family in this process. The dynamic of capital accumulation continually alters both the requirements of capital, particularly with regard to the first, and the capacity of the family to meet these requirements (1979: 49).

The transformation of political problems into social service agendas is also a "depoliticization" of issues into an individualized and increasingly professionalized framework. For problems identified as deviance or crime, this process includes medicalization: turning larger political and class related issues into individual pathologies (Conrad and Schneider, 1980). This latter characterization most aptly describes the response to the humanist goals of the shelter movement.

Historically, the rise of the scientific method in the nineteenth century, particularly the growth of the clinical medical profession, provides the foundation for these transformations. Turshen (1977) makes the point that the growth of clinical medical concepts of disease in the nineteenth century focused primarily on the individual. The twentieth century has seen the broadening of the individualization of disease into a "health" assessment of the social environment with no consideration of the social relations of the individuals themselves. The entrenchment of the clinical model during the latter half of the twentieth century was, in effect, a spur to the expansion of the social welfare apparatus. The institutional promotion of the individual medical model provided a technological (e.g., pharmacological) means of social control which depoliticized a whole range of problems, from malnutrition and poverty to drug or alcohol abuse and mental health, through professionalized and rationalized social service programs. Thus poverty can be considered a "social sickness," while alcohol or drug problems can be used as an explanation for crime.

The medical model also lends itself to the promotion of a victim-blaming ideology (Ryan, 1971). Problems are "social" in that they imply a social threat, but "individual" because they reinforce the notion that individuals are responsible for their own actions, illnesses, or problems. Changing or transforming individual behavior becomes the key to dealing with social problems. Under a victim-blaming ideology, the psychological models of personal transformation become the key to state service-oriented intervention. Crawford writes:

> [W]ith or without therapy, individuals are ultimately held responsible for their own psychological well-being. Thus, psychological impairment can be just as effective as moral failing or genetic inferiority in blaming the victim and reinforcing dominant social relations. People are alienated, unhappy, dropouts, criminals, angry, and activists, after all, because of maladjustment to one or another psychological norm (1977: 672).

The handling of problems under this cover falsely locates them within a framework of "social equality"; the problem is then said to "affect" a broad range of "individuals." For battered women, this may mask underlying structural relations by emphasizing the problem's "social class range rather than comparing it within-class prevalence and severity" (Fuzara, et al. 1980: 14). Thus any analysis of the impact of the imposition of capitalist class relations on the family, generally, or violence against wives within it, is precluded. Characterizing the image of the problem in this fashion promotes—and at the same time results from—a bureaucratized intervention of the social problem apparatus.

The shelter movement, although united around the need to provide immediate help for battered women, often differed internally on the best way to provide services. The reluctance to rely on established official family intervention, health, or welfare institutions was generally overcome by the very pervasiveness of demands. Initially, assistance included only what was considered absolutely necessary, such as help in obtaining divorces, settling property and providing child support, as well as pressuring local welfare agencies to provide benefits for women who were driven out of their homes. Local mental health agencies were sometimes asked to provide counselling and referrals. Importantly, the feminist shelter focus remained on crisis intervention, a means to an end, with the end identified loosely as social change. Also, service agencies were seen as resources to be used only as necessary, and not as extentions of the overall goals of the shelter itself. The growth of non-feminist shelters, however, changed the relationship between shelters and social services. Untroubled by the political consequences of tying into social service networks, these organizations have not only utilized existing agencies, but have begun to

demand that they expand to include specific wife battery (or more often "domestic violence") services.

The form and content of the quick response by non-feminist institutions to the problem of "domestic violence" rests within an ideology that supports the maintenance of the nuclear family. Church groups and organizations such as the Salvation Army began providing help for battered women purposefully aimed at family reunification. Federal strategy (e.g., the White House Commission on the Family) soon incorporated wife battery into a larger agenda on crisis within the family. In essence, wife battery was quickly and officially incorporated into family social work intervention. In fact, this new problem called for a "reinvigorated effort to stablize families which would otherwise be torn apart by internal contradictions" (Stark, et al. 1979: 476). In 1978 initiatives went out from the federal executive office for the provision of services for "family violence" within each of its agencies, institutes and departments. By 1979 agencies under Health and Human Services had spent millions of dollars for research and services in this area.

Research funded through these new state intiatives reflects the character of offical state intervention policies. One approach identifies violent occurrences in the home as pervasive within U.S. culture but manifest especially within the boundaries of the contemporary family (Straus, et al. 1980). A violent culture, according to these social scientists, is most likely to affect weaker members of the family—women and children. Gender domination is simply viewed as a manifestation of this culture with little analysis of its structural roots. Other research promoted by the state attempts to link conditional sociopathic phenomena to the problem. The focus is on personalized elements: individual character disorders (for both wife and husband), associations between domestic violence and other "deviant" characteristics such as drug or alcohol abuse, criminal behavior and broken families. Most of these approaches emphasize the generalizability of the problem by focusing on personal causal models. (If it is part of everyday culture, anyone in the family is as likely as anyone else to batter.)

Thus the problem has been presented as one aspect of the general crisis in the American family (not in male-female relations), or as part of a violent culture (separate from questions of class, history or relations of production), or as a personal dysfunction which can be maintained or treated. These views—funded, promoted, and adopted by state agencies each with substantive self-interest in their own agendas for managing the problem—quickly began shaping public discourse around the problem. As the image shifted from wife battery to "family violence," the analysis of gender domination was subsumed

under violent culture. Priorities shifted to treatment and services for the family. The battered wife became a domestic violence program client.[3]

As increasing numbers of women sought help, they became more apt to go to those agencies set up on models developed by the state. This exacerbated the essential separation between the political views of the problem held by feminist run shelters, and the life experience of women who are battered. Most battered women, reared and living in traditional households, never faced wider questions of why their husbands beat them. They assumed a relationship between the violence and personal problems or characteristics; the structural issues of gender domination were rarely questioned. For the shelter workers, these battered women represented all that they had rejected as feminists (male dominance, traditional family, etc.). However, the women's movement has not developed a clear-cut alternative analysis of the family, generally, or on male-dominance within the family to present to these battered women (cf. Easton, 1978). Also, the immediate needs of the clients and the increasing abundance of state resources leading shelters to turn toward service agencies for help, tended to reinforce the personalized traditional view of the problem held by most abused women.

The Consequences of Intervention

For the feminist shelter movement the process of intervention was so rapid and profound that the movement, relatively inexperienced, uncoordinated, and spread out across the country, was largely unaware of the pervasiveness of this unfolding process. Betsy Warrior, an early shelter organizer and the author of one of the first American books on wife battery, was almost alone when she warned against the "exploitation by well off professionals and bureaucrats who fund themselves with the money obtained, rather than letting it benefit the people whom it was secured for" (1978: 5). Many shelters found that as they took advantage of state funds and as an administrative hierarchy emerged within the organization, the collective work was turned into specialized labor, and the goals of the shelter itself were transformed. Often feminists left, or were forced out, by administrative personnel in the shelters who felt that political agendas interferred with more recently established service priorities (Ahrens, 1980).

The state, now recognized as a major resource for the problem, has caused a redefinition of the feminist contribution. Recent literature acknowledges the leadership of the women's movement primarily as an "interest group," generally referring to organizations of liberal feminists who have never had a critical understanding of state

intervention. This ties in closely to the solidification of the image of wife battery as a universal problem best handled through the state. "Feminist sentiment," according to a recent article, is not in itself a strong enough force to influence "public policy" but must be organized into interest groups committed to lobbying for wife abuse services (Kalmuss and Strauss, 1981). Success or failure of these wife abuse or domestic violence services is being tested through state-sponsored cost benefit analysis and evaluation research procedures. Criteria are based on those narrow assumptions formulated through earlier research and applied in state pilot programs. Narrowly defined associations and correlations are sought as causal explanations for the problem.

Today, for instance, there is increasing pressure to include alcoholism therapy for both women and men in abusive situations. Shelter workers are urged to recognize that "drinking and domestic violence go together," so that as long as the drinking continues nothing else will improve (NIAAA, 1980). Alcohol-specific service delivery models are now incorporated into wife abuse agencies, further narrowing the image of the problem presented to battered women, battering men, shelters and service centers, and ultimately, the public. By merely positing a relationship (causal or not) between alcohol and family violence, a causal image is in fact created, a need for research of this type is validated, and the promotion of professionalized treatment models is legitimized.

This whole process has deflected the need for inquiries into the condition of women in contemporary society—the political, economic and cultural environment of women in late capitalism. The growth of the medical approach, professionalized treatment organized through public and mental health services, has not only provided an environment supportive of the individualization of wife battery, but has essentially *guaranteed* that battery is subsumed under this rubric.

Transformations in the organizational form and ideology of the problem of battered women have provided perhaps the strongest consequences in the area of social control and in the reimposition of class domination. The newer organizations now "treating" the problem bear little resemblance to the early shelter movement which first opened the way for many women to escape their victimization. Often, shelters and service agencies created under (or funded through) the state, at the least, compromise the safety of these women. McGrath writes that under the officially sponsored shelters, "the requirements for evaluation and reporting can seriously compromise client confidentiality and clients themselves can be trapped for welfare fraud, drug problems, or parole violations" (1979: 27). Yet, those requirements are part of many agencies, funding criteria. The worst consequence for battered women,

however, is that they are increasingly open to further victimization through a slightly more sophisticated process of victim-blaming than was present before the shelter movement began. Many shelters screen for psychological defects, for drug or alcohol "addiction," and for other "inidicators" of unfitness for help or sheltering. Often professional psychiatrists in these agencies prescribe tranquilizers to help these women "cope" with *their* problem.

These social control devices are masked under the cloak of modern professionalized services. The professionalization of responses to wife abuse is also an example of a process by which non-capitalist forms of struggle become transferred into bourgeois forms: the state captures legitimacy of the problem's identification and handling under the name of science (Crawford, 1977). By channelling everything into professionalized medical or service categories capable of handling a wide range of problems, the continued atomization of problematic behaviors is guaranteed. This is what is happening now to the image of wife abuse when the state, through professionalized mechanisms, extrapolates the problem.

The trend toward the rationalization of the criminal justice system provides further evidence. Prosessionalized social services, coupled with discretionary treatment at the hands of police or courts, segments problem behaviors into separate professional scientific responses. Thus, batterers get channelled into particular treatment or service alternatives, or are incarcerated, on the basis of medical scientific frameworks. In reality, as before, specified segments of the working class are subject to punitive sanctions.

Finally, the inevitable consequence of the state's limitations under the era of political and economic austerity has not bypassed the shelter movement. Bolstered by right wing attacks against programs which "interfere" with the contemporary family and policies designed to service the marginal sectors of the working class, the state has begun to withdraw some support for "family violence" services. A proposed Domestic Violence Program Prevention Bill never made it through Congress, blocked by the ultra-conservatives who felt threatened by the programs that would be funded. Existing service programs are being phased out of Reagan's new budget, and LEAA, slated for elimination, is no longer organizing rational ways to manage police response. Although a great many shelter groups are supported almost totally by state or local funds, other shelters (both feminist and non-feminist) are in danger of closing as well.

The state may be withdrawing its financial support, but the structuring and identification of the problem has, in effect, been established. Systems already set up by the federal LEAA and incorporated into local criminal justice systems will survive. These are the systems

which have wide discretionary powers to "divert," "treat," or jail the batterer according to class or racial criteria. Service delivery programs on the other hand will become almost buried within established mental health, substance abuse, or other counselling agencies. The problem will be addressed minimally, or not distinguished much from other professionalized services within the social problem apparatus.

Conclusion

This might seem too bleak a scenario of the shelter movement. Not all organizations have been coopted; the feminist presence is still strong in many areas. Many groups are still fighting to bring a political awareness of the problem to their communities. And in other countries such as Great Britain and the Netherlands, the movement has been able to retain much of its original political character. This picture is accurate, however, when one considers the movement as a whole, its original political priorities, and its general absorption into the social problem apparatus. Moreover, the purpose of this paper has not been to judge the success or failure of the shelter movement.

The purpose here has been rather to steer the analysis in somewhat new directions, to ask instead what *are* the relevant questions to be posed when evaluating non-workplace community struggles. These questions should be asked on two fronts. Frist, theoretically we should acknowledge the importance of systematically examining these movements in order to understand more fully the state: not just the state apparatus as such, or particular institutions, but the state as a set of relationships committed to the constant task of reestablishing social relations under capitalist forms (Holloway, et al. 1978).

Second, the political question involves the reevaluation of the correct strategies to be used in struggles against the state. It is incorrect to consider the state as a set of mechanisms aimed at coopting or destroying movements. The state does not simply do things *to* political organizations. Rather state responses are moulded by the very nature of organizations themselves. Cooptation is not inevitable, but is rooted, at least partly, in political strength or weakness—the self-conscious awareness of movement goals and strategies.

Organizations that look to the state for resources without first systematically assessing the ways in which those resources will be used against them, are doubly vulnerable: first, in their ability to maintain non-capitalist organizational forms and strategies; and second, in their capacity to advance a critical understanding of the issues that are systematically linked to structural conditions under contemporary capitalist systems. It becomes vital to understand the nature of state process and its impact on the internal contradictions

within organizations themselves. This can only be done by recognizing the state as something more than a set of institutions or bureaucracies.

State apparatuses are inherently designed to address political problems through capitalist forms—as "social problems." The state is in the last analysis a set of capitalist relationships that utilizes the mantle of science and technology to manage social issues. The growth of the interventionist state has meant essentially the growth of bureaucratic and professionalized forms penetrating into everyday life, shaping social problem images as narrow associations. Problematic behaviors are addressed in a linear fashion, according to prevailing "scientific" models. The uncritical acceptance of these forms by progressive grassroots movements channels political goals into ever narrowing strategies. Progressive movements which come to depend on these pervasive state professionalized institutions eventually get trapped into looking for "cause" as well, transforming movements for radical social change into progressive adjuncts of the capitalist state apparatus.

The point of this paper has been to show that state intervention can only be understood in the interrelationship and contradiction between the state's apparatus and the processing of social relations. It is only by moving beyond static forms of analysis, and by filling the gap that exists in our approach to struggles within the state, that we can bring theory into politics, and politics into theory.

NOTES

1. See Joseph Gusfield (1980) for a discussion on the ways in which the state's ownership of social problems by particular bureaucracies serves to mask the problem's political, class, or moral characteristics.

2. The concepts of patriarchy and gender domination have been interpreted differently amongst feminists. Traditionally, patriarchy has been identified as a system organized through male hierarchy, where males retain formal social and economic and familial authority. Under contemporary systems, however, partiarchy can refer to explicit or implicit gender domination which is institutionally or culturally maintained, or to a system of domination wedded to a specific form of economic exploitation (cf. Eisenstein, 1980). The shelter movement was divided on these interpretations which never became clearly articulated (McGrath, 1979).

3. I first heard the term "domestic violence program client" at a conference panel on research in the area of wife abuse in 1980. This term was especially representative of the state of events. Throughout the presentations and discussions of the papers, the words wife batter, abused women, gender domina-

tion, patriarchy, sexism or even feminism were not mentioned. Instead, the main thrust of the panel was evaluation and rationalization of services in terms of their impact on local social service, especially criminal justice agencies.

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The Fiscal Crisis of the State Revisited: A Look at Economic Crisis and Reagan's Budget Policy

James O'Connor

The purpose of this article is to offer a prognosis of the Reagan government's economic policies with most attention given to the Administration's budgetary policies. What is Reagan trying to do and what will he be able to do on the budgetary front? A clear answer requires an evaluation of the fiscal crisis of the state and its current relationship to the general economic crisis of capitalism. Reagan's policy is based on the theory that the economic crisis in general and inflation in particular are caused by fiscal overloads, such as Federal budget deficits, government regulation, and welfarism, rooted in excessive government intervention in the economy.[1] Traditional Marxism offers exactly the opposity theory. The claim is that fiscal overload and fiscal crisis tendencies have arisen because of the general economic crisis, which is explained in terms of the tendency of the rate of profit to fall, and which has the effect of reducing taxes relative to social and economic needs. My analysis is that the general crisis originates in the class struggle, including the struggle to expand and widen the social budget (in this sense Reagan is right), and that the crisis places increasing burdens on the state budget, particularly at the levels of local governments and Federal entitlement programs (in this sense, traditional Marxism is right).

However, the approach adopted in this article differs from traditional Marxism in two respects. First, in my view, the falling rate of profit is not rooted in overproduction of capital (as traditional Marxism maintains) but rather underproduction of capital. The underproduction

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of capital emerges when the combined demands of both organized and unorganized sectors of the working classes results in a dramatic growth in the "average individual consumption basket" (or the average amount of wage goods workers can acquire with their real wages); an excessive growth of the "value content" of these goods; a concurrent growth in the social consumption costs organized by and through the state; and, finally, when the value content of these social costs rise dramatically. "Underproduction of capital" results when these factors combine during a period when labor power is immobile and inflexible, and when capital has a relative difficulty in mobilizing variable capital (or surplus value producing capital). Second, in my opinion, the fiscal crisis is not strictly derivative of the general crisis of capitalism, but rather develops also in accordance with its own logic, which is reciprocally and dialectically related to the general economic crisis.

These positions—that the general crisis of capital is due to underproduction of capital and that the fiscal crisis is relatively autonomous—requires some theoretical defense. This ariticle, however, is not the place for an adequate defense of the former thesis (developed at length in a work-in-progress called *Accumulation Crisis*); instead my focus in these pages is on the connection between fiscal crisis and budgetary policy. For this reason it is essential to defend the second thesis.

The best way to conduct this defense is to take a backward glance at my book *The Fiscal Crisis of the State* and deal with certain criticisms which both orthodox and neo-Marxism have made of its theses. Consequently, the purpose of the second section of this article is meant to counter-attack orthodox Marxist and functionalist arguments. In the third section, I take up the substantive relationship between the fiscal crisis and general economic crisis during the 1970s. As mentioned above, this is not the place for a full treatment of these themes, so I offer only a sketch of the reciprocal relationship between general economic conditions and the state budget today, with some reference to the likely effects of Reagan's economic and budget policies. This lays the basis for the fourth and final section which more fully evaluates Reagan's budget in terms of what he is trying to do and also in terms of whether he is likely to get his way indefinitely. The budget issue as well as the general economic issue are seen as nothing more or less than capital's problem of reestablishing its social and political domination over labor.

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The Fiscal Crisis of the State was intended to be a practical and theoretical intervention into the debates and social struggles raging in

the U.S. in the late 1960s and early 1970s. Practically, *Fiscal Crisis* was meant to help shift the American left's focus from industrial workers to the radical possibilities of state worker and state client organizations and actions. The book's claim was that the material conditions of state workers and clients are direct political issues insofar as these conditions are determined through a political process of negotiation in which arguments must be about public finances, the levels and purposes of taxation, and (potentially) the content of public policy. The material conditions of state workers and clients are also directly political in the more immediate sense that they are frequently the objects of ideological attacks (or mobilizations) by different factions of the ruling class seeking political power. This influences state worker and client interests as well as the political representation of those interests.[2] Due to these considerations, I argued that these factions of the working class might assume a leadership role in defining class issues politically. I also argued that state workers are the *only* fraction of the working class with a powerful material interest in uniting the other two great fractions of the proletariat (productive workers/reserve army; monopoly sector/competitive sector workers; working class taxpayers employed by private captial/state clients). In this sense, state workers are a political vanguard in that they are the class fraction enforcing Marx's basic condition for working class unity, i.e., "regular cooperation between the employed and unemployed."

The focus on state workers and clients was not an unusual position in the 1960s because of the black rebellions, student revolts, and organizing drives within state employees, though it opposed those theorists of the 1970s who returned to orthodox Marxism. Other new left fractions held to the orginal premises pertaining to the displacement of the class struggle into the state, and combined with older social democratic/new deal forces within the state bureaucracy (especially in education and the health and social agencies). As a result, this state bureaucracy is more progressive today than it was ten or fifteen years ago.

Theoretically, *Fiscal Crisis* lined up against orthodox Marxism's view that the capitalist state functions from the standpoint of capital as a whole solely to insure the conditions of capitalist accumulation, including the reproduction of labor power as a form of capital,[3] and also the related view that the functin of labor unions and social democratic parties is to contain and integrate the working class into the capitalist social order. *Fiscal Crisis* lined up in favor of the position that the modern state is "an object of class struggle . . . (and thus) social policy (is) the contradictory result of the compromise between capital and a powerful labor movement."[4] This position, which unalterably opposes Marxist "capital logic" and functionalist methods, has won increasing

acceptance in the U.S., Italy, Spain, France (as evidenced by Nicos Poulantzas, 1978), some Third World countries, and also, to a significantly lesser degree, in England and Germany, where "capital logic" seems to be staging a last ditch defense.[5]

Fiscal Crisis was based on two major theoretical departures from orthodox Marxism's treatment of the state budget. The first was the treatment of certain state expenditures and material activities as social capital, or social investment/social consumption, or social constant capital/social variable capital. This concept of social capital permitted me to study both the quantitative and qualitative meanings of certain kinds of state interventionism. Quantitatively, social capital *ceterus paribus* raises the rate of exploitation, hence the average rates of profit and capital accumulation. Qualitiatively, however, social capital "pollutes" capitalist production relationships insofar as transport, education, health services, and so on are organized by the state and hence are not based exclusively on exchange value criteria. In sum, the first theoretical departure was to treat certain state expenditures as social forms of capital advanced, or capital costs, not as revenues or drains on surplus value.

The second departure from orthodox Marxism was the treatment of other state expenditures as "social expenses." The concept of social expenses is perfectly consistent with orthodoxy in the sense that both "state revenues" and "social expenses" are deductions from surplus value and thus form a barrier to capital production in proportion that they help solve the problem of capital realization. I departed from traditional Marxism in the sense that I claimed that social expenses are the price that the state must pay for political consensus and legitimation.

Orthodox critics have pointed out that the concept of legitimation has no status in traditional Marxist thought. It is claimed that social expenses are really transitory forms which are turned on and off in accordance with levels of popular unrest, rather than in accordance with social needs, hence that they exemplify social control *by* the state, not legitimation *of* the state, representative democracy, and/or capitalism itself. Yet orthodox Marxists are not always consistent in their views on this issue. For example, Bullock and Yaffe write that "the contradictions of the capitalist state are heightened precisely in a period of growing crisis. While trying to restore the rate of profit for private capital it still *needs to guarantee* a 'politically' acceptable level of employment."[5] In *Fiscal Crisis,* I agreed in effect with Habermas that an increased need for legitimation is created by state intervention in economic and social life. If required legitimations are missing because of various kinds of "motivation deficits," the resulting legitimation shortages must be offset by material rewards.[6] My view also

was (and remains) that in modern capitalism the dominated classes are potentially the dominant classes, and that the state must underwrite the economic and social costs of accumulation, or those in political power risk losing their capacity to secure political and ideological consensus.

Writers in the "critical theory" tradition have attacked the way I used the concept of legitimation on the grounds that I played down or ignored these "functional equivalents." As John Keane suggests, *Fiscal Crisis* does not make a clear distinction between system integration/system rationality and social integration/social rationality. The reason is that I wrote *Fiscal Crisis* primarily as a political economist, rather than as a "political economic sociologist." The result was that I failed to appreciate the fact that social integration may be possible on the basis of new social and political symbols, or the manipulation of old symbols by cultural leaders, politicians, etc. Claus Offe, for example, argued in the early 1970s that "no-cost" claims on the state potentially increases social integration at little or no material expense, hence without reinforcing fiscal or economic system crisis tendencies.[7] Put another way, consensus and legitimation are question of social integration which may or may not be vulnerable to economic system disruption or system crisis.

The answer to this criticism is not to deny its methodological validity but rather to question its applicability particularly during the 1960s and early 1970s.

In one sense, legitimation can be defined as the reasons which the state gives to the public to cover up the real purposes of state programs and policies. In the U.S.A. today under Reagan, for example, "deregulation of business and increasing competition" means hurrying up crisis-induced capital restructuring, including capital concentration and centralization, and also increasing labor mobility. "Tax incentives for business" means increasing profits on new capital in the south and west at the expense of old capital (and the traditional working class) in the east and mid-west. "Supply-side economics" is a cover for a program which seeks to reduce the size and value content of both the private and collective consumption basket with the purpose of sharply increasing the rate of exploitation. In this sense of the concept "legitimation," economic success presupposes ideological success. Expanded profits and accumulation presuppose successful legitimation or hegemony which, assuming state ideological policies are internally coherent, promotes social integration. This is simply a way of saying that to work effectively the economic system needs to be secured against social dysfunctions.

But there is another more important definition of legitimation. Social integration requires not only certain belief systems and

normative actions but also material resources. Symbols may legitimate profits or accumulation policies but material resources are needed to legitimate the accumulation process (i.e., capitalist accumulation through crisis) to class fractions which do not participate in, or which suffer from, economic growth and development. This is especially true during periods of crisis and capital restructuring when demands to maintin and increase social consumption and social expenses to offset declines in private consumption are made. This growth in "entitlement" has real material consequences. The most important is the redistribution of material resources from the so-called middle class to the so-called lower class, with the result that capitalist motivations and incentives within both fractions of the working class are weakened. Incentives within the "middle class" are impaired because it "doesn't receive enough." Incentives within the "lower class" are weakened because it "receives too much." In other words, social integration policies in a society which tends to reduce everything to the lowest common denominator, money, are not cheap, and also result in bad fits between individual motivations and system functions.[8] This explains Reagan's general income distribution policy which can be summarized as the carrot for the capitalists and better-paid workers and salariat on the one side and the stick for lower-paid workers and unemployed on the other. This redistribution policy, which is legitimated by his hair-brained supply-side economic theory, functions to divide the working class.[9]

When these two theoretical breaks with Marxist orthodoxy—the concepts of social capital and legitimation/social expenses—are combined into a general theory of the state budget, it becomes easy to answer the question: why does the state grow? Some traditional answers have stressed the effects of war and their aftermath, the growth of the absolute size of capital, the need to control the working class, and struggles for the universal entitlement. Without denying the validity of any of these ideas, the answer which the reader will find in *Fiscal Crisis* is that social capital underwrites private capitalist accumulation which in turn increases demands for social expenses to prevent or remedy the "social costs" of accumulation. In this dialectical and reciprocal process, "the state grows because it grows." This simple theory highlights one of the most profound contradictions of late capitalist society and of public finances.

The question immediately arises, however, does the U.S. state always or necessarily grow because it grows? If this was true in the 1960s and early 1970s, has it been true in the late 1970s and will it be true in the 1980s? It might be plausibly argued that the 1960s and early 1970s were special periods, in the twofold sense that the economy was expanding while the Vietnam war, the proletarianization of blacks

and women, and the industrialization of higher education, were weakening time-honored American legitimating symbols of growth and opportunity. Hence that these were years in which social integration both *could be and had to be* purchased in hard, albeit inflated, cash. Along similar lines, it might be argued that the Democratic party today has not recovered from its failure to develop an austerity strategy (including austerity ideologies), which could minimally protect the Party's traditinal working class, urban black, and low income constituencies from more economic hardship during the general economic crisis.

These kinds of arguments which root social and economic theory in particular *historical conjunctures* throw doubt on some of the unfortunate "functionalist" formulations of the basic thesis of *Fiscal Crisis*.[10] The unproblematic nature of these formulations of the problem of the relationship between state, economy, and society is exposed not only by speculations on American experiences such as those above, but also by historical developments in some European countries. In Italy, for example, Marino Regini cannot find any clear "logic of action of the State" whether it be "capital logic" or "accumulation/legitimation logic." The reason seems to be that state action in Italy is the result of a "spoils allotment system" of client relations, conflicts and compromises in which private actors distribute resources. Hence, state policies may be "allotments without any consistency" and not necessarily conducive to either accumulation or consensus.[11] I believe that this kind of analysis may be applicable to the U.S. as well, with the major difference that the spoils allotment system works through the vehicles of well-established state agencies, Congressional committees, and the legal system, rather than by more direct encounters between representatives of capital, labor, farmers, small business, etc., and their various factions. This fruitful approach (which is not altogether absent in *Fiscal Crisis*), helps further to lift the whole discussion of state, economy, and society out of an abstract and functionalist framework and put it into the context of concrete social, economic, and political struggles in which different class fractions, bureaucratic interests, and so on, deploy their respective social weaponries. Furthermore, if the historical and conjuncural aspects of the whole problem are stressed, we can evolve a more powerful model of theory and action. For example, the functionalist elements in *Fiscal Crisis* were too rigid to grasp the real course of European development in the 1960s and early 1970s, when there existed a negative correlation between capitalist accumulation and social spending. Highest growth rates and lowest expenditures on medical and health facilities and services, low-cost housing, and mass transportation were to be found in France and Italy. The standard explanation is that high

inflation associated with rapid growth of capital forced European governments to keep a lid on social spending.[12] However, the governments of France and Italy were active in the provision of social capital, which underwrote economic growth in the private capital sector. This led to increased social needs and demands for social spending, which in turn were politically frustrated. This in turn contributed to the big strikes at the end of the decade and in the beginning of the 1970s, which finally had the effect of multiplying the number of various social "safety nets" in those countries and their scope of action.

3

The main factor undermining functionalist methods in Marxist theory has been the general crisis of capitalism itself. "Crises" are historical turning points or times of hard decisions when institutions and individuals are severely tested; they are periods when it is not possible to accept traditional "logical" relationships between state, economy, and society in matter-of-fact-ways. Political capitalism, the social factory, and the political factory develop new and highly problematic functional relationships which can be understood as such typically only well after the fact. It is during "crises" that new definitions of both systems and social functions emerge. This is true at the levels of both theory and practice. For example, the current level of aggregate demand is considered by the Reagan economists to be sufficient, or more than sufficient. System integration functions, however, can be satisfied only if social integration functions are restructured: hence current practical redefinitions of social integration, (e.g., the "return to the family"), attack on government expertise, etc. Crises may be defined as social struggles with highly uncertain outcomes in which functional theoretical methods themselves "function" as a kind of social control.[13]

The orthodox Marxist theory of the current economic crisis of capitalism is in this sense functionalist. Different writers emphasize different "variables" but nearly all orthodox Marxists agree that the present crisis is a classical "system crisis" of overproduction or overaccumulation of capital. Mandel, Frank, Sweezy, and others have written that the politics of the present crisis consists in the need for the working class to resist attempts by big capital and the state to restructure economic life at the expense of current standards of living and working conditions. By contrast, neo-Marxist, "workerist," and other tendencies (e.g., M. Castells, H. Cleaver, myself), insist that the current crisis is the result in whole or in part of a class struggle about which the working class may be itself deeply confused. The real need

is not to restore laborpower to the status of a relatively well-paid commodity but to deepen the struggle to unify factory workers, housewives, oppressed minorities, students, etc. along class lines, to reintegrate social relationships within the working class with the purpose of destroying the status of laborpower as a commodity.

More specifically, orthodox Marxism's theory of the fiscal crisis is that overproduction of capital has resulted in relative declines in state revenues which in turn produce bigger budget deficits. Inexorable political pressures organized by capital to reduce the social budget build up. These pressures are thought to be even greater than those during the 1930s because of current high inflation and the likely effects of budget deficits on future inflation. The tendencies toward fiscal crisis which I analyzed in my book (the internal development of the contradictions between state expenditures and state revenues), are downplayed or ignored. This tactic seems to me to be eccentric precisely because the modern fiscal crisis emerged well before the current general economic crisis.

As I suggested above, my view is that the current general economic crisis in the U.S. is not a crisis of capital overproduction but of capital underproduction. The post World War II solutions to classical overproduction crises (consumer credit, mortgate debt, welfare and the social wage, and other trends and policies developed to underwrite capitalist product competition and the commodification of needs), have stretched U.S. capitalism to the point of capital underproduction. Specifically, thanks to the growth of private consumption and social consumption, from the standpoint of both the size and value content of the consumption basket, there is insufficient production of inflation-free surplus value. And because of the growth of social expenses, including military and law-and-order expenditures, there is a larger unproductive drain on the surplus value that *is* produced. In short, in my view, the general economic crisis must be itself explained partly in terms of the social forces and political struggles leading to the fiscal crisis of the 1960s and 1970s.

I wish to pursue this theme by sketching some of the connections between the general crisis and the fiscal crisis. From the early 1960s on, the growth of social capital and social expenses (together with the partial collapse of social expenses into social consumption which has occurred because of the growth of "entitlement") increased state spending in relation to total spending. This had the unintended but not undesireable effect of stabilizing the capitalist cycle and strengthening long term economic growth trends. The result was to maintain inefficient capitalist enterprises; strengthen the unions; create cultural and social resistence to labor mobility, thus increasing structural crisis tendencies in the economy as a whole. Moreover, the growth of state

spending in relation to total spending was financed in part by inflationary means (i.e. budget deficits at the Federal level financed by the government borrowing from itself). The result has been to reinforce the relative decline in capital formation in the U.S. and the absolute decline in the older U.S. industrial zones. Inflation has had the effect of discouraging capital from committing itself to long-term investments. In many localities, especially in the midwest, there exists what is for all practical purposes an industrial capital strike, which of course has the consequence of worsening fiscal crisis trends at the level of local government.

Furthermore, inflation, and cost of living adjustments for workers in big industry, provides incentives for big capital to farm out more subcontracting work to small-scale capital and sweatshop home work, where wages are low, fringe benefits non-existent, and laborpower more variable. In England, small subcontracting firms are structurally created out of big capital's need to maintain the competitive sector and reserve army of labor.[14] In Italy, the result, in Enzo Mingione's words, is that the "eco-dualistically organized society tends to incur high costs for social assistance to the underpaid or those whose income is below the subsistence level." The problem is made more severe by the fact that workers in these marginal sectors cannot defend themselves against inflation. In effect, big capital "solves" its crisis by displacing it; the general crisis reinforces traditional big capitals' practices, namely, to compel the state to socialize the costs of its variable capital while expanding needs and demands for social expenses.

Another way in which the general crisis and fiscal crisis combine is through the process of internationalization and interregionalization of capital. Capital is increasingly repelled from the older industrial and commercial zones by high wages and taxes, union rules and welfare, social disorder, etc. Industrial capital is increasingly attracted to new accumulation centers by new social capital outlays by States in the south, southwest, and west for education, water projects, space projects, transport facilities, industrial parks, and also by low wages and welfare, anti-union local and State governments, and so on.[15] The result seems to be a kind of new social and geographical division of labor which concentrates "mind work" in finance, administration, research and development, in the older capitalist cities in the north (among other regions) and "manual work" in the rural areas and new industrical accumulation centers in the south and west. This process of repulsion/attraction and structural change in the social division of labor, which is caused by and exacerbates both the general and fiscal crisis, results in the need for greater outlays on social expenses in the older capitalist zones *precisely because* of increased outlays on social capital in the newer zones. Combined and uneven

regional development generates combined and uneven social conflicts.[16] All this means that Reagan's plan to expand industrialization in the south and west by cutting taxes on capital (and also by trying, via changes in the unemployment system, to force workers to move from the north to the south in greater numbers), will have the effect of worsening conditions in the north and midwest, thus potentially increasing the demand for more social spending and social services. In this way, the Reagan government's short-term recovery plan profoundly conflicts with its long-term wish to undercut or eliminate entitlement.

In short, the vehicle of capital restructuring in the U.S. today is the wrecking maching of inflation rather than the class depression and deflation of capital values. However, the Reagan government must at some point choose between depression and state planning because inflation-induced capital restructuring makes both the general economic crisis and the fiscal crisis worse. Since a major depression is unthinkable for the U.S. ruling class, from the point of view of both internal and external social and political order, the state's role will have to change from "supportive" to "directive,"[17] especially in relation to consumer and mortgage credit, incomes policy, and energy, raw material, agricultural, transportation, and health planning. This is not to say that *increases* in Federal social capital spending can be expected. The Reagan budget for FY 1981 actually shelves many significant social capital projects, especially in the areas of synfuels, highways, and mass transit, but also in education and science.[18] The general crisis calls first and foremost for capital restructuring, which requires little if any new social constant capital, especially since economic expansion is mainly in areas such as retail trade, business services, and personal services.[19] It is to say that significant changes in Reagan's free market ideologies, which had electoral appeal because of widespread anti-government sentiment created by the failure of the state and democratic institutions to deal effectively with "problem overloads," not only can be expected but appear to be inevitable.

4

The question arises, is it also inevitable that the changes I have been describing will actually result in higher levels of social consumption and social expenses? Put another way, what is the capacity of the state, especially the Federal government, not only to resist new claims which will be made on the budget, but also to reduce current claims? Superficially, the answer seems to be that the Federal government has a mandate to slash the budget, especially the social budget, which it is

determined to fulfill. A closer look reveals that Regan's attack is less against social consumption expenditures than social expenses, and less against income redistribution than against programs which undermine the commodity form and wage form. Thus, the Social Security program which costs $140 billion and benefits 32 million retired workers will apparently remain substantially untouched. But so will Medicare ($5.4 billion, 28.6 million recipients), Supplementary Security Income ($7.9 billion, 4.2 million blind, disabled, and elderly recipients), Veteran Administration services ($12.7 billion, 3.2 million people), and (if the Senate gets its way), parts of the programs designed to assist low-income families with their fuel bill, and to provide black lung benefits, legal aid to the poor, and aid to the handicapped. On the other hand,food stamps, which are consistent with the commodity form of need satisfaction but not necessarily the wage form, are under heavy attack. And CETA (The Comprehensive Employment Training Program) which subverts both the commodity and wage forms, is likely to be significantly reduced or eliminated altogether.[20]

The situation is actually more complicated than this because, as I suggested above, social expenses and social consumption are variable. There always exists some kind of trade-off btween acceptable symbols of well-being and hard cash at rates of exchange which themselves fluctuate in accordance with the social and political climate. However, as already noted, the Federal government cannot buy legitimation by granting political access to *both* urban-liberal-blck-feminist-labor forces and the "new right," pro-life-sunbelt forces simultaneously. At best, it might be able to neutralize the former by policies of "benign neglect" and repression while mobilizing the latter with new bursts of patriotism and Cold Warfare. In this sense, Haig's foreign policy pronouncements are an indispensible part of Reagan's budget and economic policy. However, the real problem for the Reagan government is not a shortage of "marketable" no-cost claims and symbols. In the 1930s and 1960s the problem was to keep the working classes from winning the social budget. In the 1980s Reagan's problem is to undermine the social budget which the working class has already won, or at least to keep old entitlements from growing and new entitlements from becoming established. But any attack on the social budget has the result of destroying capital, "human" capital to be sure, but capital nonetheless. This is true insofar as the social budget consists of social consumption, or insofar as an attack on social expenses in the epoch of "universal entitlement" is also a threat to social consumption. The effects of a successful attack on social consumption, because of the adverse effects on motivations and discipline within the working class, would be to lower, not to raise, the rate of exploitation, hence making underproduction of capital even more severe.[21]

In any case, from a political point of view, for U.S. capital to return to its ancient position of undisputed authority in contemporary capitalism here where the working class constitutes the vast majority of the citizenry, and where the welfare state and social budget, environmental and consumer protection, etc. are established, is practically impossible outside of the establishment of a variety of fascism.[22] However, despite the new and successful political organization of the capitalist class, which has entered local and national election campaigns in full battle gear, the Reagan administration so far appears to wish to stay within the rules of the liberal democratic game.

In the absence of any sharp political turn to the far right, it is necessary to agree that "public finance may be more precarious in the 1980s than at any time since the Great Depression."[23] This means in effect that state spending on social consumption and social expenses will continue to grow. The reasons why this is so can be collected under four major headings: the rise of military spending; the growth of entitlements; the growing failure of the tax revolt; and the ineffectiveness of reprivatization strategies to reduce the costs of government services.

First, the U.S. ruling class perceives that the national and social struggles of the peoples of the Third World, not those of the domestic population, are the main threats to world capitalism and U.S. power today. Moreover, a more aggressive posture toward the Soviet Union seems to be required, along other reasons, to legitimate economic austerity at home.[24] (Hence, Carter's FY 1981 budget increased military spending and Reagan aims to expand arms spending and the military forces even more significantly.)

Second, there has been and probably will continue to be an uncontrollable rise in entitlement spending of all kinds at the Federal level. This is especially true of interest payments on the Federal debt which grew 156 percent ($29.3 billion to $74.9 billion) between 1974 and 1980. About 20 percent of the expected $604 billion Federal budget for FY 1981 will be paid out in interest payments.[25] This is also true for Social Security and Medicare, which increase more than $25 billion every year (amounting to a total of $178 billion, or about 25 percent of the total Federal budget). The expansion of social "uncontrollables" reflects their incredible popularity among the working classes,[26] and also the absence of effective control by big capital over the Federal budget or bureaucracy. In fact, with the rise of the working class in the Depression and after World War II, especially with the political organization of blacks and reserve army of labor in the 1960s, capital was forced into a series of negotiated compromises which permitted labor unions, State and local governments, state employees, state client organizations, private capital with state contracts, students, etc. to

determine the social budget, albeit in highly mediated and contradictory ways. The "social democracy" built into the budget and Federal bureaucratic structure is perhaps the main domestic problem facing big capital. For example, establishing and tightening eligibiity standards in entitlement programs, an alternative preached by some Democratic party politicians, requires significant changes in bureaucratic personnel and rules. Nixon spent four years winning political legitimacy and support on the basis of initiatives in foreign policy with the partial purpose of using his second term to purge the social democrats from the Federal bureaucracy. He tripped over Watergate and the social democratic presence within the state, the media and educational establishment—a presence which, in the form of environmentalist ideologies and practices, is if anything stronger now than ever. Carter was unwilling and unable to do anything about this "problem"; nor will Reagan be able to try what Nixon intended during his second term without building up much more credibility than he has at present. Otherwise, Reagan advisor Martin Anderson's line, that the welfare state is complete since the promises American society has made to its citizens are either already fulfilled or obsolete, will remain mere ideological rhetoric. At best, Reagan may be able to reduce Democratic Party control of the House in 1982 by scapegoating House Democrats for resisting spending cuts, thus constituting themselves as a barrier to economic recovery. But it is unlikely that the Democrats will fall for this obvious ploy, and also it is a long way from this (possibly future) "victory" to any large-scale purge of social democrats, laborists, minorities, feminists, etc. from the state itself.

A third reason why public expenditures will expand and public finances will remain "precarious" is that the local tax revolt and "welfare backlash," in which employed workers and salariat have tried to protect their real wages and salaries against the ravages of inflation,[27] show some signs of weakening. State client groups, some unions, students, and above all the state employee unions and associations have been fighting property tax and other tax reductions on the grounds that these reductions threaten needed public expenditures and social services. This social and economic struggle is absolutely crucial both economically and politically. Economically, because big reductions in the welfare state will recreate more open competition between productive work forces and the reserve armies of labor. Politically, because Reagan's electoral support depends precisely on this basic antagonism within the working class between, on the one hand, hard-pressed employed workers and salariat who have supported tax cuts and irrationally viewed social programs with hostility, and, on the other, the reserve armies of labor and the state workers who both depend on the social budget.

It appears that despite significant blue collar support for cuts in programs serving the "undeserving poor," all the struggles to prevent the re-creation of 19th century labor market conditions have not been altogether in vain. First, as I have already mentioned, there is no large political support for cutting social programs from the Federal budget (food stamps excepted). Most people apparently would prefer to fight inflation by balancing the budget than by cutting taxes.[28] Second, the proposed cutbacks in the social budget have immediately inspired new coalitions of labor unions, women's organizations, black organizations, environmentalists, and others, which will doubtless spearhead a drive for Ted Kennedy in 1984. Third, in the 1980 elections, California's Proposition 13 mania did not sweep the country. While property taxes were sharply cut in Massachusetts, tax cut ballot measures lost in half a dozen other States. Fourth, local and State governments have passed new tax laws, and, because the Congress is not likely to go along completely with supply-side economic theory, the promised large reductions in personal income taxes may not be readily forthcoming.

The underlying reason for the relative weakening of the tax revolt, and also the reluctance to support specific social cuts in the budget, appears to be the deep contradiction facing the employed working class and salariat. They have won entitlements at the Federal level through decades of social action and political pressure, which have added inflationary pressures. The struggle against reductions in real wages and salaries (that is, the struggle against inflation) in the form of local tax revolts means that employed workers are in effect fighting against themselves, at least to the degree that local, State, and Federal tax cuts threaten entitlement and the social budget as a whole. In effect, there are signs that more people are paying attention to the "vanguard" of state worker organizations and acting in their own objective interests, which consists in a refusal to let capital turn the clock back and restore the full range of fractional divisions within the working class, which historical struggles of labor unions, blacks, state workers, clients, women, etc. have to a degree successfully overcome. In short, to the degree that the working class as a whole acts in its own objective interests on the economic front, it will be much harder for capital to reestablish its social and political domination of labor. The missing ingredients in the "implicit" working class program are the demand to restore detente with the Soviet Union (hence creating conditions for reducing the military budget), and the demand for vastly expanded collective consumption and community services organized by the people themselves (which would directly attack the commodity form of need satisfaction and the wage form).

Finally, State spending is likely to continue to increase because the major attempt to control costs of state services has failed. "Reprivati-

zation" of social services, or "contracting out," has not provided the fiscal relief that was at one time thought to be possible and practical.[29] It is interesting and ironic that Reagan's own Navy Secretary denounced the military contractors building nuclear submarines as incompetent, and threatened to bring the Federal government into the sub-building business. The failure of "reprivatization" to overcome the fiscal crisis, has meant that city, county and State government payrolls have expanded by 108 percent between 1970 and 1978 (a little less that the rise in private sector wages); structural fiscal crisis tendencies are greater than ever. The corporate liberal establishment, at least, recognizes the structural power of state workers, to protect their wages and salaries, working conditions, and their employment in most cases, except these "basket cases" like New York City, where divisions within the working class are unbelievably deep.[30] While layoffs of government personnel and cutbacks in social services at the local level have caused much hardship during the past half decade or so, there are signs that the unity moving within the working class, feminist organizations, community groups, etc. has a real change of meeting the challenges posed by the Reagan government in the 1980s. The main reason will be the economic failure of the administration. Assuming he gets his big tax cuts through Congress, the effect will be to expand consumption spending and speculative investments. The reason is that productive investments are sluggish not because of insufficient personal savings but because of insufficient profit rates. Further, assuming Reagan can in fact cut $30–45 billion from the Federal budget, the effects on inflation in an economy in which the GNP is $3 trillion will be slight. In my view, Regan's economic policies will fail badly, partly because of bad economic advice, partly because of popular resistance to his policies, (especially budgetary policies, which will increase in the proportion that his policies flounder), and partly because the general and fiscal crises are intractable except in the context of vast bottom-up changes in the conditions of material reproduction of daily life. The real danger is that Reagan might be tempted to start a war to keep the Republicans in office in 1982 and himself President in 1984.

In conclusion, the presistence of fiscal and social stresses and strains throughout the 1970s, which are in part causes and in part effects of the general economic crisis, has forced the state to use various devious or roundabout tactics to reduce the budget and threaten new deal/liberal/new left forces within the State bureaucracy. But all of these tactics have already failed, or will later backfire. First, there is the attempt to centralize the budget determination procedure at the Federal level. In Carter's proposed FY 1981 budget struggle, he sought a "reconciliation" bill which would set overall limits on Federal

spending. The aim was to neutralize special interest seeking exemptions from expenditure cuts, and was opposed by Congressional committees trying to protect these special interests and their own turf. Reagan has suggested escalating this tactic by a referendum-type approach to budget determination in the form of a single bill which would cut expenditures across the board. The "danger" is that any attempt to steamroll "special interests" and normal pluralistic budget determination will backfire and transform particularistic budget struggles into open class struggles.

Second, there is the attempt to relieve the fiscal crisis by making Federal block grants to States and cities a cover for reducing revenue-sharing and diluting national standards in welfare and other fields. The Reagan government wants to consolidate nearly 100 categorical grants into a few block grants for education, health, and social services. This would give State and local governments more flexibility in their use of Federal monies, and is thus supported by the National Governors Association (which however wants the Federal government to keep paying welfare and Medicaid). The "danger" is that increased local control of budget decisions will open up new arenas of struggle for local progressive forces. Third, there is the partly successful attempt to cut social services outright, legitimated by "extraordinary conditions," or local government "bankruptcy." When this has occurred it has often been accompanied by a bottom-up radicalization of social programs and/or local government personnel. Fourth, Sun Belt State and local governments have developed new and devious forms of "contracting out" with the purpose of preventing state worker unions from establishing themselves. But these seem to have opposite counterparts in the north and midwest where fresh attampts to establish more popular control of local budgets and social programs keep being tried. Reagan's CETA cuts, which may force some local governments to buy services from "social-industrial" capital, appear to be a Federal counterattack against progressive local programs.

In short, despite the present crisis, the new left strategy of the "long march through the institutions" is by no means moribund. The democratization of local governments and states, the radicalization of state personnel, the development of state worker-community relationships and new anti-cutback coalitions, suggest that the dream of the triumph of society over capital and the state is still alive, although admittedly not in the most robust health.

NOTES

1. A much fuller critique of Reagan's policies in general and supply-side economics in particular may be found in: James O'Connor, "Accumulation Crisis: The Problem and Its Setting," *Contemporary Crises,* 1981. It should be mentioned at the outset however that there were fewer Federal employees in 1980 than in 1968, and that Federal spending in relation to GNP was practically the same in 1980 as it was in 1968 (22.1 percent compared with 21.5 percent).

2. Thanks to Carlo and Lela Carboni for help in formulating this issue.

3. For example, John A. Fry refers to the "bourgeois class character of the state . . . and its overal function of maintaining and expanding conditions favorable for an economy based on a capital/wage labour relationship" (*Limits of the Welfare State: Critical Views on Post-War Sweden,* Franborough (England), 1979, 2).

I should add that *Fiscal Crisis* was also written as a critique of the barren bourgeois theory of public finance based on the concept of "individual choice." Jared Epstein has pointed out that it is a little strange to listen to bourgeois sociologists and economists today using or reintroducing the concept of the "individual" in a period when the attack by capital on the working class as such is so severe. But, of course, ideologies of individualism are required to make an attack on the working class actually work.

4. John D. Stephens, "Review," *Limits of the Welfare State,* op. cit., *Contemporary Sociology,* 10, 1, January, 1981, 112, citing Korpi's *The Working Class in Welfare Capitalism.* For a defense of the *Fiscal Crisis* against orthodox Marxism, see my "Some Reflective Criticisms on Mosley's 'Critical Reflections on *The Fiscal Crisis of the State,*" *Review of Radical Political Economics,* LL, 3, Fall, 1979.

5. Paul Bullock and David Yaffe, "Inflation, the Crisis and the Post-War Boom," *Revolutionary Communist,* 3/4, November, 1975, 35 (italics added). The "capital logic" school has ben further undermined by arguments that claim that the state is the "institutionalization" of anarchy because the aims of the capitalist class (however it is decided politically what these aims are), are subverted by individual capital fractions acting in their own special interests.

6. Jurgen Habermas, *Legitimation Crisis,* Boston, 1975, Chapters Six-Seven.

7. No-cost claims and new symbols pertaining to pro-abortion, pro-easy divorce, pro-reverse discrimination, pro-sexual freedom etc. forces have of course been confronted politically by new "pro-life" forces, new forms of racism, etc. which have polarized U.S. society, raised the political ante, and render "no-cost" claims increasingly ineffectual. In effect, the price of using no-cost claims to ameliorate fiscal crisis was to worsen social crisis tendencies.

8. There are many other aspects of the problem of legitimation which cannot be dealt with here. As Regini, for example, shows, the involvement of unions in state policy may help to integrate workers into the social order, not because the unions themselves are necessarily sources of social control, but rather because the mere presence of unions in the state apparatus increases capitalist legitimacy, hence social integration.

9. The extreme version of this so-called theory can be found in George Gilder's *Wealth and Poverty* (New York, 1980), which claims that the state has ruined the U.S. economy by taxing the capitalists too much while granting too much social welfare to the poor.

10. For example, "the greater the growth of social capital, the greater the growth of the monopoly sector. And the greater the growth of the monopoly sector, the treater the state's expenditure on social expenses of production" (*Fiscal Crisis,* op. cit., 9). This formulation is incomplete even as a statement of functional relationships, i.e., it leaves undetermined the growth of social capital, which as we will see must be (problematically) related to whether private capital is in a boom or crisis. As I mentioned above, it also leaves undetermined the effects of an expansion of social expenses on surplus value available for accumulation.

11. As the Carbonis have pointed out to me, this approach ignores the whole dimension of "capital as a whole" hence possibilities of showing that social contradictions are class contradictions. That is, in the pure "spoils allotment system" model, conflicts appear as merely specific conflicts without any relation to social and class struggles.

12. For example, Richard B. DuBoff, "Economic Ideology and Environment," in Hans G. T. Raay and Ariel E. Lugo, *Man and the Environment, LTD,* Rotterdam (Holland), 1974, 215–216, citing the work of EEC economist Michel Albert.

13. The definition of crisis as class struggle, and the critique of traditional mechanistic, functionalist, and radical Durkheimian crisis theory can be found in: James O'Connor, "The Meaning of Crisis," *International Journal of Urban and Regional Research,* 1981.

14. Friedman sets another *Fiscal Crisis* thesis right by showing that it is the capital/labor struggle within big capital, not lack of demand, that leads to the recreation of small capital and the reserve army (Andrew Friedman, *Industry and Labour: Class Struggle at Work and Monopoly Capitalism,* Atlantic Highlands, (N.J.), 1978).

15. The 1980 census revealed that the most rapidly growing metropolitan areas in terms of population are (in order of rates of growth): Fort Lauderdale-Hollywood, Fla.; Phoenix; Houston; Tampa-St. Petersburg; San Diego; Orange County, Cal.; Salt Lake City-Ogden; Denver-Boulder; Sacramento, Cal.; Dallas-Fort Worth. In the midwest, east and west, population growth in rural areas is significantly greater than in metropolitan areas. In the south, the reverse was true.

16. Dwayne Ward was the first to point this out to me.

17. J. Winkler, "Corporatism," *Archives Europeene de Sociologie,* XVII/1, 1976.

18. The significant exception seems to be state investments in future "human capital." Head Start, which provides $950 million in educational services for 374,000 preschool chidren, and the school breakfast and lunch program (costing $2.1 billion for meals to 9.5 million school children) remained untouched in the original Reagan budget proposal. It remains to be seen whether the NEA, AFT, science establishment, etc. can save the education and science budgets from large planned reductions.

19. *Fiscal Crisis* was written as an interpretaion of crisis tendencies in the 1960s and early 1970s, hence downplayed the variable nature of social capital outlays during general economic crises. However, social capital outlays have to be explained in terms of political struggles as well as "functional economic requirements." Thus a mass united front of northern/midwestern interests might be able to force the Federal government (in the form of a Kennedy) presidential candidacy in 1984?) to lay out the social capital needed to "reindustrialize" these regions.

20. The inconsistencies in Reagan's program are underlined by the fact that the Summer Youth Jobs Program ($870 million for 665,000 urban youth) is likely to stay the same.

21. Liberal commentators have confused the issue by accusing Reagan of cutting back the poor more than the "middle class" hence using political not economic criteria to determine the distribution of budget cutbacks. This is a good example of how liberal thought sees only the distribution of values, not the production of values. The fact is that a cutback of "middle class" social consumption would impair capitalist production relationships hence value production. The same is not true of a cutback of social expenses.

22. Eight years ago I described the many segments of U.S. society which depend on the budget—bureaucrats and poverty workers; businesses and workers in construction and other industries which live off government contracts; local Democratic party politicians who need the budget to build up client constituencies; state clients and workers; etc. I concluded that a "true monopoly class domestic policy and budget will hinge on the consolidation of monopoly capital's political rule, which is an academic way of saying, the introduction of American fascism" ("Nixon's Other Watergate: The Federal Budged for FY 1974," *Kapitalistate,* 2/1973, 11).

23. Wayne Anderson, Executive Director of the Advisory Commission on Intergovernmental Relations, quoted in "The Pinch on Public Employees," *Business Week,* June 23, 1980, 71.

24. James O'Connor, *Accumulation Crisis: The Problem and Its Setting,* op. cit.

25. This compares with a 121 percent growth rate between 1974 and 1980 for education, health, and human services spending, and a 71 percent growth rate for military spending (Steven Seiden, "Interest is Eating Up the Budget," *Business Week,* February 9, 1981).

26. According to the New York Times/CBS poll in February, 1980. The only really unpopular program among those polled was food stamps (*New York Times,* February 2, 1981). According to the Census Bureau, Federal benefit programs reach about one-third of American families (*New York Times,* March 13, 1981).

27. As Robert Kuttner shows (*Revolt of the Haves,* New York, 1980), the revolt against high property taxation is basically a "middle class" social movement in that it consists of workers and salaried personnel in large-scale capital, professionals, and small businessmen. The revolt is *against* redistribution within the working class and salariat in favor of workers in small capital, unemployed, underemployed, etc. It is not a right-wing plot, although the right-wing has received a large ideological windfall.

28. Steven Roberts, "Reagan's Budget Battle," *The New York Times,* February 11, 1981, 10, citing The *Times*/CBS poll.

29. A full discussion of "reprivatization" is not possible here. Suffice it to say that this process assumes many forms. First, contracting out, mentioned in the text above. Second, money transfers which will permit people to buy services on the open market (e.g., educational vouchers). Third, shifting state services back on to the family in general and women in particular (the hoped-for outcome by the new right). Fourth, self-organization of needs on a collective basis by people involved directly in the delivery and use of services (the optimal outsome from the standpoint of the working class).

30. "The power of public employees to cause irritation or inconvenience to the public need not be totally curbed. To do so would be excessively costly, even if it were possible. Such action might also unnecessarily deprive employees of a measure of power that it may be desirable for them to have in order to protect their own interests and dissuade them from seeking power through other routes" (Committee for Economic Development, *Improving Management of the Public Work Force,* November, 1978, 89).

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The Rule of Law and Civil Rights in Contemporary Marxist Theory*

Colin Sumner**

Introduction: the problem

One central issue for Marxism today must be: under what social conditions and by what principles can and should individual liberties be developed and sustained? This essay represents an attempt to open up this question and to begin the task of identifying the problems involved in answering it. I want to suggest that the difficulty Marxism has with both the theory and practice of civil liberties is not accidental but, rather, a direct product of certain central weaknesses in its social theory and political philosophy, and that, moreover, a brief survey of currently debated socialist literature (in the U.K.) on the subject (the work of Thompson, Pashukanis, Habermas and Hirst) indicates that modern left libertarianism may only be establishing itself at the expense of some classical Marxist tenets. I shall go on to argue that a coherent Marxist position on the rule of law and civil liberties is

* This is a much revised version of a paper given at the American Society of Criminology conference, as part of a panel on 'Recent developments in Marxist legal theory,' in San Francisco, November 1980. My thanks to the *Kapitalistate* editorial collective for comments which helped me tighten up the presentation, and to Piers Beirne, Pat Morgan, Steve Spitzer, Jane Kenrick, Maggie Sumner, and the students in my sociology seminar at the Cambridge Institute for invaluable encouragement and useful criticisms.

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tenable and I shall outline some of the premises and developments necessary to its achievement.

In short, I think that our worst fears about the causes of Marxism's poor record on civil rights may well be confirmed and that the issued raises terrifyingly substantial (although not unfamiliar) problems for Marxist theory and practice. This essay will do little more than attempt to identify them and must be seen as a very small part of a much bigger (and rapidly developing) debate in Europe about the state, law, reformism, the nature of class struggle, and the character of socialism itself.

In immediate political practice, our original question becomes one of the utiity, priority and raison d'être of struggles for legal rights in bourgeois society in relation to the general long-term struggle for socialism. What justification, priority and relevance can be given (by revolutionary socialists) to such struggles as those by Irish Republican prisoners for political status, by ad hoc pressure groups to prevent the legalisation of already practically extended police powers, by women's groups to obtain abortion on demand, by black citizens to obtain equal treatment under the law, or by trade unions to retain the right to picket effectively? Of course the list could be a very long one given the complex divisions and conflicts which advanced capitalist societies generate. But it is interesting to pose the issue in terms of practical contemporary political struggles. The question of rights struggles has rarely been posed in this way; normally it is posed and resolved in pure theory. This practical political stance alerts us from the beginning to the fact that such formal support as has been given by Marxist parties to rights struggles has been highly selective, quite limited and fairly pragmatic.

The value of rights struggles for the development of a revolutionary working class or for the advancement of socialism or for the health and safety of citizens in a socialist society has of course been largely neglected within Marxist theory. It is difficult to think of even a single substantial text on the matter. When attention has been given to the question, however, it has had a distinctly schizoid character. On the one hand, Marxism has generally dismissed bourgeois legal rights as ideological fictions betrayed by persistent social inequalities and aggesssions, regarding struggles to achieve them as reformist and irrelevant to the necessary revolutionary strategy. But, on the other hand, most Marxists have (quite quietly and sometimes almost incidentally) formally supported the defence of certain established rights, such as the right to form a trade union and the right of public assembly.[1] Such support, however, seems limited to the protection of the trade union movement.

This conventional Marxist position begs several questions: if a bourgeois legal right can support the political growth of the working class, how can it merely amount to an ideological illusion? How exactly and at what point do we distinguish politically between the conservative and radical functions of a legal right? Which legal rights are irrelevant to the development of the working class? With what criterion in mind do we draw the line between relevance and irrelevance? If *defending* a legal right can have progressive political functions then surely, a fortiori, *establishing* it in law in the first place must be even more progressive? If the protection of the labour movement is the criterion to use in assessing value and priority of campaigns, then surely the various civil rights of women, blacks, prisoners, pensioners and children (and so on) are just as important as those of male, adult, white trade unionists? Isn't the protection of the labour movement too limited a criterion to use? Wouldn't the value of any rights struggle vary in practice with the precise historical context in which it takes place?

When one considers the weakness of the conventional Marxist position in the light of such questions, it makes me angry to think that it is a position which supports the denigration of the rights struggles of blacks, women, youth, welfare claimants, prisoners and pensioners. It is also an orthodoxy which, in another form and another context, has supported the denigration of peasant revolutionary nationalism (see Foster-Carter, 1974: 86–7). Somehow all these struggles were for an awful long time thought of as irrelevant to the transition of socialism: auxiliary to The Class Struggle. But what sense does it make to define Class Struggle in such a limited way? To reduce more than half the Western working classes to mere auxiliaries in the class war is not only male chauvinist, racist, ageist, etc., but it is also to *excise the class character* of their political activities and to reduce the struggle of the working class to the economic claims of the metropolitian, white, male labour aristocracy. Indeed, the conventional Marxist position also seems to display a short memory, for did not some of the earliest and most significant struggles of the white, male, metropolitan working class concern bourgeois legal rights? Once this class fraction gained its rights (and Marxist theory) it seems to have forgotten the importance of rights struggles in the establishment of its social power. To relegate those of other class fractions fought at a later stage to the status of auxiliary or reformist politics is to lend support to Selma James' view that the dominant fractions of the working class have colonised subordinate fractions. We may even thus be drawn to make the heretical suggestion that, if the above thesis is correct, the rights struggles of such groups as women and blacks might be as much an assertion of

social power against their internal colonisers as they are against their external colonisers.

By these same Marxist conventions, the lack of civil liberties in Eastern Europe and elsewhere in the socialist camp is never granted the status of presenting a problem for theory. Such oppressions are often explained as the outcome of national peculiarities, historical accidents or individual errors: categories of causation not normally prominent in Marxist explanation. As a minimum, Marxist theory is stunningly ambiguous on the issue of rights struggles within the socialist camp.

It seems clear, even at the outset, that the narrow, incoherent and undeveloped character of the orthodox Marxist position on bourgeois legal rights and working class rights struggles is closely linked to narrow or untenable conceptions of class formation, class struggle, legal right, and the state. Whilst recognising that many issues are involved here, I want to argue that careful reconsideration of the concepts of class struggle and legal right would go a long way to rescuing Marxism from the theoretical cul-de-sac it has entered in the twentieth century. (I shall indicate later how the works of Thompson, Habermas and Hirst are sensitive to this point and, despite their faults, stimulate constructive theoretical development.) This reconsideration must involve (1) a *broader* conception of class struggle than hitherto and (2) a more historical, less abstract understanding of bourgeois legal rights.

The first requirement is largely beyond the scope of this paper and will be mainly dealt within relation to the second. However, I want to argue that the necessary broadening out of the concept of class struggle can be achieved purely by logical theoretical development without adducing anything as contentious as liberal sympathy, humanism or a blind faith in oppositionalism. The development must come in the concept of social relations. I have indicated elsewhere how this concept can be fruitfully developed (Sumner, 1979: 229–234). Essentially, distinguishing between the class and 'technical' components of social relations, the argument is that, whilst class divisions and ideologies cut across age, sex and race in constituting the class functions which reproduce the mode of production and its corresponding political and cultural forms, it is most definitely also the case that class divisions in some historial conjunctures (at least in advanced or post-imperial/neo-colonial capitalist societies) are articulated, structurally and explicitly in state administrative practices in striking correspondence with divisions (inter alia) of age, sex, race and religion. The important consequence of this is that *even within an orthodox* definition of class struggle (which envisages the political activities of classes and/or class fractions constituted at the point of production) the campaigns of

youth, women, Catholics and blacks (etc.) for greater social power are categorically *class struggles*. Obviously not all women or all Catholics are working class, and as James (1975) points out their political movements will themselves *contain* conflicts between different class elements, but inasmuch as interior intra-class division sets off one race, religion, or sex against another, inasmuch as conflicts which are fought out in terms of racist, religious or sexist ideologies are tightly structured by class, then the political movements of such groups must logically constitute (at least in part) class struggles. The politics of discrimination are also the politics of class.[2] Discrimination issues have unfortunately been parcelled up and separated off as "the politics of civil liberties," "single-issue campaigns," or "reform movements" and Marxists have taken this categorisation for granted. I insist that this is a major theoretical and political error, at least in logical terms and probably also in terms of the lack of historical foundation for the distinction between class politics and civil liberties politics (revolution vs. reform?). The last issue needs urgent investigation.

This broader conception of class struggle can be developed, as I have shown above, without reference to the complicated issues concerning the importance and possibility of alliances between classes (e.g., between working and 'middle' classes) and alliances between fractions of the working class. If this latter reference were made, of course, the concept of class struggle could be broadened even further. The net effect of a broader conception, for present purposes, would be to move us toward Cabral's preoccupation with 'the right of peoples to make their own history,' towards the concept of Marxism as "a tool of self-crystalization and self-transformation for all manner of oppressed groups" (Foster-Carter 1974: 87), and towards the feminists' concern (articulated well by Selma James) to destroy internal colonialism within the oppressed classes (and the ideology that legitimates it as 'historical accident' or 'biological inevitability'). Yet, importantly, this move would not have been made at the expense of the fundamental Marxist insistence on the primacy of economic relationships and on the role of class struggle as the motor force of social change.

This change of direction, based on a broader and more thoroughgoing understanding of class struggle, is closely connected to my second demand, for a more historical conception of bourgeios legal rights. Socialist theorists, such as Habermas and Hirst (see later) and Picciotto (1979), are beginning to realise that the character of legal rights and the philosophy of the rule of law changes quite significantly even within capitalism. Different concepts of right and the rule of law may attach to different phases of the development of the capitalist mode of production. The bourgeois revolutionary's Enlightenment conception of the Rights of Man, posing an autonomous individual as

legal subject, as a 'natural' inhabitant of the 'natural' economy of capitalism, seems quite different from the modern corperatist liberal's concept of state-conferred capacities necessary for the social engineering project of mediating structural conflict. The earlier Hobbes-Locke conception of the rule of law as vital for the establishment of private property rights and the political order based upon them seems sharply different from the Diceyan notion which emphasizes the role of the rule of law in integrating the 'collectivist' threat into the democratic state. Research is needed now on these historical differences.

In anticipation of its findings, my thesis here is that we must begin to consider bourgeois legal rights, or claims thereto, as expressions of political force and claims to social power which are important landmarks in the development of the social power and identity of a class or class fraction. This dimension of bourgeois law has not been lost in the welter of economistic structuralism, usually reliant on Pashukanis, which damns bourgeois legal rights for constituting the individual as their subject or bearer (see Picciotto, 1979: 170–177). This position, which draws narrowly but heavily on the famous Chapter 2 of *Capital Vol. 1,* that is on Marx's analysis of exchange, was developed most by Pashukanis (whose work I shall comment on later). Consequently, it damns all law as bourgeois in form since the development of law can be linked to the development of exchange relations. I shall argue that this is an inadequate or limited analysis of the bourgeois legal form, a full consideration of which must encompass the twentieth century shifts in its nature and address the generation of its modern forms within the arena of political practice. That is, it must consider (a) the changing role and form of state power and (b) the effects in the parliamentary and judicial arenas of the political pressure and cultural assertion of various subordinate class fractions and organisations. The modern legal right or state-conferred capacity is, I would suggest, more a product of the balance and forms of political power than of the eternal structure of commodity exchange (a conclusion apparently also reached by Picciotto). Therefore, one of its most important features is that it expresses the relative social power and political coherence of different classes, class fractions and social groups. As such, in this limited and precise sense, modern rights (and their erosion) can be seen in part as milestones in the rise (and fall) of the political power of subordinate social classes. They are *key moments and weapons in the development of the working class* as a many-sided, international, democratic, humane force for socialist progress. It is too easy to take these rights for granted (as in the case of the labour movement) or to sideline them as 'civil liberties issues' (as in the case of nearly everything else). Legal rights must been seen as the gained territory of power struggle

which only becomes a barren waste if its conquerors fail to settle upon and cultivate it. As Marx put it:

> My party considers an English revolution not *necessary*, but—according to historical precedents—*possible*. If the unavoidable evolution turns into a revolution, it would not only be the fault of the ruling classes, but also of the working class. Every pacific concession of the former has been wrung from them by "pressure from without." Their action kept pace with that pressure and if the latter has more and more weakened, it is only because the English working class know not how to wield their power and use their liberties, both of which the possess legally (Letter to Hyndman in 1880, in McLellan, 1973: 444).

Be under no illusion: Marx, in his later works, was an avid defender of rights struggles and felt no pressure to defend himself against charges of reformism. The above is no isolated quote. I hope I will be forgiven for giving publicity to the following lengthy passage:

> . . . The political movement of the working class has as its ultimate object, of course, the conquest of political power for this class and this naturally requires a previous organization of the working class developed up to a certain point and arising precisely from its economic struggles.
>
> On the other hand, however, every movement in which the working class comes out as a *class* against the ruling classes and tries to coerce them by pressure from without is a political movement. For instance, the attempt in a particular factory or even in a particular trade to force a shorter working day out of individual capitalists by strikes, etc., is a purely economic movement. On the other hand the movement to force through an eight-hour, etc., *law*, is a *political* movement. And in this way, out of the separate economic movements of the workers there grows up everywhere a *political* movement, that is to say, a movement of the *class*, with the object of enforcing its interests in a general form, in a form possessing general, socially coercive force. While these movements presuppose a certain degres of previous organization, they are in turn equally a means of developing this organization.
>
> Where the working class is not yet far enough advanced in its organization to undertake a decisive campaign against the collective power, i.e., the political power of the ruling classes, it must at any rate be trained for this by continual agitation against this power and by a hostile attitude toward the policies of the ruling classes. Otherwise it remains a plaything in their hands, as the September revolution in France showed, and as is also proved to a certain extent by the game that Mssrs. Gladstone & Co. have been successfully engaged in England up to the present time (Marx, Letter to Bolte in 1871, in Cain and Hunt, 1979: 240, 1).

These astounding quotes give no warrant for the view that only legal struggles over pay and conditions in factories can be seen as political/

class struggles. That would surely be a very facile literal reading of Marx's point. What they do support is my contention that, since ultimately in capitalist societies the oppression of women, youth, blacks or religious groups (e.g., Catholics in Ulster) is rooted in the interests and forms of bourgeois class rule, the organised rights campaigns of such significant fractions of the modern working class must be considered as political or class struggles which enhance and speed the all-round development of the working class as a politically organised force capable of taking over and exercising state power.

Without this many-sided character, working class political organisations must logically develop, and frequently have developed, in stunted, bigoted, economistic forms which, through the rampancy within them of racist, sexist and anti-youth ideologies, amount to a vehicle to colonise the majority of the working class in the name of "practical" politics. In effect, after their incorporation into the structures of state power, at most times in most advanced capitalist countries, the trade union form could be seen as a stunted form of political growth which was in effect operating as an instrument of 'indirect rule' over the colonised potential politics of various fractions of the working class. In sum, at its most outrageous, my argument is that the rights struggles of such groups as the Ulster Catholics, the women's movement, prisoners' rights organisations, black citizens' groups, immigrants, youth and so on are (at a minimum) *extremely important* potential agencies for the advancement of the degree of civilisation, democracy and genuine liberality within the political organisations of the working class; and that is apart from the main function of such struggles in developing the social power, confidence, identity and, of course, comfort of the members of these so-called "minority" groups so that they can take their full place in the reorganisation of society. I suggest that the economism of workers' organisations in the twentieth century has combined with the incorporation of their leadership into the state with the effect of sidelining certain forms of class politics into the cul-de-sac categories of 'minority group' or 'civil liberties' politics, and therefore of putting a substantial brake on the political and cultural development of the working class. In addition, the class character of 'minority' group or 'civil liberty' questions has been lost in the process and a substantial, false and retrogressive distinction established between the two main forms of modern political activity.

All this is to go too far, too fast, too soon, but it does indicate the direction of my enquiries and headlines my contention that the question asked at the outset raises the most far-reaching problems for Marxist social theory and political philosophy. Let us now retrace our steps by looking at the stimulus for the reconsideration and development of Marxist legal theory.

Origins of the current debates within Marxist legal theory

In the twentieth century, the sharp end of working class power has often been blunted by its absorption into bourgeois parliamentary democracy, and one can see why such democracy and the rule of law have often been dismissed as mere disguises for bourgeois class rule.

However, there is no doubt that 1970 is a turning point in British history, and subsequent events raise a challenge to orthodox Marxist legal theory. 1970 marks the beginning of the deconstruction of welfarism (through the decline of 'humane' conservatism and the inreasing power of the right in the Labour Party), and of an increase in state authoritarianism. The processes leading up to and illustrating this shift are well described in *Policing the Crisis* (Hall et al., 1978: chs. 8 and 9; see also Glyn and Harrison, 1980).

The emergence of Thatcherism (involving monetarism, paranoid militarism, a nineteenth century free enterprise philosophy requiring tough control over public sector wages and over union power, welfare/social service cuts, and an aggressive, patronising manner of government) articulates this shift to a higher power. A necessary part of Thatcherist ideology is a strong emphasis on law and order, which here means 'the protection of the rights of the individual against the threats from the undemocratic forces of socialism.' 'Rights of the individual' in this context means the rights of workers to refuse trade union membership, the rights of people to demonstrate fascistic views on the streets, and the rights of capitalists to make profit without union interference, etc. Thatcherist ideology itself resurrects the rule of law as an important part of political debate and within her strategy it has a very specific function: to legitimate her offensive against the economic well-being and the political organisation of the working class (and other progressive forces). The drift to the right since 1970 therefore not only sees a return to nineteenth century political economy but also to a nineteenth century view of 'the natural rights of the individual.' Such a depoliticisation of law has, of course, very modern political purposes and has therefore reinforced Marxist cynicism about law in general, and civil liberties and human rights in particular.

On the other hand, the reduction of welfare services/rights and legislative encroachments into longstanding civil liberties inspires a defensive support of legal rights (e.g., those protecting people from arbitrary or brutal police harrassment) and even human rights (e.g., the Socialist Workers' Party's right to work campaign). Such support clearly induces the birth of a problems for the Left: on what theoretical grounds does one support laws that were previously derided as vacuous and mystificatory? This problem was undoubtedly reinforced by two other developments.

Firstly, since the mid-sixties, various movements, not in practice

closely linked to the orthodox 'class struggle,' grew rapidly and increasingly fought campaigns on legal terrain (e.g., for new legislation or against abuse of existing legal powers). These political forced primarily include the women's movement, West Indian/Asian organisations, local community groups, the gay liberation movement, student unions, civil liberties groups, and Catholic groups in Northern Ireland. In addition, one should not forget that because of Tory legislation, such as the Industrial Relations Act of 1971, the orthodox class struggle was increasingly fought by trade unions within the legal arena. For all these groups, representing large sections of the working and middle class, gains at law were always important defensively, but sometimes represented major, positive assertions of a power which had not previously been recognised. None of these gains, especially the latter sort, could be dismissed as empty or illusory, and some of them might even be regarded as important moments in the development of the political power of these social groups.

Secondly, the increasingly Right-wing nature of policy during the 1974–79 Labour government was matched by a drift to the Left at the grass roots, constituency level of the Party. The latter has resulted in demands for the greater responsiveness of the parliamentary Labour Party to the beliefs and policies of the people who keep the Party alive at its base. In a period of declining Party membership and after an electoral defeat that could have been avoided (in 1979), these demands have had great force and support. They have come in the form of calls for more rights, such as the right to submit MPs to a re-selection procedure, and have raised acute questions about the relationship in a parliamentary democracy between the competing political rights of MPs, Party workers and voters; and therefore about the nature of democracy itself (e.g., relative weighting of election and appointment). Large sections of the Left, whether members or merely supportive of the Labour Party, therefore have their own specific reason for coming face-to-face in practical reality with issues surrounding the rule of law in a parliamentary democracy. None of these questions could be easily dismissed as merely problems for bourgeois politics and political scientists. The capture of new rights by the grass roots of the Party could result in a sharpening of the drift to the Left in the Party (as a whole) and thus a readical transformation of the face of British politics (in one way or another).

In short, although Thatcherist ideology itself begets classical Marxist cynicism about rights, the rule of law and democracy, there are strong reasons why Marxists should re-examine their theory of law and their political philosophy. Recent political history has starkly exposed the ahistorical character of out theories of law. It is precisely because E. P. Thompson's recent interventions (in *Whigs and Hunters* and *Writing by Candlelight*) played sharply on this weakness that they became so controversial.

Thompson and the break with Althusserian legal theory

At the end of *Whigs and Hunters,* Thompson added a theoretical polemic on the Marxist theory of law which was consciously and specifically aimed at Althusser. Slating structrualist Marxism as reductionist and deterministic, he posited that (a) law is relatively autonomous, (b) any society requires a legal order, (c) law was a general form "deeply imbricated" within production relations and supported by community norms, (d) law and legal procedure were the key expressions of the hegemony of the eighteenth century aristocracy, (e) law was not just an instrument of class control, but also mediated class relations, i.e., acted as the expression and arena of class conflict, (f) the success of law as an hegemonic force depended on its real value in providing some protection against arbitrary state power, (g) some of our limited legal freedoms are the result of arduous struggles by reformers and working class organisations, and (h) the rule of law (legal restraints on state power and the primary regulation of major conflicts by law) was one of the great cultural achievements of the agrarian and mercantile bourgeoisie (Thompson, 1977: 258–269).

More or less the same general points were made in his subsequent essay on 'The Secret State' (in Thompson, 1980). Here, he argued that by the end of th eighteenth century the 'common people' adopted some of the libertarian elements in Whig anti-State rhetoric and "insisted that the civil rights of the 'freeborn Englishman' were not the privileges of an elite but were the common inheritance of all" (Thompson, 1980: 153).

> The insurgent British working-class movement took over for its own the old Whiggish bloody-mindedness of the citizen in the face of the pretentions of power (Thompson, *ibid.*).

Consequently, Thompson berates the Left of today for forgetting or underestimating the libertarian tradition amongst ordinary people in Britain, and for adopting a "profoundly pessimistic determinism" towards the increasingly authoritarian state (see 1980: 164–180).

To a certain extent, Thompson's attacks are misguided. Althusser's critique of orthodox Marxist philosophy in fact opened up a theoretical space which enabled Marxists to adapt positions like Thompson's (emphasizing the role of national culture in determining the movement of the current conjuncture) without making excuses. Althusser's very precise concept of overdetermination (see Althusser, 1969: 106)

was formulated in such a way as to cover the historical possibilities Thompson has in mind. The old Positivistic and Hegelian views of the economy-law connection receded before a conception of the dialectical interpenetration of some forms of law and economy, an interpenetration contextualised and dialectically mediated by distinct historical forms of politics and ideology. This recession allowed in the determination of the infrastructure by the superstructural circumstances and forms "in which it is exercised" (Althusser's phrase), by national traditions, feudal residues and international context, etc.; items which had rarely entered the calculus of orthodoxy. Thompson's own epistemological position is not convincing:

> In the last analysis, the logic of process can only be described in terms of historical analysis; no analogy derved from any other area can have any more than a limited, illustrative, metaphoric value (and often, as with base and superstructure, a static and damaging one); "history" may only be theorised in terms of its own properties (Thompson, 1978: 276).

Whilst this view has great value in reminding us that theoretical categories are structured and limited by history, it is dangerously empiricist in implying that general concepts of the social formation are only heuristic guides or conjectures. It seems to me that all historical analysts use such a general concept, consciously or unconsciously, and that we cannot avoid the question of which conception is the least problematic. Althusser's contribution was to offer a very convincing general conception of social formations (as a result of his philosophical interrogation of dialectics). It certainly allows for Thompson's interpretaion of English legal history and the current conjuncture in Britain, and of itself by no means dictates a "pessimistic determinism."

However, despite coming closer to reality and the needs of adequate causal analysis, Marxist legal theory under Althusserian hegemony said little that was positive about law, continuing to regard it as an ethical, ideological abstraction specifying equal rights undermined by economic inequality. It did reassert the need to preserve the freedoms mentioned by Marx as vital for the development of the workers' movement (e.g., rights to vote, to a free press, and to associate in free trade unions, see Hirst, 1975: 212–221). This exception, however, is not as substantial as it might look since the civil liberties of bourgeois public law were only regarded as a strategic necessity for the protection of the labour movement and not valued in themselves for their contribution to working class political culture or for post-revolutionary society.

Primarily, the Althusserian view was that as an ideological and repressive state apparatus, law worked to reproduce the necessary conditions of the capitalist mode of production through its coercive and

ideological interpretation of the bourgeois legal subject; the latter being an ideological concept generated by the historical growth of capitalist relations of production and their concomitant empiricist philosophy. For the Althusserians, the juridical subject was the pivotal ideology of the whole bourgeois repertoire, infecting and underpinning all the rest (Althusser, 1976: 117, n. 12). No longer simply an instrument of class struggle, and, as Gramsci suggested, a force educating us into the habits of bourgeois morality and practice, law was now designated as the key agency in the atomisation and neutralisation of social classes brought about by bourgeois individualism. As Poulantzas (1973: 124–141) has it, the juridical subject reflecting capitalist relations of production (both as relations of commodity exchange and of private exploitation) not only masks the class struggle but re-presents it as a series of issues of individual interest; thus laying the basis for the political hegemony of the capitalist welfare state.

It seems to me that Thompson's insistence on the positive functions of bourgeois civil liberties and the rule of law are an important corrective to the Althusserian critique of the form of bourgeois law. At the same time, however, I would suggest that Thompson has not sufficiently defined these functions, either historically or theoretically. In particular, it is still unclear which form of the rule of law philosophy Thompson sees as a strong limit on state power and under what political conditions it can 'work.' Like Habermas, Thompson regards democracy as the rule of law as restraints on state power which apply as much to Stalinist as to bourgeois societies. Both writers are rightly anxious about the ambivalence on the left about these matters. Neither, however, to my was of thinking, adequately formulates the relation between civil liberties and class struggle.

Stimulated by the contemporary political situation, Thompson's interventions have caught the moment and the debates they have brought about have advanced Marxist legal theory. On the agenda now are the forms of power, politics and legality appropriate for socialism, present and future. On the other hand, we must be quite clear that Thompson's approach must constantly be guarded from the danger of abstracted liberalism and be continually linked with socialist political goals and class analysis.

As Anderson says in conclusion to his extensive commentary on Thompson's work:

> The fight for the preservation of civil liberties will only be truly successful if it is capable of *advancing* them beyond the threshhold of liberal opposition between State and individual, toward the point where the emergence of *another kind of State*—not just safeguards against the existing State—is their logical and practical terminus. For this *transitional demands*, linking immediate to ultimate, democratic to socialist goals are essential. The full potential

of the political issues of democracy raised by Thompson can only be realized by persistent and public demonstration of their convergence in socialism. Radical libertarian campaigns in the present are not to be won with continuist appeals to a constitutional past, but by credible programmes for a common future finally emancipated from it" (Anderson, 1980: 205).

More of the same? Habermas vs. Pashukanis

It seems to me that, for all its problems, Habermas's work on law is of great significance to our contemporary political-theoretical dilemmas. I suggest that this significance lies in his direct interrogation of the status of legal rights within Marxist theory and socialist political discourse. Like Thompson, his perspective is more historical than that of formalist-structuralists such as Pashukanis, Althusser and Hirst: it addressed the changing meaning of rights in the social development of bourgeois society.

Habermas criticises Marxist theory for its dismissal of natural law rights as ontologically rooted in exchange relations (see Sumner, 1981, for a full account of Habermasian jurisprudence). He argues that Marx misread the natural law tradition, because he was too close to its radical continental interpretation, with the effect of glossing the fact that rights after the Enlightenment (on the radical view) were now increasingly the result of public-political debate/struggle and not merely ratifications of the main structures of the economy. In denouncing the more conservative Anglo-American view of natural law and the bourgeois revolutions, Marx posited the "merely political" nature of the freedoms of bourgeois law and denigrated formal justice as nothing but an empty shell which mystified exploitative class relations of production. Habermas suggests that, for many years, this effectively prevented Marxism from developing an adequate critique of democracy and the rule of law in bourgeois society. Marx's sociological reductionism has discredited the revolutionary aspect of natural law philosophy along with its reactionary features: the belief that it should be a normative expression of popular ethics was dispatches along with the belief that it was a natural expression of the structures and functions of a natural economy.

For Habermas, the rise of Stalinism and the continually growing role and power of the capitalist state since its inception, have exacerbated this theoretical error. The emergence of the highly interventionist, conplex and technocratic, twentieth century advanced capitalist state means that there is no way that legal rights can be understood, in the tradition of Anglo-American natural law philosophy, as natural laws emanating from a natural economy. They have to be understood as state-conferred rights, in the radical natural law

tradition. The 'repoliticisation' (Habermas's term) of the realm of exchange involved in the demise of 'liberal capitalism' means that human rights and citizens' rights are one and the same. The natural laws of society, argues Habermas, no longer dominate naturally but through the government's philosophical comprehension of them and political will (and capacity) to assert them, subject to the theoretical sovereignty of the general will or national interest. Dominated by the politics of functional democracy and armed with science, state capitalism renders existing Marxist jurisprudence irrelevant; and Stalinism makes it positively dangerous. The Victorian conception of rights, as 'natural' emanations of the society of commodity exchange, held by classical Marxism (which Habermas closely identified with Stalinism) must, in the hands of successful revolutionaries, lead to the overthrow of any legal protection from the state won by workers, reformers and dissidents in previous struggles. The very tenets of orthodox Marxist theory and politics logically lead to a state that disarms its masses, literally and legally, and organises them 'scientifically' into forms of production, policy and culture which the Party's 'correct line' specifies. The mass lose their rifles and their rights, and get the benefits of Party science instead.

This at least is the logic of Habermas's position, even if my precis makes blunt and bold what in his writing is more subtle and tentative. Clearly, this is a direct critique of the formalist, structuralist-economistic reading of Marx, which in the U.S.S.R. led Lenin to put all his revolutionary legal eggs into the basket of informal, party-dominated democracy only to find that they hatched into very orthodox legal chickens under the sway of Stalin's party dictatorship.

Habermas's neglected views on law make a nice contrast from those of Pashukanis, now receiving considerable attantion. Widely received as valuable, and gather much commentary in writing and at conferences, Pashukanis's recently retranslated theories (Pashukanis, 1978; Beirne and Sharlet, 1980) have also been widely criticised (see e.g., Kinsey, 1978; Hirst, 1979; N.D.C./C.S.E., 1979; Sumner, 1979; Binns, 1980; Jessop, 1980b; and Warrington, 1981). This difference of opinion over the value of Pashukanis's work echoes the difference between Thompson and Althusser and the mixed response to Thompson's writings. I will not rehearse now the details of this argument about Pashukanis, but just summarise the general points at issue. No treatment of recent developments in Marxist legal theory could ignore this argument since it has taken up so much energy.

Pashukanis's commodity exchange theory of law contains one of the key theses of classical Marxism: that the juridical subject, the pivot of bourgeois private law and jurisprudence, is constituted through the practice of commodity exchange. Arguing that all law is private law, Pashukanis rejects classpower and ideology as the origin of the form of

law and explains the universality of rights in bourgeois law as a direct reflection of the logic of the commodity form which masks the concrete particular with its necessary assertion of equivalence (Beirne and Sharlet, 1980: 10). Even the form of criminal law is held to be a reflection of this principle of equivalence inherent in commodity exchange. In consequence, with the advance of socialism, after the revolution all law must disappear along with the demise of market relations; planning law, and such like, was not law at all for Pashukanis, merely technical regulation. Criminal law would give way to the political strategies of 'social defence' and deviancy would be handed over to the doctors, psychiatrists and social workers! Stalin's later need for law of all kinds, and for the legitimacy the law contains, led to Pashukanis's disappearance from the scene.

Given that some of Pashukanis's theories are quite crude, that they were lucidly and widely criticised in the U.S.S.R. at the time (see Beirne and Sharlet, 1980), that he himself withdrew from several of his key positions (*ibid.*), and that even the recantations he made are a regression from the advances made by Althusser and Thompson, it is a total wonder to me why he has attracted so much attention. To hold to such a tight contiguity of law and economy is a serious regression. Clearly his ideas resonate both the general features of modern structuralism and its obsession with the ideologically constituted subject. I suggest that the main reason is, however, that Pashukanis feeds the current debate about the very form of law; he provides an answer to the question about whether it is peculiarly bourgeois or suitable for socialism. This concern flows from the political issues mentioned earlier. It is also why he has been heavily criticised in Britain: his theories cannot say anything to the complex problems which we face concerning the value of law. In particular, his economistic view of legal ideology, his downplaying of the role of the state in creating law, his blindness to the historical complexity of public law and its value for the development of the working class, and his neglect of the fact that the form of the rights won by workingmen, the later women's movement and 'minority' groups did not just flow from commodity exchange but also from structures of production and the exigencies of specific political campaigns, all amount to decisive weaknesses. Pashukanis's work, in my view, cannot fulfill our contemporary needs and is a theoretically backward step from Marx's work.

The wealth of forms contained in juridical regulations, concepts and proscriptions cannot be derived solely from the analysis of commodity exchange (c.f., Kinsey, 1978: 205). Therefore, the concept of 'rights' in political discourse cannot be rejected on the supposed grounds that it is forever rooted in a bourgeois liberal philosophy lodged in relations of

commodity exchange (cf., Clarke, 1978). Commodity exchange may tell us everything about the form of contract law (sic—maybe even there only up to the twentieth century), but it is difficult to see what it tells us about the form of the criminal law, the law relating to political rights, family law, and the mass of statutory instruments. Pashukanis gave us no reasons why we should not take 'rights-claims' in political discourse seriously simply on the grounds that they are claims for quantitites of power by one group as against other groups and/or the state.

In contrast to Pashukanis's work, Habermas very clearly shares Thompson's concern with the retention of democracy and the rule of law within Marxist political philosophy: this concern runs throughout Habermas's social theory, politics and epistemology. Withoug doubt, Habermas, like other Critical Theorists, believes that Marxism has no coherent critique of democracy and the rule of law in advanced capitalist states, and that it could not develop one without reconsideration of its theory of law.

Habermas has subsequently tried to revise Marxist theory to encompass his beliefs (see Habermas, 1971, 1974, 1976 and 1979). His 'opening out' of Marxism goes so far as to suggest, in idealist fashion, that social crises are only really ever resolved through changes in moral-practical consciousness (which has its own developmental logic not reducible to that of the mode of production) and that, therefore, law and morality are the key mechanisms of normative integration (see Habermas, 1979). Contiguity between economic and cultural dialectics becomes very slender indeed in Habermas's writings.

For Habermas, the increasing threat to democracy and civil liberties is not so much a threat to the working class and other subordinate groups, but a threat to the tie between norm and reason. From his perspective, the critical social evolution of norms is vitally dependent on that connection. Since normative consciousness is rooted in free social interaction and rational debate, precisely the forms liberated and supported by bourgeois liberal democracy and the rule of law, any threat to that democracy and rule from a fascist direction must, for Habermas, challenge the development of a principled culture and the survival of an ethically informed politics. Of course, such a perception of challenge is *based* on the assumed economic incorporation of the working class and their allies, and is not entirely abstract: it is a typical Critical Theory perspective (see Slater, 1977). However, Habermas does not seem to recognise that such a challenge is *in itself* yet another challenge to the power and culture of the subordinate classes and the development of socialism, precisely because bourgeois liberal democracy is much more the result of proletarian pressure rather than

bourgeois enlightenment. In other words, Habermas's denigration of the continued utility of class analysis reduces severely the value of his support for the rule of law because the latter *cannot* be divorced from class relations or from its purposes of limiting dominant class power. The rule of law is only comprehensible as an arena of political belief and practice at the centre of conflicting class powers. The defeat of liberty is no abstract disaster but a victory for the dominant class. Politics and culture are not as separate from economy as Habermas would have us believe.

Ultimately, the main problem with Habermas is that he offers us visions of popular democracy, a republic of reason, and ideal communication situations which are not closely grounded in an historical materialist analysis of the economic and political conditions under which they do or might come about in practice. My feeling is that, on balance, he throws away too much of importance to Marxism. Most notably, he buries the centrality of the laws of surplus value extraction and of class struggle to Marxist class analysis. The class struggle has clearly reappeared in sharp forms in Britain since 1970, since the beginning of the demise of the very welfare state which Habermas thought had incorporated it. Abandoning surplus value theory and class analysis is the wrong direction: rather we need to re-examine what we mean by 'working class,' what we understand as 'reformism,' (on this latter point, see the important contribution of Corrigan et al., 1978, and Corrigan, 1980), and what we define as 'class struggle' (see James, 1975: 12–17). Only on this basis, I suggest, can we really grasp the significance of rights-struggles.

However, despite this, and other problems related to Habermas's often 'straw' target Marxism (more or less conflated with Stalinism), his work is directed at a real target. Socialist states do seem like a Physiocrat's dream: the state has the science and political techniques and until the citizen comprehends the laws of necessity and state (and thus obeys) he or she is deemed to remain in a depraved condition (see Habermas, 1964: 100). Socialists, in Britain at least, often talk as if the U.S.S.R. was the only failure, as if Stalinism and Left culture in Britain were worlds apart, as if it was not a fault in the theory but in history, as if law was a complete myth. Socialists also still talk about the 'correct line' as if the critique of science had never happened; the links between facts and values, theory and its social context, classification and purpose, and knowledge and interest seem only to apply to scholars defined as 'bourgeois.' And one has to wonder whether Marxist parties dominated by lecturers, professors, schoolteachers, students, writers and other intellectuals will ever abandon their culture of scientistic dirigisme to the limitations posed by ethics, realism and procedure contained in the rule of popular law. Whilst it is still true that the biggest threats to democracy in Britain come from the Right,

the Left seems to have had great difficulty in even recognizing that Thompson's support of the rule of law is in small part intended to protect ordinary people from the Left itself. Rights-talk is still anathema and dismissed as either 'Rightist ideology' or 'liberal idealism'; until it affects the Left directly and then we enter the dilemma now existing.

Habermas has entered the very centre of the problem within European Marxist legal theory. For Habermas, the reduction of Western democracy to a technical mechanism for electing faceless technocrats to an elitist state (demanding obedience to a barely defined national interest) is a great threat to the ethical-liberative content of bourgeois democracy and the rule of law. He fears that Marxism lacks the tools to recognise this. These perceptions are thematised through his arguments about the state-conferred character of legal rights, the legitimation crisis of advanced capitalist states, and the need for popular-democratic political forms. My disagreements with him do not alter the importance of this contribution. The probable fact that there really is no legitimation crisis makes his analysis all the more worrying.

Beyond Marxism? Socialist pluralism in Hirst's discourse

Clearly some of Habermas's heresies, the non-Marxist but libertarian character of Bennite socialist democracy, and the link between Pashukanis's blunders and the rise of Stalinism in Russia, might reasonably make people question whether Marxist theory (or any logical development of it) is at all compatible with talk about the rule of law and democracy. Both Thompson and Habermas have been heavily criticised by Marxists (see Hirst, 1979b on Thompson, and Held, 1980 on the Marxist critique of Habermas). Both have been categorised as non-Marxist. Without confronting these debates, because it would involve a substantial and textual digression, I now want to cast a glance at this issue of the limitations of Marxism by examining the positions of Paul Hirst in his recent essay on 'Law, socialism and rights' (Hirst, 1980). This essay is important because Hirst tries to deal with the question of the rule of law in socialism from a point of view which is socialistic but clearly at a distance from mainstream Marxism. Again, I will suggest that no one has yet found a clear and developed Marxist position from which to conceive of the rule of law and civil liberties or to justify their defence as a positive political strategy.

Hirst is well on the way to having broken his connection with even a broad definition of Marxism, having declared that there is no necessary correspondence between the economic and the political, that Marxist political theory is irrelevant to contemporary Western Europe,

that knowledge and social being are only related in espitemology, and that (since epistemology is not a privileged discourse) political calculation is no longer tied to any general theory of social evolution or the current social structure (see Hirst, 1977, 1979a, 1979b and 1980; see also Cutler et al. 1977 and 1978). Marxism, he says, has been disarmed by sustained capitalist development and continued mass support for parliamentary democracy. It has settled, he says, into a scientistic mode which has completely established the necessary conditions and conjunctures for socialist revolution, and thus accomodated itself to the present with a withdrawal from contemporary politics. It has frozen and refuses to fight for democracy under conditions of parliamenatry democracy. 'Reformism' is defined as an ideological political mode and, since ideology is defined by science, current political calculation has been disastrously transformed into a purely epistemological issue (Hirst, 1979a).

Declaring himself outside of epistemology because there is no "knowledge process in general" (1979a: 21), Hirst leaves the dangerous terrain of the ideology-science couplet and posits that there are merely a range of discourses each with their own criteria of appropriateness and adequacy. So within a distinctly political discourse, Hirst posits the political objective of constructing "co-operative, non-authoritarian social relations" (1979a: 9).

Actually many Marxists have been following such political objectives for at least ten years now; Hirst's theoretical moves offer a socialist legitimation for it. The politics of a popular anti-capitalist front certainly have more to offer than the ritual Marxist subordination of the women's and black movements (for example) to The Class Struggle and The Affairs of State: but rather than theorise the actual connections between the working class movement and the subordination of (such groups as) women and blacks in post-war Britain, Hirst abstractly adopts what looks rather like a typical relativist-pluralist progressive pragmatism. Its relation to Marxism is not obvious. In his essay on the rule of law in socialist political theory, Hirst argues that Marxism has never thought through organisational questions because it has never given them autonomy and has reduced them to effects of the class struggle (Hirst, 1980). But, on his analysis, committing oneself and the Party to adequate forms of regulation of state power is not aided by adopting a concept of absolute rights or the sovereignty of the 'people' (on the latter, see also Jessop, 1980a). Like Habermas, he recognises that rights today are specific, state-conferred, legal capacities, not general norms reflecting the inherent attributes of the unitary human subject (the Rights of Man in the days of 'liberal' capitalism). Taking unconditional general rights seriously, as ontologically

given, is very dangerous for socialists, Hirst argues, because it logically entails speaking the language of the bourgeois, liberal, political philosophy with inevitably individualistic, anti-social, anti-rational planning effects. Moreover, ontological doctrines of right are simply incapable "of sustaining the complexity and heterogeneity of state institutions and social relations" (Hirst, 1980: 96). Rights should exist in socialist law, but they would be legal capacities flowing from a democratically established social policy. The important thing about them would be their enforceability against all social agencies and their democratic origin.

Again rejecting the unitary subject in favour of the pluralistic dispersal and specificity of powers, Hirst criticises the orthodox Marxist Left for its reliance on 'popular democracy' as the political mechanism of socialist society. It is too unspecific a concept, he says, and often means that local organisations are outweighed by central Party power and that the Party can dress any policy up as the will of the 'people' (the 'working class' or the 'masses'). The 'people' is a notion of a unitary sovereign or general will which is too general, rarely empirically viable and too weak to stand up against "a single disciplined party machine and state agencies whose actions are unfetterd by special purpose bodies competent to do so" (Hirst, 1980: 86). Instead he advocates a combination of different forms of representation; democracy not being defined by representativeness but by a mechanism for providing personnel. That is, ultimately the representativeness of a body is not assessable, all one can do is set up mechanisms of provision of personnel which are appropriate for the work of the agency in question. Thus a village commune or a small factory could be run by direct democracy but a central legislature would probably work best using personnel who were partly nominated and partly elected by universal suffrage. Such a differentiated democracy would, he suggests, probably be more efficient and more representative than the more usual populist organisations dominated by the party.

Hirst argues that the very nature of socialism, with its emphasis on socialisation and rational planning, will demand an expanded state not a declining one: thus abandoning one of the oddest, most contradictory elements in Marxist political theory. This state would be a set of highly differentiated agencies, not a unitary whole. Crucially, there would be an increased need for an effective framework of public law to regulate these agencies of state. The autonomy of legislative and adjudicative bodies is decisive; for Hirst, only this can block the abuse of power by the Party and by mass action. Hirst is not specific about which general principles the regulatory bodies would use to limit state power, but he is certain that without the limitation of politically

autonomous regulatory agencies the notion of socialist legality, the rule of law in socialism would be meaningless.

Hirst's is plainly a useful contribution to the rule of law debate and is very constructive. He offers us a clear advance over Habermas's transcendental notions of democratic dialogue and Thompson's lack of a theory of the necessary political conditions for a functional rule of law. He is moving in a direction, towards detailed political analysis of the forms and conditions of democracy, which we do need to follow. However, I have to be old-fashioned and say that its problem lies in its very nature as a purely political discourse. I believe that economy, politics and culture are always related and that therefore a purely political programme is always going to run up against the problems of the economic and cultural context within which it takes place:

> Right can never be higher than the economic structure of society and its cultural development conditioned thereby (Marx, 1973: 320).

Hirst does not address the major problem: under what social conditions can the regulatory agencies stand above the class structure, the political situation and the common culture?

The rule of law must be discussed within the debates about forms of political structure, as Hirst does, but the forms of politics cannot be discussed outside of debates about forms of economy and culture. If this argument is correct then his comments are purely prescriptive or normative; and a little less useful for being so. One could in fact be even tougher and ask: what relationship at all does Hirst's political blueprint have to the theory and reality of a socialist economy? The answer would not be obvious from Hirst's essay. Even worse, it is not at all clear what the connection is between this new socialist (or 'progressive'?) pluralism and the revolutionary overthrow of capitalist society. Convenient though it would be to discuss socialist society in the abstract, I am afraid we cannot. It cannot be separated from the form of the revolution, the international context, the form of class structure (before and after), and so on. For as soon as we juxtapose such aspects of reality against the Hirstian abstraction we find that it contains little beyond a pipe-dream and begs all the real questions. Moreover, as a merely normative or political prescription, it is not clear what it demands in terms of the critique of or the struggle against the failures of the rule of law, civil liberties and the democracy in bourgeois society; failures which, in my view, must surely be produced by the inherently undemocratic nature of the capitalist mode of production. Hirst's epistemological position, I suggest, denies him the possibility of saying anything concrete or relevant about the relationship between economy and democracy in either capitalism or socialism.

Whilst Habermas is right to suggest that Marxists should not simply

dissolve the normative content of law and politics with their sociological realism, I would suggest that it is equally true that to abandon social context in favour of abstract prescription is to liquidate the practical reality of law and politics. This criticism applies to the present as well as the future. Hirst is wrong to criticise the modern women's movement for its 'woman's right to choose' slogan on the grounds that it posits an absolute (bourgeois) right emanating from some transcendental quality of the abstract female subject. The slogan and the more complex position behind it are surely no less than the assertion of power (existing or putative) of women as against that of men, doctors and the state's legislators: a movement in a distinct power struggle. To fear about the women's movement's neglect of the rights of men, or of foetuses, as Hirst does, is to adopt (in the current political context) a very reactionary political position. It seems to me that for groups to establish their power in society they need to fight for the basic social recognition of their existence. By definition, these must be rights struggles. So women had to be able to own property, had to be recognised as legal persons, had to get the vote, and had to get increased rights to initiate divorce before the kind of women's movement we see today could exist. I know that this is theoretically heretical, but it does seem that the formation of the class-for-itself has *necessary legal conditions* (de jure and de facto), e.g., legal personalty for all (i.e., including prisoners, bastards, lunatics, women, immigrants —all at one time or place effectively split off from the rest of the class by legal procedures and institutions), universal suffrage, the right to free association, the right to own property, the right of disposal of one's own body, etc. I would suggest that some substantial experience of winning and enjoying all these freedoms is a necessary preconditions of the formation of a class culture with a full sense of socialist democracy.

To accept that the democratic character of decision-making is vital to the justice and acceptability of legislation and judicial pronouncements does not mean (contra Hirst) that we need to reject the concept of, or struggle for, prima facie presumptions of legal right. Such presumptions exist conceptually somewhere between absolute rights and pragmatic social policies. It is very important to recognise the political value of having a prima facie presumption of right established in law. Rights are guidelines which strongly suggest to decision-makers that unless there is strong contrary right or statute they must make a particular type of decision, or risk moral and political calumny. They are different from social policies in that they usually cut across 'issues' or 'social problems.' This is a point Hirst signally fails to recognise. Rights are the socially rooted legal principles guiding democratic policy-making. As such, they are indispensable to a socialist

society that desires to prevent the emergence of an autocratic party power, to produce a consistently libertarian culture, and to avoid the development of a professional/technocratic state based on scientistic dirigisme.

Of course, other things would be indispensable too. The prinicples of law mentioned above would have to be produced (or recognised) democratically and that begs the whole question of the class nature, political form and cultural character of the revolution—which brings me back to the beginning of my critique of Hirst. At the end of the day, the class nature, cultural character and possibly international context of the revolution determine the chances of a libertarian socialist culture.

Concluding remarks

Events in Europe, especially in Britain, in the 1970s have forced the re-examination of Marxist political theory (in all its variants). This has, in turn, forced the reconsideration of Marxist legal theory, particularly on the issue of the value of the rule of law and civil liberties. Since 1970 the British state has become increasingly authoritarian and its welfare/social services have been cut back. As the pressure on capital reproduction sharpen, the capitalist state concentrates and increases its power. The higher echelons of the state power take a tighter grip on middle and lower levels, and the whole state seems to make increasingly narrow definitions of affordable liberties to the citizenry. The profit squeeze produces a 'civil liberties squeeze' and Marxist legal theory is caught with its pants down.

A long-overdue overhaul of some basic political issues has ensued; this essay has briefly examined some of the most discussed writings within these debates. I have indicated in my critique the specific weaknesses of these writings and concluded generally that no-one has satisfactorily analysed bourgeois legal rights or the rule of law in a thoroughly Marxist manner. The present essay will not upset that deficit. However, I have suggested two possible ways of opening up the blockage without having stepped beyond the classical Marxian concepts: (1) by giving 'the class struggle' its fullest meaning, and (2) by recognising that economic formalism in legal theory must be thoroughly tempered with a historical or diachronic awareness of the political character and role of law in the development of the class struggle.

I suggested earlier that it may be the case that, to become committed members of a revoutionary socialist mass proletariat, certain sections of that class which have been colonised internally as well as externally may first have to gain and experience the basic civil rights of bourgeois society. The political struggles of 'grass roots' workers (low paid and powerless), the unemployed, women, blacks, prisoners, various religious

fractions, ect., in gaining or exercising basic bourgeois legal rights may be vital in politicising and mobilising them for revolutionary socialist struggle for state power. My assumption or claim is that the development of a libertarian socialist culture across the whole of the working class in capitalist society is a necessary precondition of the development of such a culture in a socialist society, and that this culture is a vital condition for the possibility of the 'rule of law' in a socialist society.

These claims can be grounded in Marx's general conception of social formations. For Marx, certain elements and forms of politics and culture (and therefore law) are organic to a mode of production at a given phase of its development and without their establishment and maintenance such a mode of production cannot survive (see Sumner, 1979: chs. 2 and 7). This conception of the dialectical connections of necessity and interpenetration is not well grasped by orthodox base-superstructure or radical, highly open relative autonomy models of society. Talking about the economy-culture relation, Marx undermined such models when he argued that:

> It is not enough that the conditions of labour are concentrated in a mass, in the shape of capital, at the one pole of society, while at the other are grouped masses of men, who have nothing to sell but their labour-power. Neither is it enough that they are compelled to sell it voluntarily. The advance of capitalist production develops a working-class, which by education, tradition, habit, looks upon the conditions of that mode of production as self-evident laws of Nature. The organisation of the capitalist process of production, one fully developed, breaks down all resistance (Marx, 1974: 688,9).

In capitalism, education, tradition and habit combine with the "dull compulsion of economic relations" to complete "the subjection of the labourer to the capitalist" (Marx, 1974: 689). That is, new general ideologies and forms of culture, interpenetrating and sustaining capitalist economic relations, must emerge to overwhelm prior ideologies and forms of culture. Now, it is presumably fair to assume that *all this applied to the development of a socialist society too.*

Once established, the capitalist mode of production breeds and matures its own internal contradictions, and, therefore, new forms of resistance to its oppressions must arise. Presumably, these forms of resistance have distinct cultural as well as economic characteristics, if the above reading of Marx is valid. Scarcely necessary to say, but given that forms of law contain combinations of power and ideology, it must also be true that certain legal forms of resistance emerge alongside economic forms. Like feudalism, capitalism must breed its successor in legal forms (as well as in all the other forms—economic, political and cultural) before it leaves the scene. Now if that is true the question of

socialist legality is hardly one for 'after the great day' and we are confronted with an issue to which hardly any attention has been given: what are the forms and principles of socialist legality developing within capitalist societies? But perhaps that formulation is too retrospective and scientistic and perhaps the issue should be put in a more active, embryonic and normative mood: what forms and principles of law should we try to develop now as a necessary precondition for a libertarian socialist future? Given that formulation of the issue, one of the answers seems to be that we should support rights struggles which effectively remove the legal inequalities between different subordinate class fractions, and therefore remove one of the obstacles to united, revolutionary class action.

Lest this argument be misinterpreted, some qualifications are necessary. Clearly, given the uneven development of different fractions of the working class and given the need for united class action at particular moments for very limited goals (such as removing the Thatcher government), it would be idealistic to suggest that the above type of rights struggles should get total and infinite priority. But they must be given more significance in Marxist political theory and more practical support by socialist political organisations than they currently get. For if one froze the current scene and transformed (in the imagination) the unevenly and hierarchically developed Western working class of today into a post-revolutionary proletariat, then we would have the foundation for the development of the kind of oppressive, racist, illiberal, sexist, corrupt and divided society that we see today in the socialist bloc. Today's internal colonizers would become tomorrow's Party apparatchiks and today's colonized could look forward to more of the same. Of course, let us not forget too that today's external colonizers know all about, and indeed rely on, these inequalities and divisions within the modern working class. They should, for they developed and sustained them, using law as one of the key instruments in the procss of divide and rule.

It might be objected, against my suggestions, that rights struggles have been tried and failed and that, therefore, violence is the only answer. I am sympathetic to this view, and feel cynical about the fact that the current political debate amongst the (middle class) Left centres on law, rights, political organisation, reform and gradual change. There has hardly been a word about the value of armed struggle. That seems inexcusable when so many groups at the sharp end of the capitalist weal have been forced into violent resistance, e.g., colonised nations, Ulster Catholics, blacks (here and in the U.S.A.), and prisoners; not to mention the phenomenon of young upper middle class terrorists. Obviously, it seems to me, armed struggle is the only option for some groups and for some oppressed classes, e.g., in the

Third World. However, successful armed struggle requires massive support from the whole community (or class base of the movement) and that support will not usually be forthcoming unless rights struggles or established channels of political action have been tried first. The failure of rights struggles politicises the relevant class fraction or community as much as their success, if not more so: precisely because *rights struggles are the political struggles of a class or class fraction.* This politicisation is vital to successful armed struggle; and I would submit that proposition to historical scrutiny. Therefore, my argument is not at all dented: armed struggle is only on the agenda after rights struggles or democratic channels have failed. Both forms of struggle are part of the same armoury and part of the same objective in furthering the development of the power of the oppressed classes. Of course, rights struggles can be failures, can partially succeed and hit a brick wall, and can suceed but be undone (and, of course, such temporary success may be merely a strategic ruling class concession), but they are a definite stage in the political development of the revolutionary movement against capitalism. We do urgently need an understanding of the history of the political strategies hitherto adopted in that movement, but in anticipation of that history my hunch would be that rights struggles have not yet been exhausted by historical logic.

Some will argue that because the form of law, at any state of bourgeois social development, is essentially bourgeois, or at a minimum controlled by the bourgeois class bloc, political struggles for legal rights are always in the long run doomed to failure; and that any such established civil rights will always be undermined. Well, of course; but that does not at all negate the political and cultural value of such struggles and liberties, nor does it allow for the mundane fact that gained liberties have alleviated suffering for many individuals. To ignore this last point would be to adopt an eschatological and, as I showed earlier, quite un-Marxian view of the development of working class politics.

Ultimately, to be sure, the realisation of meaningful civil liberties and a meaningful rule of law depends on the overthrow of capitalist economic relations and the establishment of a democratic socialist mode of production. Capitalism must always betray its legal promises. But the nub of my arguments here is that to say this is not enough. To realise concepts of civil liberty and the rule of law we have to know what they mean for us and to build them into our political philosophy. Such a knowledge and political construction cannot be developed solely in the abstract now, nor can they be left pragmatically to the future. They must be developed today in the course of resistance to the present. Of course, 'reformism' can mean incorporation and submer-

gence, but that is not all it can mean. Placed within Marxist theory and socialist strategy, it must play a part in the radical political growth of the oppressed and in generating our conceptions of a more just future —and therefore is not reformism at all.

NOTES

1. Most 'rights' of this kind are of course severely limited today by a whole welter of statutory restrictions which make it questionable whether one should continue to use the term 'right.' To pursue this would take us into a territory most Marxists do not even know exists, such is the state of ignorance on civil liberties; suffice it to say that modern rights amount to certain limited powers allocated to individuals or groups by the state legislature or judiciary.

2. Or: "Discrimination . . . within the economic, political and cultural systems of a society is not peripheral to class politics because it is jointly articulated with the class structure" (Sumner, 1979: 234).

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State and Social Revolution in South Africa: Reflections on the Comparative Perspectives of Greenberg and Skocpol

Michael Burawoy

Many stubbornly insist on reducing Marxist analysis of racism to Marx's formulations on colonialism and the Irish question or Baran and Sweezy's representation of racism as a means of dividing the working class. Although the understanding of racism remains a vulnerable dimension of Marxism, there have been significant developments in the last decade and few more noteworthy than in the analysis of South Africa. In this connection Stanley Greenberg's *Race and State in Capitalist Development* is a landmark book. It unravels the changing class forces behind racial orders in South Africa, Alabama, Northern Ireland and Israel. Although Greenberg distances himself from Marxist scholarship, treating it is as a hypothesis to be investigated rather than a framework to be developed, by the end of the book there is clearly no turning back from Marxism. The problems to which he is led and which are posed in his conclusion are precisely the ones that have dominated recent Marxist analysis of South Africa: a rich literature which he never seriously confronts.

South African communists and socialists have had to deal with the tenacity of white working class racism for over sixty years. Indeed, they have often perpetrated such racism themselves. Since its formation in 1921 the South African Communist Party has been the arena of vigorous debate over the role of race in the development of South Africa. Its history is the history of bitter disputes over political strategy. How should communists relate to the bitter and often violent struggles of militant white workers against capitalists seeking to displace them with cheap Black labor? What role should communists

have played when white miners rose against mine owners in the Rand revolt of 1922 under the banner of "white workers of the world unite for a white South Africa?" To be sure some tried to win over white workers to a non-racial perspective on class solidarity. After the failure of such attempts to reverse the deep felt racism of white workers, rooted in real material interests, communists turned to Black workers as a potential revolutionary force. Drawing on Lenin's theses on colonialism they argued for a two stage theory of revolution—the socialist revolution must be proceded by a nationalist revolution. The immediate tasks, therefore, were to organize Black workers and peasants. In practice the twists and turns of the policies and purges of the South African Communist Party were as sensitive to struggles within the Communist Party of the Soviet Union and the Comintern as they were to the local conditions.

State repression, racism and arbitrary commands from Moscow made organizing drives among Africans, Coloured and Asians difficult. Precisely because these adverse conditions and because racism so deeply impregnated evey facet of life, those communists—both Black and white—who managed to sustain a commitment to revolutionary struggle and to a non-racial South Africa became powerful figures. A number of notable studies have emerged from the communist movement. Eddie Roux's *Time Longer than Rope* was the first Marxist attempt to rewrite South Africa's history from the point of view of the subjugated populations. Roux traces the varieties of African resistance movements from the earliest confrontations with Afrikaner colonists to the underground struggles of ANC and PAC in the early sixties. In *Class and Colour in South Africa: 1850–1950,* prominent communists Jack and Ray Simons offer a more detailed and analytical account of the interplay of race and class in the struggles shaped by South Africa's economic development. Throughout they emphasize the critical role of the white working class in defending its racial privileges and the illusions harbored by Africans concerning a peaceful road to racial equality. Only in the recent period did the rise of a police state turn Africans to more violent tactics. And it is in this most recent period, according to the Simons' book, that the growing coincidence of race and class collapses the two stage revolution into a single national-socialist revolution.

Published in 1968, Simons and Simons have been a major inspiration behind the burgeoning Marxist literature in the 1970s. Working in a similar tradition as Roux and the Simons, but emphasizing the day to day experience of resistance and subordination, are Charles van Onselen's wonderful social histories of urban Africans. Here we see the powerful influence of the social history of E. P. Thompson, the attempt to recall the experience of the oppressed as an inspiration to the

struggles of today. But perhaps the most distinctive body of work to have emerged in the 1970s came from white South Africans exiled in Britain. Much more attuned to theoretical issues in the Marxist analysis of race and class and seeking to escape the uniqueness of South Africa are Wolpe (1972), Legassick (1974), Johnstone (1970), Trapido (1971), Morris (1976), O'Meara (1975), Kaplan (1976), Davies (1979), and others who began to develop an explicit alternative to conventional liberal historiography of South Africa. (See Burawoy [1981a] for a review of this literature.) They opposed the thesis that racism in South Africa was an "irrational" factor, conjured up by the prejudices of white workers, which would give way to the forces of rationality impelled by the conditions of rapid industrialization. That is, they opposed the modernization thesis that particularistic restrictions on the mobility of factors of production were incompatible with economic growth. Rather they tried to demonstrate that capitalists had not merely adapted to racism but had actively mobilized the racial order for their own ends. They began to explore the specific social relations of exploitation and domination that lay concealed beneath the different expressions of racism.

Thus Frederick Johnstone (1976) distinguishes between job color bars and exploitation color bars. The former referred to discrimination which shaped patterns of mobility and structures of opportunity whereas the latter referred to discriminatory institutions which enchanced levels of exploitation through guaranteeing cheap labor. In an article which instigated considerable debate and set Marxism on new paths Harold Wolpe (1972) argued that racism was an expression of specific articulation of capitalist and precapitalist modes of production. That is, the institutions of racism were mechanisms for maintaining subsistence economies in the reserves where the Black labor force was renewed while single male workers were maintained on very low wages in the towns. The transition from the period of "segregation" to the period of "apartheid" was the reflection in the political arena of the erosion of the reserves as a mechanism for subsidizing cheap labor for capital. Overcrowding and soil erosion undermined the subsistence base and new mechanisms had to be found for guaranteeing cheap labor power. Thus, in the period of apartheid, political repression becomes the new mode of maintaining low wages. But, as Mariotti (1979) has recently argued, this shift to the political level does not tell us of the new material basis of cheap labor power. She tries to show that the role of women in providing the means of existence in the reserves begins to be transferred to the towns where they become a part of multiple earner families. So for Mariotti the changing forms of racism are in part expressed through changing modes of female exploitation.

These "functionalist" accounts in which racism is viewed as serving the interests of capitalism if not each individual capitalist prompted a second literature which attempts to examine the mechanisms through which racism comes to play this role. Thus O'Meara's (1975) important study of the 1946 African mine workers' strike sought to uncover the interests of different classes and class fractions in the various institutions of the racial order which guaranteed cheap Black labor through the system of migrant labor. His was the first of a series of attempts to understand the "power blocs" that have constituted South Africa's dominant classes. Typically twentieth century South Africa is divided into periods, each characterized by a particular "hegemonic" fraction directing the dominant classes and, by implication, shaping the policies of the state (Davies et al. 1976). Shifts in state intervention are therefore understood in terms of a realignment of power within the dominant classes: mining capital eventually relinquished its dominant role to manufacturing capital which is in turn supplanted by multinational monopoly capital. But none of these analyses, which draw their inspiration from Poulantzas's early work, examine the state itself. Rather, the state becomes an instrument of the "hegemonic" fraction and when this does not fit the historical reality the state is conveniently endowed with "relative autonomy."

In his most recent work Wolpe (1980) calls for a sustained analysis of the actual workings of the state as a set of relatins and as an arena of struggle. The state is neither an "object" wielded by a class or a class-fraction nor a subject with a metaphysical will of its own that impresses itself on the totality. Instead it is a set of apparatuses within which and between which there is continual struggle. While such a perspective allows one to grasp political developments that fall short of the violent overthrow of capitalism through nationalist struggle, at the same time we lose sight of the unity of the state and how it is that the state tends to "preserve the cohesion of the entire social formation." Curiously, in his book *Race and State in Capitalist Development,* Greenberg follows a very simple trajectory: from the examinatin of the class bases of racism he turns to questions about the workings of the state.

Situating Greenberg with Skocpol

If Greenberg does not identify himself with the Marxist tradition, where does he place himself? He draws much of his inspiration from Barrington Moore's *Social Origins of Dictatorship and Democracy,* particularly the importance of labor repressive agriculture as the impetus behind racial orders. Not surprisingly then many of his formulations, particularly the incorporation of the state, are strikingly

reminiscent of Theda Skocpol's *States and Social Revolutions.* It is interesting to compare these two books written independently of one another. Both are a pleasure to read, forcefully argued and supported with impressive scholarship. The one looks at the factors precipitating social revoutions as well as Old Regime legacies while the other examines the factors maintaining and undermining racial orders. Both turn to particular classes and the state as explanatory variables. I shall try and draw out the similarities and differences in methodology below, and in the conclusion examine the applicability of Skocpol's framework to the prospects and consequences of a South African revolution.

Greenberg makes four major contributions. First, he unveils the interests of particular "classes"—farmers, businessmen and white workers—in a racial order. He examines conflicts within each group over how their material interests may best be realized within a racially divided society. We note immediately that this concentration on the dominant racial group recalls Skopol's focus on the resistance of landed upper classes to state reforms as precipitating Old Regime crises in France, Russia and China. In a similar but much less precise and convincing vein Greenberg talks of an emerging "crisis of hegemony" within the dominant racial group. For the most part, however, he claims that we can understand the changing forms of racial order by reference to the interests and capacities of white class actors. In the exploration of the interests of these class actors Greenberg presents a great deal of new material on the contemporary period gathered from government documents, reports of interest group associations and from interviews he conducted during a year's research in South Africa.

The second contribution stems from the way Greenberg cuts through a messy literature on the relationship between racism and capitalism. Rather than adopting the position of modernization theory that capitalism necessarily undermines particularistic attachments such as race, or the Marxist position that race is necessarily displaced by class as the fundamental basis for struggle and capitalist development, or the view of Blumer that capitalism can successfully adapt to a racial order, Greenberg argues for a changing relationship between racial frameworks and capitalist development. In the initial period of capitalist expansion the racial order is intensified in accordance with the interests of various dominant groups whereas in the second period those same groups begin to lose their material interests in a racial order. Instead the state itself develops interests in racism.

Here we see an interesting convergence with Skocpol whose point of departure is that the state must always be viewed as an organization with interests of its own. The role of the state in history cannot be

reduced to class forces. Greenberg only posits the state as an autonomous or relatively autonomous actor in his conclusion. Until that point it appeared very much as an instrument of class actors. Be that as it may, Greenberg's third contribution is undoubtedly the recognition of the central role of the state in facilitating, reproducing and shaping the development of the racial order. The influence of class forces is mediated through the state. There are no accounts that attempt to systematically delineate the role of the state in capitalist development in South Africa let alone make comparisons with Alabama, Northern Ireland and Israel.

So the fourth contribution is the self-conscious attempt to get away from the prevailing view that these societies are somehow unique and therefore require a distinctive theoretical framework for their analysis. Greenberg undertakes what Skocpol calls "comparative history" in which each society is used to *illustrate some common pattern* of development, in this case the intensification and relaxation of its racial order. The analyses of the different countries are independent of each other; they shed no light on one another. Skocpol adopts a very different strategy—"comparative historical analysis"—in which she makes use of both similarities and differences in order to "develop, test, and refine causal, explanatory hypotheses about events or structures integral to macro-units such as nation-states" (p. 36).

Skocpol's methodological wizardry is impressive. By comparing "successful" revolutions (France, Russia and China) both among themselves and with "failed" revolutions (Germany, England, and Japan), she tries to establish the necessary ingredients for social revolutions. But her multivariate analysis of historical episodes suffers from the same drawbacks as the more common statistical models as applied to quantitative data, namely their suppression of causal *processes* in favor of causal *factors*. To be sure she makes the compelling arguments that successful revolutions occur when a peasant rebellion is preceded by a disintegration of state power brought about by a rift between the landed classes and the state in the context of international war, and that revolutions do not occur where one or other of these factors are absent. But in so doing she sidesteps the very difficult problems of understanding the formation of interests and capacities not only of various class actors but also of the state apparatuses. Just how difficult it is to elaborate these causal processes, presupposed and concealed in her regression analysis, is made patently clear in attempts at historical analysis of a single country. Ironically, because he does not engage in Skocpol's methodological wizardry Greenberg has to confront the problem of interest formation and interest realization directly. His approach is novel: to each "class actor" Greenberg imputes a set of "general" interests which are realized in different ways in different

societies. Thus, faced with racial orders class actors adopt distinctive strategies to realize their interests.

Each of Greenberg's contributions lays the foundation for further exploration. Thus in the following pages I will, first, examine the concept of "interest" and the formation of interests as it applies to classes. I will draw attention to the importance of looking at class in relational terms, in particular the importance of class alliances and class struggle. The omission of Black classes as a focus of analysis makes it impossible for Greenberg to unravel the forces behind South Africa's history and future. Second, building on Greenberg's conception of the changing class basis behind the racial order I will pose questions about the significance of changing relations between race and class, and among different forms of racism. Rather than looking upon the racial order as first intensifying and then relaxing I will delineate a succession of qualitatively different racial orders. Third, I will reexamine Greenberg's understanding of the relationship of classes to the state, the notion of the development of state interests and stress the importance of decomposing the state itself. Fourth, once having restored South Africa to a species of capitalism and drawn attention to similarities with other societies it then becomes necessary to reestablish its specificity. I will argue that the four racial orders Greenberg has chosen to examine are in fact so different that any development pattern they share must be either very general or very vague. A more useful comparison would be between South Africa and a non-racial order such as Brazil, which is situated in a similar position in the world economic system. In this way we can more easily highlight what is distinctive to capitalist development in racial orders. Finally, I will examine how Greenberg's conception of South African history shapes his vision of the future. Here I will suggest one has to go beyond a crisis of hegemony and the emergence of a racial state to include factors central to Skocpol's prescription for social revolution. But to refurbish and historicize Skocpol's model so that it can grapple with revolutions in the contemporary era it may be necessary to return to Marxism.

Classes, Class Struggle and the Formation of Interests

Greenberg adopts a novel approach to the understanding of class interests in racism. He divides the book into three major parts, devoting each to a single class actor (farmers, businessmen and workers). Each part begins by examining and establishing the "general" interest of the particular "class." In subsequent chapters he explores how these imputed interests are pursued in different environments, that is how class actors make use of or even oppose racial orders in the pursuit of their goals. The particular racial order determines which of a range of class strategies a given class actor will adopt.

Thus, farmers can either "rid themselves of the peasantry" as they did in England through the enclosure movement or can "plunder the peasantry" as they did in Germany and many other countries by intensifying its exploitation as capitalism developed.

> The racial orders provide a coincidence of interests that enhances the attraction and viability of the German example. Commercial farmers in a racial order, consequently, may more readily opt for the German route to capitalist agriculture: labor-repressive policies are allowed, indeed encouraged, to run a course frequently constrained in other times and places (Greenberg, 1980, p. 65).

Businessmen face a more complex set of options. They can either exploit the pre-existing racial order, oppose it or accomodate to it. Mining capital readily exploited the racial order to develop what Greenberg calls a labor repressive system based on the compound and enforced migrant labor. Manufacturing and commercial capital were more likely to simply accommodate to the racial order and on some occasions oppose its extension. They did not have the resources to organize the recruitment and repressive control over labor possessed by the mines. They were as interested in a more stable Black force that could enter the ranks of the skilled worker as in cheap unskilled Black labor. And unlike the mines, manufacturing industries had an interest in boosting domestic demand for their produce through increasing Black incomes.

Finally, the white working class faces the option of developing open or exclusive unions. Artisans were able to extend their monopoly of skill and therefore had little interest in state protection. Indeed the craft unions opposed state regulation as a threat to their power. Industrial unions, on the other hand, had the option of seeking an alliance with Black workers and pursuing broad class interests through multiracial unions, *or* seeking the support of the state in developing discriminatory unions to protect white privileges. Class actors adopt a particular strategy in the light of the support they are likely to receive from the environment. In this instance the state encouraged the growth of exclusive unionism with protective legislation and a "civilized labor policy."

Greenberg has a distinctive model of class. It is constituted as a purposive autonomous organization which pursues a pre-given goal in an environment from which it draws off resources. Classes are not defined in relation to one another but as actors who maximize their interests in different way according to the environment. The South African political context fosters the adoption of a labor repressive agriculture, a despotic politics of production, cheap labor power through a system of migrant labor, exclusive unionism, and so on. But, what

Greenberg's organizational model gains as a descriptive device it loses as an explanatory tool.

First, it is in the nature of the paradigm of organizational analysis that the environment be taken as given. To be sure there are suggestions that class actors do shape the environment but it does not become the object of analysis as such. Its developmental logic is inevitably left unexamined. We have no sense of the dynamics of the capitalist system or capitalist social formation of South Africa, except as the cumulative and disjointed impact of three class actors—farmers, businessmen and white workers. Thus, Greenberg views crises, such as Sharpeville in 1960 and Soweto in 1976, as opportunities or signals for class actors to shift their strategy. There is no explanation of the development of the crises themselves.

Nor is this surprising since Greenberg's is a self-consciously top down view of South Africa. He does not explicitly deal with the interests of the various African classes. His organization-environment paradigm permits him to omit the examination of subordinate classes. That is, because class actors are each seen in relation to the environment as a whole it is possible to avoid dealing explicitly with relations of classes to one another. The framework therefore repudiates the notion that classes are social relations defined through struggles. The class structure is not the object of analysis and we have therefore little sense of the motors of change. Because there is no attempt to attach any systemic logic to the development of South Africa changes in the mode of domination by farmers or businessmen are described but not explained. Thus, Greenberg describes the shifts from systems of squatting to forms of labor tenancy to systems of wage labor but this development in agricultural labor is not explained. It is not surprising, therefore, that Greenberg should be so dismissive of Morris's (1976) analysis of South African agriculture which attempts to develop an explanation of these shifts in modes of exploitation in terms of the struggles between African peasants and white farmers.

By focusing on each of the three class actors in turn Greenberg obfuscates the important distinction between the interests of the individual capitalist or fraction of the capitalist class on the one hand and the interests of the capitalist class as a whole, that is collective capital on the other. For example, it may be in the interests of a particular capitalist (farmer of businessman) to have access to cheap migrant labor while at the same time escalating costs of reproducing the *system* of migrant labor may undermine the interests of collective capital. Through what mechanisms is it possible to reconcile the economic interests of fractions of the capitalist class with the political interests of the entire class? It is through the self-organization of the dominant classes into a power bloc led by a hegemonic fraction that

constitutes its interests as the interests of all fractions? Greenberg's fragmented treatment of classes makes it impossible to consider this question. If, on the other hand, it is the state that represents the interests of collective capital, how does this happen? A similar analysis has to be applied to the subordinate classes in order to understand the supremacy of fractional interests over collective interests. How significant is the role of the state as compared to the structure of the economy in fractionalizing the working class? This, of course, necessarily involves an examination of Black as well as white workers.

This brings me to my final point: the question of the formation of interests. For Greenberg interests are defined in the economic arena and pursued through the associations, interest groups, etc. who act in the political arena to shape state policy. The question of imputing interests is taken as unproblematical. Greenberg precludes the possibility that interests are shaped and organized in the political arena as well as in the material world of production through ideological processes. The very notion of class as a collectivity with common interests is taken for granted. But is it possible to understand this process of class formation without also examining struggles between classes? What determines which segments of the dominant class manage to gain a presence in the political arena? Under what circumstances does a class segment, such as mining capital, become a political actor? By dealing with actors defined separately at the level of the economic there is no room for understanding the political processes through which coalitions, alliances, etc. are formed in the political arena. Finally, and most obviously, class interests are shaped in opposition to other classes, opposition encountered in the political arena as well as the economic arena, opposition that acts as a force of constraint as well as a pressure group organized within institutional channels. Again it is impossible to exclude Black classes and the way their interests are shaped in struggles, alliances, etc. All these questions become critical if we want to unravel the class forces behind racism. But we must also decide what we mean by racism.

Racial Domination and the Development of Capitalism

Greenberg summarizes the essential thesis of his book as follows:

> In its early stages, capitalist development brings an elaboration of racial disabilities and a growth of the state racial apparatus, in effect, a period of intensification. . . . Capitalist development peels away the class character of the racial order but does not immediately or necessarily undermine it. . . . But in the absence of clearly articulated class interests in the dominant section, the racial order and the racial state tend toward an amorphous racism, "mere dominance" in the face of the dominant class actors' diminishing interest in the racial framework and the subordinate population's increasing resistance to it. (Greenberg, 1980, pp. 26–28).

In the period of "intensification" the racial order receives a major impetus from a "labor repressive" agriculture which utilizes and pressures the state to bottle up Black labor in the rural areas. Farmers subsequently shift their mode of exploitation from a semi-feudal system of squatting, to forms of labor tenancy and finally to wage labor. In most areas the 1970s saw the mechanization of agriculture and corresponding pressures to stabilize Black labor in the rural areas. Farmers are no longer the fervent advocates of apartheid that they used to be.

> Labor-repressive agriculture has not been dismantled: pass laws and labor bureaus still figure prominently in the lives of African laborers and white farmers alike: European farmers have not yet submitted themselves to an unfettered labor market. But the white farmer no longer requires and, more important, no longer demands that the traditional labor controls be refined and the enforcement mechanisms expanded. Indeed, with few complaints of "labor shortages" and growing demands of "economic farming," the SAAU [South African Agricultural Union] has begun to yield on the traditional concerns of the white farming community: the masters and servants laws fell with hardly a whimper; the pass laws and labor bureaus, the system of labor controls, are diminishing concerns for white farmers and the SAAU. (Greenberg, 1980, p. 105).

Similar changes occur in the industrial sector. Manufacturing capital has always supported the stabilization of Blacks and been prepared to dispense with influx control and statutory color bars. But until the 1920s at least, manufacturing capital was much weaker than mining capital. The combination of low and uncertain profits, wage costs as a high proportion of total costs and white workers organized into a powerful union led the mining companies to mobilize the racial order to guarantee cheap and productive Black labor. Competing with agriculture for labor from the African reserves mining capital was the main force behind the system of migrant labor, instigating the early pass laws, establishing powerful recruitment organizations and introducing the compound as a form of coercive labor control. With the development of capitalism, however, manufacturing capital became increasingly powerful and thus increasing the pressure to dismantle or relax part of the racial apparatus. In recent years even mining capital, prompted by soaring profits, has been calling for the softening of certain apartheid laws and the newer mines are thinking in terms of a more stabilized Black labor force as the industry becomes more capital intensive and as African wages rise.

The third force behind the racial order has been the white working class. During the first two decades of this century there was an influx

into the towns of Afrikaners dispossessed of their land, or unable to eke out an existence as squatters. Initially poor whites found themselves in competition for jobs with Blacks but in the 1920s the government adopted a "civilized labor policy" which effectively gave whites a monopoly of unskilled jobs in such industries as railways, harbors and certain government services such as post. But by the 1970s this white unskilled working class had shrunk and largely moved into positions which no longer required a system of job reservation as protection from Blacks. And so Greenberg claims that whereas in the period of intensification various white classes all had an interest in expanding the racial order, in the 1970s those same classes became increasingly indifferent to the reproduction of that order.

So why does the racial order persist? In keeping with his framework Greenberg argues that the racial order once established carries with it a momentum of its own. It becomes relatively autonomous from the classes that instigated it. More precisely, as the state becomes increasingly involved in the regulation and expansion of the system of apartheid so it develops an interest of its own in the reproduction of the racial order. In other words, a new "actor" emerges in Greenberg's scheme to sustain the racial order. We shall deal with this thesis in the next section. Here I want to pursue an alternative explanation in order to point out certain inadequacies in Greenberg's theorization of the concept of "racial order."

Convergence of Race and Class?

Insofar as class and race have begun to merge in South Africa, as some Marxist commentators have claimed, so it could be argued that the reproduction of class relations is simultaneously the reproduction of race relations. That is, the preservatin of the capitalist order is a necessary and sufficient condition for the preservation of the racial order. Thus, Greenberg's three classes can affort to express a diminished interest in the racial order while at the same time upholding that order through the support of the extended reproduction of capitalism. Indeed, a convincing case might be made that these shifts in the relationship between class and color account for the recent recomposition of the dominant ideology—the crisis of the ideology of separate development and the rediscovery of laissez faire.

The argument contains but a partial truth. Confining one's attention to the two fundamental classes—capitalists with their high level managerial agents and the working class—there has been a movement towards racial homogenization as unskilled whites have diminished in importance. At the same time, however, intermediary classes holding, what Wright calls "contradictory class locations"—technical and supervisory workers and semi-autonomous employees—and also

the true petty bourgeoisie have become racially more heterogeneous with the rise of the Black teachers, nurses, police, that is state functionaries, as well as supervisors within industry. These intermediary groups are directly or indirectly involved in the containment and/or exploitation of the Black working class. Furthermore they are likely to develop an interest in the expansion of South African capital and the strengthening of the South African state (Wolpe, 1978).

How then is it possible to reproduce *class* divisions within each of the racial groups while at the same time enforcing *racial* divisions within these intermediary class locations? Certainly the ideology of apartheid which makes no reference to class distinctions is not well suited for such a role. At this point I want to draw attention to one implication. The changing racial composition of the class structure suggests not so much a declining interest among the three class actors in the racial order per se. Instead it suggests an interest in a *new* racial order in which a growing Black "middle class" is allowed to develop as a buffer between the two fundamental and racially homogeneous classes. This reflects a shift from separate development which divides up Blacks into different "nations"—the homeland policy—to the creation of a relatively privileged stratum of Blacks in the urban areas, as well as in the Bantustans. Such recommendations to establish a division between a stabilized Black urban population and a migrant labor force rooted in the overpopulated and undernourished homelands, are formulated explicitly by the Wiehahn and Rickert Commissions of 1979. Conflicts between the Zulu migrant workers housed in hostels and the students of Soweto during the massive protests of 1976 already pointed to a growing schism between these two segments of the Black population.

I draw attention to these changes in class stratification within racial groups to suggest that what Greenberg considers a declining interest in "the racial order" is but a declining interest in a particular, old racial order and the emergence of a new racial order. However, it is no accident that Greenberg views changes in South Africa in this way since his framework does not permit him to understand variations in a racial order except in terms of "intensification" or "relaxation." He cannot distinguish among different racial orders because he defines them tautologically in terms of racial domination.

> My primary research settings are racial orders, societies where racial differences are formalized and socially pervasive. Other identities and forms of differentiation, no matter how important to the development and characterization of the society, must contend with a powerful social schism: to one side, a dominant section with disproportionate control over economic resources, a presumptive privilege in social relations, and a virtual monopoly on access to the state, to the other side, a subordinate section with constrained economic resources and with little standing in social or political relations (Greenberg, 1980, pp. 29–30).

Such a definition which takes race as given inclines Greenberg towards an analysis of the rise and fall of class bases behind a racial order rather than attempt to theorize the succession of different racial orders. To refer to a period as one of "intensification" or "relaxation" merely labels what in fact has to be explained. What is it about this period of "intensification" that leads his three class actors to exhibit a convergent interest in a racial order?

Succession of Racial Orders

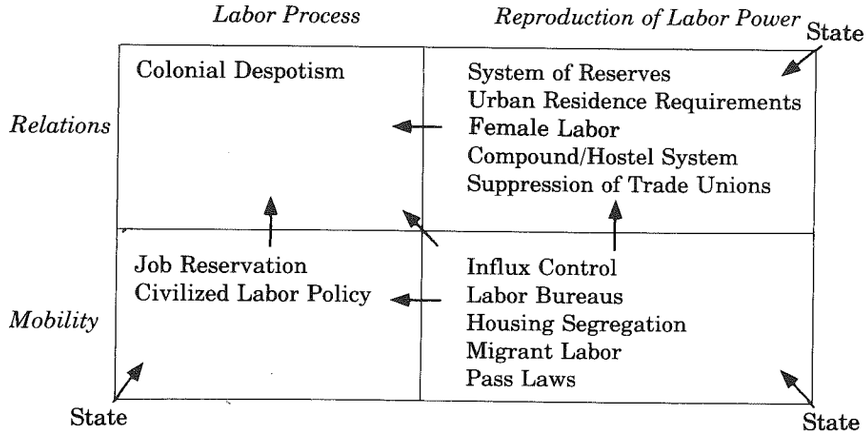
To make the point clearer I will briefly argue the thesis that the first racial order emerged in response to the problem of primitive accumulation, the problem of partially severing the African peasantry from its pre-capitalist moorings, that is the problem of generating and reproducing a supply of migrant labor which was simultaneously dependent on capitalist and pre-capitalist modes of production. Such a pattern of proletarianization would explain the convergence of interests among Greenberg's three class actors—farmers, businessmen and white workers. During the second period capitalism establishes itself in industry and agriculture. Pre-capitalist modes of production all but disappear, leaving behind geographically isolated and poverty stricken labor reservoirs. The new racial order reflects the declining salience of the generation of labor supplies and the domination of the reproduction of labor power by the requirements of production. The focus shifts from the dissolution of the peasantry to the extraction of surplus value.

Simply put, we must therefore distinguish between two *arenas* of racial domination, viz. the labor process and the reproduction of labor power. We must also distinguish between two *modes* of racial domination, viz. barriers to *mobility* (geographical and social) and particular *relations* of exploitation and domination. Let us examine the labor process first. Here we observe distinctive mechanisms for reproducing relations of work and regulating struggles in which management exercises relatively undisputed power over Black laborers. This form of domination I call colonial despotism. It rests on the absence of institutionalized forms of resistance to managerial coercion or threat of coercion. As we shall see below colonial despotism is largely based on the employer's power to affect the lives of workers outside the workplace. It also depends on a discriminatory internal labor market, that is a set of mobility patterns which uphold the principle of the color bar, according to which Black workers never exercise any authority over white workers. This is the second dimension of racial domination in the labor process.

Colonial despotism also rests on forms of racial domination in the reproduction of labor power. It is not simply that, when fired, Black workers have no recourse to grievance machinery but that the single

most important way of becoming a permanent resident in town is to maintain the same employment for ten years. Naturally, such legislation of urban residence and influx control places extensive power in the hands of management, the more so the longer an employee is with a particular employer until the ten year period is up. While the apparatus of apartheid entrenches colonial despotism through linking livelihood outside work to performance at work in a multiplicity of ways, at the same time the specific forms of reproduction of labor power, whether rooted in the system of migrant labor or the emerging multiple earner family of the more permanent labor force, are also organized to guarantee its cheapness. The system of compounds or hostels for the single migrants; the segregated townships; the multiplication of residence restrictions; the influx controls which regulate the flow of labor between the urban areas and the "homelands"; the system of labor bureaus which directs labor to employers in industry or agriculture; the pass laws which limit the amount of time Blacks can remain in "white areas," including all the major towns, without employment—all these features conspire to produce a weak and above all low wage labor force. As in the labor process the barriers to *mobility* are intimately interwoven with the specific *relations* of domination in the reproduction of labor power.

MODES AND ARENAS OF RACIAL DOMINATION



What we have done is to break down "racism" into four components —two types of domination within each of two arenas—so as to uncover some of the relations, namely the economic relations it both expresses and conceals. When Greenberg claims there to be a declining interest in the racial order he does not make analytical distinctions among the

elements of that order. Whereas his three classes may exhibit less of an interest in the panoply of laws which regulate the reproduction of Black labor power, at the same time they show few signs of relinquishing racial domination at the point of production. (See Moodie, [1980] for an account of the patterns of domination in a South African gold mine.) Indeed Greenberg says as much himself (pp. 195–201) but he fails to examine the interconnection between the particular forms of control outside work, in the towns and reserves, and the colonial despotism exercised within the capitalish enterprise. To be sure the rising organic composition of capital leads agricultural and industrial capital to become increasingly interested in a more stable Black labor force but so organized as to uphold racial domination at the point of production.

These remarks are somewhat speculative. I introduce them to highlight the importance of breaking down the racial order into its constituent components, of examining the interdependence among the components, and finally of analyzing the way they are rearticulated with one another as capitalism develops. In short, instead of arguing for the rise and fall of class interests in a racial order, I am suggesting that capitalist development involves the transformatin of the racial order as well as the transformation of class structure and class interests. At each point the role of the state is critical.

The State

Greenberg's third major contribution is to award a central place to the role of the state in orchestrating the racial order. Indeed, the state becomes the most critical part of the "environment" in the attempts by class actors to realize their interests. However, Greenberg has two very different conceptions of the relationship between class actor and the state. The first conception springs from his definition of a racial order as one in which the dominant section has "a virtual monoply on access to the state." Here the state is viewed as the instrument of particular classes. Thus, during the period of "intensification" when racism is deepened and extended the state is "willing" and "able" (p. 87) to construct labor repressive policies for farmers, and for mine owners as well as protective legislation for white workers. But this begs the question: under what conditions is the state "willing" or "able" to act in the interests of a given class? Is it enough to refer to formal access to the state? Obviously not. Precisely because a "subordinate section" is excluded from the formal political processes it becomes that much more threatening and therefore a predominant force in shaping state policies. The bloated repressive apparatus of the South African state is testimony to the strength of the Black population. In other words we cannot look upon the state as simply the instrument of particular classes but have to examine the state as the context of class struggle and class alliances—an analysis systematically precluded by Greenberg.

Greenberg recognizes problems with this instrumental perspective on the state but only at the empirical level. Thus, he argues in the last chapter for a second conception of the state. When the interests of the three white class actors dictate a declining commitment to the racial order the state conveniently loses its instrumental quality. All of a sudden it becomes autonomous and develops its own interests in the reproduction of the racial order.

> There is, nonetheless, good reason to believe that the state aparatus represents more than this particular convergence of class interests. In the first place, such bureaucratic machinery, independent of the needs of class actors and the requirements of the racial order, develops its own momentum and areas of autonomous action. . . . Second, and more important, state functionaries and a succession of governments rose above instrumental interests to help organize the dominance of commercial farmers and maintain the class alignments that underlay racial domination in its modern form. In reconciling what were often bitter and regular conflicts between class actors, the racial state emerged not just as a "political organizer of hegemony" or as a "condensation of a balance of forces," as Poulantzas suggests, but as an increasingly autonomous agency representing the interests of the dominant section as a whole (Greenberg, 1980, pp. 389–90).

From being a part of the environment manipulated by class actors it becomes an actor itself pursuing its goal in an environment of class actors. From being an object wielded by various class actors it becomes a subject opposing the economic interest of those same actors.

There are some problems with this formulation. First, the South African economy is still predicated on racial domination both in the labor process and in the reproduction of labor power. As I argued earlier individual capitalists therefore continue to have an interest in particular forms of racial subordination although they may no longer fight to extend them. But even if Greenberg were correct that certain fractions of capital no longer defend the racial order as in their economic interests, nevertheless their political interests in the preservation of South African capitalism as a whole reside with the reproduction of a racial order. That is, certain fractions of capital might have to make economic sacrifices to the interest of collective capital, to the interest of maintaining a capitalist South Africa. Here again we come up against the problem of the definition, formation and articulation of interests—a problem Greenberg tends to sweep under the table.

Greenberg's formulation raises a second question: how is it that the state is an instrument in one period and autonomous in the next,

an object in the first and a subject in the second? He claims that once established the apparatuses of repression and administration develop vested interests in their own expansion and thus a vested interest in the racial order. But why cannot these same apparatuses shift their task to the expansion of education or welfare facilities for Blacks? Do all apparatuses have an interest in the expanded reproduction of racism? And why didn't the state have interests of its own in the first period of "intensification"? How is it that the state manages to "rise above" the interests of class actors in the second period but not the first? The flourish of state autonomy in the last chapter in the face of a supposed decline in the class basis of racism is a reflection of the crisis of Greenberg's theoretical framework as much as a crisis of South Africa's racial framework.

Greenberg has to demonstrate historically why the state might be an instrument in one period and autonomous in the second. To be consistent with his own framework, and he hints at this at one point, he might argue that during the first period businessmen, farmers and white workers were both powerful and in accord so that they successfully subordinated the state to their collective will whereas during the second period divisions within the dominant classes and between the dominant classes and the subordinate classes intensify so as to permit and indeed make necessary greater state autonomy. But such an argument would make little historical sense. First, as has been documented by both Marxists and non-Marxists, mining capital was absorbed in bitter struggles with agriculture and manufacturing capital over fiscal and labor policies of the state throughout the period of "intensification." Mining capital geared to export markets fought for cheap labor policies and low cost imports whereas domestic agriculture and manufacturing aimed to develop through import substitution, relying on protective legislation and the expansion of the internal market if necessary through boosting Black incomes. Agriculture and manufacturing developed at the expense of super-profits of the gold mining industry. It is only recently that these struggles have abated with the interweaving of national, international and state capital. Equally struggles between white labor and mining capital over the use of cheap Black labor were at their most bitter in the first period. In other words, if state autonomy is to be regarded as the product of an equilibrium of class forces then we would expect the very opposite of Greenberg's claim: autonomy in the first period and instrumentality in the second. Conceivably such a "class balance" argument could be rescued by restoring struggles of the various Black classes, explicitly excluded from Greenberg's framework.

But the problem runs deeper than giving a more complete account of class struggles. As I have tried to suggest at other points, concealed

beneath the lacunae in his historical analysis lie serious theoretical shortcomings. Like so many Marxist and non-Marxist theories of the state, Greenberg never directly deals with the state per se but infers attributes of the state through an account of its *effects*. This is a problem he shared with those who define the state in terms of its "functions"—legitimation and accumulation, administrative recommodification, preservation of the cohension of the entire social formation, mediation among competing interest groups, etc. There is no theory of how the state comes to perform those functions, produce those effects. We have no sense of the "production of politics," the organization of the state as an inter-related set of apparatuses with "labor processes" of their own which (re)produce relations rather than commodities.

Instead the state is viewed either as an instrument of one or more dominant classes or as an "autonomous" organization with a logic of its own. In both perspectives the state is constituted as a monolith and the important struggles take place outside its institutional boundaries. Within these schema those sensitive to the problems of explaining how it is that the state does what it does either suggests that the "ruling class" possesses an enlightened class consciousness which it impresses on state managers, *or* contrariwise state managers, whose own interests can be realized only after the realization of the interests of capitalists, represent and enforce the needs of collective capital. Skocpol takes this position of Block (1977) and Lindblom (1977) even further in her insistence on an autonomy of the state based on state-building itself as the rasion d'etre of state managers. Within the newly formed Soviet state the struggle between Stalin and the Left Opposition is mentioned only in passing as if its outcome were predetermined by the conjuncture of international forces and the legacy of revolutionary upheaval.

In all these approaches to the state—instrumental, relative autonomy and organizational autonomy—what happens has to happen. There is no attempt to approach the indeterminacy of state interventions by recognizing that the state, too, is an arena of consequential struggle—both between apparatuses and within apparatuses. It follows, then, that autonomy and instrumentality are not some pregiven conditions of "the state" but the product of struggles within the state. Furthermore, the mode through which classes and class fractions make their presence felt in the state arena is itself shaped by the state and becomes the object of struggle.

To return to Greenberg: he reduces the distinctiveness of the South African state to the effects it produces, not the process of production of those effects. When those effects do not accord with the interests of his three class actors then he postulates the state as an autonomous actor

with its own interests. From being an object the state becomes a subject, the one perspective is a mere inversion of the other. We must escape the subject-object conceptualization and begin to develop a notion of the state as a specific state of relations, as an articulated system of apparatuses and as an arena of struggles. As Poulantzas (1978) has suggested the counterpart to struggles for state power inside as well as outside the state is the materialization of power in apparatuses outside as well as inside the state. Moreover the relationship between the two sets of struggles is shaped by the relations among the corresponding sets of apparatuses. From the production of politics we must return to the politics of production (Burawoy, 1981b).

The Specificity of South Africa

The virtue of Greenberg's comparative analysis, which includes partial studies of Alabama, Northern Ireland and Israel, lies in the refutation of South Africa as a deviant case. In each country, Greenberg claims, the rise and fall of class interests in the racial order is compensated by a growing state interest in the racial order. Naturally, the criticisms I earlier levelled at the analysis of South Africa—the conception of class, of class interests, of the racial order and of the state —apply equally to the other case studies. Just as his analysis of South Africn fails to delineate the succession different racial orders (they are merely more or less intense) so his comparisons stress similarities instead of distinguishing among the racial orders. And it is precisely here that a certain theoretical looseness necessarily enters. Despite their "plural" character South Africa, Alabama, Israel and Northern Ireland are fundamentally different societies at various stages of economic and political development, with varying social structures and linked into the world system in diverse ways. What they share must be so general as to be almost tautologous. Therefore, insofar as Greenberg insists on a single development scheme which embraces all four societies so it must necessarily be vague and ill-defined—hence such descriptive labelling of periods ("intensification" versus "relaxation"), opposing conceptions of state intervention ("instrumental" versus "autonomous"), etc.

Given his objective of exploring the class forces behind racial orders, it is surprising that Greenberg makes no attempt to show how different balances of class forces lead to different racial orders. Such an agenda is hinted at only in the conclusion to the present work—a plan for the next book rather than a program of this one.

> Racial domination, it should also be apparent from the reconstruction, is essentially a class phenomenon. By understanding the developing class relations in these settings, we can understand much of the specificity and the dynamic in developing race relations. Racial domination is not an amorphous, all encompassing relationship between groups distinguished by physical characteristics but, for the most part, a *series of specific class relations that vary by place and over time and that change as a consequence of changing material conditions*. South African race relations, for example, can be characterized generally by the subordination of the African majority and the dominance of the Europeans or, alternatively, by a range of class specific policies, such as mining compounds, land alienation, native reserves, pass laws, labor bureaus, influx control, migrant labor and job reservations. Each should be understood in the context of the class actors and alignments that urged it on the state. Even the evolution of elaborate ideological constructions, like apartheid, should be considered in light of the class actors who demanded the destruction of African peasant agriculture, control over African proletarianization, and protection for European workers (Greenberg, 1980, p. 406, italics added).

To be sure this is a major advance on his earlier formulations of racial domination (pp. 103, and 105 of this paper) but so long as he has no theory of capitalism and its dynamics then he can only catalogue "the series of specific class relations that vary by place and over time and that change as a consequence of material conditions." Whereas Greenberg is content to identify the diverse class relations underlying the racial order, Marxists such as Wolpe. Legassick and Davies, insist on moving a step further by embedding their analysis in a *theory* of the reproduction of those relations, that is a theory of their interconnection and of their dynamics.

An alternative strategy for highlighting the significance of the racial order in the context of capitalist development would be to compare South Africa with a country, such as Brazil, similarly placed in the world economic system, at a similar level of development but without an elaborated racial order. Is apartheid one expression of a repressive regime, one mode of state corporatism which reflects the exigencies of the late dependent development? Following the scheme of Cardoso and Faletto we can begin to see broad parallels between the phases of development in South Africa and those in Latin America.

Cardoso and Faletto (1979) examine "external domination in situations of national dependency" in Latin America as "the internalization of external interests" (p. xiv).

> . . . the system of domination reappears as an "internal" force, through the social practices of local groups and classes which try to enforce foreign interests, not precisely because they are foreign, but because they may coincide with the values and interests that these groups pretend are their own (Cardoso and Faletto, 1979, p. xiv).

Thus, the social and political structures of Latin American societies are seen to be shaped by the interaction of internal and external forces. With the beginning of capital export from Britain, the construction of

infrastructure in particular railroads and the search for raw materials in the middle of the nineteenth century Latin America entered a period of "outward expansion" which lasted until the end of World War One. This was followed by a period of "transition." New social groups which had grown up alongside, auxiliary to the export sector and in large part associated with the expansion of the state, began to push for industrial expansion and diversification. After World War Two newly proletarianized sectors generated new national populist pressures from below which wre translated into extensive import substitution based on an expanding domestic market. After the first easy phase of import substitution had been completed political crises signalled that further development depended on either a strategy of self-reliance and socialist revolution or increased participation by large scale foreign capital. Where the latter path was chosed international capital has in fact fostered a limited "dependent development," resting on the internationalization of the internal market and the systematic repression of subordinate classes. In this last phase national, international and state capital forge what Evans (1979) calls a "triple alliance."

A similar sequence of developmental phases can be sketched out for South Africa: an initial period in which political relations among social classes reflected the dominance of an export enclave economy largely based on gold mining. A second phase sprung fom the growth of new classes, in particular the proletarianized Afrikaner farmers, who secured protected positions in state bureaucracies and corporations, and a rising manufacturing class. A third phase of Afrikaner nationalism pushes the developmental process forward with extensive import substitution, state protected industries and expanding sector of parastatal corporations. In the last twenty years, instigated by growing African resistance and triggered by Sharpeville, the South African state orchestrated closer ties between national and international capital while at the same time intensifying repression of the Black working classes and expanding consumerism among all the white classes. More recently we notice attempts, similar to those in Brazil, to begin to "incorporate" sections of the urbanized Black proletariat. One also notes the ominous growth in the political strength and presence of the South African military—militarism without a military coup.

Although this dependency model of Cardoso and Faletto is descriptive and takes for granted shifts in the metropolitan economies as well as their transmission to peripheral societies, nevertheless the parallels are striking. On the one hand they reinforce Greenberg's focus on the established semi-feudal Afrikaner landed class as central to South African development, indeed distinguishing South Africa from other African social formations. On the other hand they also suggest that location in the world economic, and indeed political, system is critical

to the understanding of the relationship between state and civil society. Furthermore, the racial order of South Africa becomes one particular system of class relations, one particular mode of internalizing external relations under conditions of dependent late development. The specification of that mode, that particular social formation can most logically proceed through comparisons with such countries as Brazil, Argentina and Mexico, and not with disparate racial orders. This is not to say that race is either superficial or epiphenomenal but that it can assume central importance in diverse societies with diverse signification.

The South African Revolution in Comparative Perspective

I began by saying that *Race and State in Capitalist Development* is a landmark book. It is now clear why. We need never turn back. Greenberg has set us firmly on the path forward, to specify the class relations racism shapes, expresses and conceals, to specify the class forces behind the elements of each racial order, and to specify the role of the state in reproducing or transforming the articulation of the constituent elements of a racial order in the context of a particular world economic system. In short, Greenberg inadvertently demonstrates that there cannot be a *theory* of racial orders, only of capitalist relations.

But Greenberg points us in another direction too. If we are to grasp the future of South Africa we cannot rest content to reduce race to class, to explain race away as an expression of underlying economic relations. That expression has a reality of its own, it is a powerful lived experience that shapes struggles, that makes revolution in the prospect of tomorrow. Racism has a real basis not only in the relations of production but outside them in the realms of politics and ideology. We have to follow Greenberg's concluding prescription: to investigate the political as such. This is precisely Theda Skocpol's point of departure. What relevance, then, is her analysis of the great revolutions of France, Russia and China to social revolutions in the contemporary world, in particular South Africa?

> Limits are thus placed on the generalizability of the specific causal patterns identified for France, Russia and China because other social revolutions have occurred (most more recently) in countries with significantly different political histories located in more dependent international positions. Additional, still more fundamental limits on the generalizability of the classic social-revolutionary patterns can be traced to historical transformations, relevant on an international scale, in the forms and bases of state power (Skocpol, 1979, p. 289).

Just as Greenberg's conclusion hastily revises his theory of the class basis of *racial orders* to fit the contemporary reality, so Skocpol pushes aside much of her careful analysis of failed and successful *social revolutions* in order to account for "modern" revolutions. All we are left with is a methodological prescription: ". . . a focus on the nexes of state/state, state/economy, and state/class relationships remains useful for deciphering the logic of social-revolutionary causes and outcomes, from France in the 1790s to Vietnam, Angola, and Ethiopia in the 1970s" (Skocpol, 1979, p. 292). Instead of *theorizing* the distinctiveness of modern revolutions she is prepared to dislocate past and present by *labelling* the one as the era of classical revolutions and the other the era of modern revolutions. She jettisons her comparative historical analysis too easily. The problem is akin to Greenberg's unwillingness to *theorize* the changing role of the state from object of manipulation to autonomous subject—the anomalies of the present are treated as *deviations* from the past.

How can we bridge Skocpol's analysis of classical revolutions to the contemporary period? How might she have historicized her treatment so as to make it relevant to the present, and in particular South Africa? Here she could have drawn on the wealth of comparative historical analysis of revolutions within Marxism—the same Marxism she castigates for its "voluntarism," "economic reductionism" and for ignoring international relations. But perhaps we have to commit one or another of these sins in order to elucidate the specificity of the "modern revolution?"

It is surprising, for example, that Skocpol never confronts such an experienced executor of comparative historical analysis as Leon Trotsky. As early as 1906, in his *Results and Prospects,* Trotsky highlights the similarities and differences between the French and "failed" German revolutions to anticipate, with uncanny accuracy, the unfolding of the Russian revolution. His account of 1917, elaborated in *The History of the Russian Revolution,* is almost identical to Skocpol's: the strains of World War I, the weakness of the landed classes, subordination to foreign capital, the parasitic nature of the Czarist state stifling the very development which was its life-blood, and agrarian backwardness all combined with peasant war to precipitate the revolution. Furthermore, Trotsky's discussion of the "Soviet Thermidor" in *The Revolution Betrayed* bears a close resemblance to Skocpol's comparative historical analysis of post-revolutionary periods. Both stress the problem of state building and economic development in a backward country surrounded by hostile nations and a resistant peasantry, although Trotsky's discussion of struggles permits a certain indeterminacy of outcome precluded by Skocpol's "structural" approach.

Skocpol parts company with Trotsky in her search for the *common* ingredients of all three revolutions.

Peasant revolts against landlords were a necessary ingredient in all three Revolutions, whereas successful revolts by urban workers were not. Thus, for the explanatory purposes at hand, attention to the conditions for and against peasant insurrections is far more important than a focus, however more customary, upon the urban revolts (Skocpol, 1979, p. 113).

By contrast Trotsky insists:

History does not repeat itself. However much one may compare the Russian Revolution with the Great French Revolution, the former cannot be transformed into a repetition of the later (Trotsky, 1969 [1906], p. 52).

The passing of the nineteenth century was not in vain.

In order to realise the Soviet state, there was required a drawing together and mutual penetration of two factors belonging to completely different historic species: a peasant war—that is, a movement characteristic of the dawn of bourgeois development—and a proletarian insurrection, the movement signalizing its decline. That is the essence of 1917 (Trotsky, 1977 [1932], p. 72).

This is obviously not the place to discuss Trotsky's comparisons of the French, Russian and "failed" German revolutions. Suffice to say that the critical factor becomes the changing balance of class forces occasioned by the combined and uneven deelopment of capitalism on a world scale, precisely the factor that Skocpol deliberately omits and precisely the factor that carries Trotsky easily, much *too* easily, into the twentieth century armed with a theory of revolutions drawn from and continuous with his analysis of the nineteenth century.

His views are of particular relevance to South Africa where the peasantry has been all but destroyed and the African reserves have become dumping grounds for "superfluous appendages"—labor reservoirs for the unemployed and the unemployable. They help us consider the possibility of a revolution without peasant wars. They draw attention to the specificity of the class composition of the South African nationalist revolution, viz. its overwhelmingly proletarian character, contrasting it with the earlier African liberation movements which were heavily shaped by petty bourgeois interests (including clerks, teachers, ministers, lowly civil servants, traders and sometimes peasantry). Thus, by virtue of the unique combination of an elaborate colonial political structure and an advanced capitalist economy South Africa may be the scene of the first proletarian revolution. It is difficult to contemplate such a revolution, violent and ugly as it would have to be, nevertheless it might not unleash the same extensive state bureaucracies required to stem and coopt the peasant resistance of the classical revolutions. Moreover, the greater development of the forces of production might conceivably permit a movement towards some form of proletarian democracy. Obviously the international context of the revolution would critically shape its outcome.

If Trotsky permits a loosening of Skocpol's untheorized dichotomy—classical/modern revolutions—there is a danger that the entire distinction be swallowed up in an exclusive reliance on the balance of class forces as *the* index of revolutionary processes. This would be very misleading. It ignores those two factors, so central to Skocpol's analysis, viz. the form of state and international forces. Yet as we have seen she never theorizes the distinctiveness of these factors in the modern era. For all her insistence on treating the state as an organization she has no theory of the capitalist state that would enable her to build a bridge from the past to the present. Here she might have drawn on the work of Antonio Gramsci but only at the expense of her *bête noire*—voluntarism.

Skocpol would undoubtedly agree with Gramsci's assessment of Trotsky as "theorist of frontal attack in a period in which it only leads to defeats" (1971, p. 238). Presumably, she would endorse Gramsci's distinction between classical and modern revolutions. Where they would differ is over the characterization of that distinction. She would also approve of Gramsci's methodology—a comparative historical analysis at least as sophisticated as her own—which draws out the similarities and differences between revolutions in "East" and "West" and within the West between the successful French revolution and the failed revolutions of Germany and particularly Italy. But they would differ over objectives. The purpose of Gramsci's complex historical analysis was to elucidate the precise character of the "modern revolution" and the transition to socialism in advanced capitalist societies and *not* simply the factors shared by the classical revolutions.

For Gramsci the 1870s mark the end of a period in which the state can be confronted directly through "war of movement." New structures of civil society emerge to surround the state, as trenches around a fortress, making it less vulnerable to frontal assault. Revolutionary strategy has to shift from war of movement to war of position.

> Political concept of the so-called "Permanent Revolution," which emerged before 1848 as a scientifically evolved expression of the Jacobin experience from 1789 to Thermidor. The formula belongs to an historical period in which the great mass of political parties and the great economic trade unions did not exist, and society was still, so to speak, in a state of fluidity from many points of view: greater backwardness of the countryside, and almost complete monopoly of political and State power by a few cities or even by a single one (Paris in the case of France); a relatively rudimentary State apparatus, and greater autonomy of civil society from State activity; a specific system of military forces and of national armed services; greater autonomy of the national economies from the economic relations of the world market, etc. In the period after 1870, with the colonial expansion of Europe, all these elements change: the internal and international organisational relations of the State become more complex and massive, and the Forty-Eightest formula of the "Permanent Revolution" is expanded and transcended in political science by the formula of "civil hegemony." The same thing happens in the art of politics as happens in military art: war of movement increasingly becomes war of position, and it can be said that a State will win a war in so far as it prepares for it minutely and technically in peacetime. The massive structures of the modern democracies, both as State organisations, and as complexes of associations in civil society, constitute for the art of politics as it were the "trenches" and the permanent fortifications of the front in the war of position: they render merely "partial" the element of movement which before used to be "the whole" of war, etc. [Gramsci, 1971, p. 243].

Gramsci, here and throughout the notebooks, goes beyond the notion of the state as an organization to examine its institutions and their interrelationships. His account of the classical revolutions is quite compatible with Skocpol's repudiation of consensual images of society —there indeed "the state was everything, civil society was primordial and gelatinous"—but in the modern period, in the "West," "there was a proper relation between the State and civil society, and when the State trembled a sturdy structure of civil society was at once revealed" (Gramsci, 1971, p. 238). In short, Skocpol's "structural" analysis is not supra-historical but has to be relativized. It is indeed specific to the era of classical revolutions.

How does all this help us understand South Africa? Which formula applies: Permanent Revolution or civil hegemony? Skocpol seems to be in no doubt:

> Yet, surely, any such consensual and voluntaristic conceptions of societal order and disruption or change are quite naive. They are belied in the most obvious fashion by the prolonged survival of such blatantly repressive domestically illegitimate regimes as the South African (Skocpol, 1979, p. 16).

But this is a much too simplistic account of South Africa. Anthropological studies, novels, analyses of the history of resistance movements, of the role of the Church point out time and time again the stranglehold of the myth of white supremacy. Indeed, the Black Consciousness Movement, as reflected, for example, in the writings of Steve Biko, saw its primary task in breaking down the consent that followed from generations of degradation and demoralization on the one side and from the daily compulsion to manipulate the system of repessive laws on the other. Moreover, as I suggested earlier, significant strata of the South African Black population do have interests very much tied into the apartheid regime, particularly in the absence of an effective resistance movement.

Greenberg himself refers to a "crisis of hegemony," originating in a growing rift between the dominant white classes and the state: the

former seeking to replace "the exercise of coercive force alone" with "ethical-political hegemony in civil society." "The bourgeoise hoped the state would forsake its racial character and emerge as an 'educator,' reflecting a seeming moral consensus and helping legitimize class relations" (Greenberg, 1980, p. 400). But what is this "traditional racial hegemony?" To what extent does it involve a "spontaneous" consent "given by the great masses of the population to the general direction imposed on social life by the dominant fundamental group; this consent is 'historically' caused by the prestige (and consequent confidence) which the dominant group enjoys because of its position and function in the world of production" (Gramsci, 1971, p. 12)? Or is Greenberg using hegemony very loosely here to designate any form of domination rather than the strict use of Gramsci: hegemony in civil society/domination in the state?

However, the point is clear: certain leading forces in South Africa are, belatedly, trying to catch up with history and to create from above the institutions which elsewhere were won from below. We can see this in a wide range of pseudo-concessions, from the recent constitutional reforms to the fostering of limited Black trade unions. But there are a few signs that such corporatist policies are eliciting the active cooperation of Black leaders in the production of a new racial order. Perhaps more significant is the question of whether such reforms are developing schisms within the dominant classes of South Africa or between those classes and the state. For only under such circumstances might the seemingly limitless repression of the South African military machine appear indecisive. Only under such circumstances might the "inevitability," "naturalness" of white supremacy be undermined and "common sense" liberated from the dead-weight of "tradition." Thus, it is important to distinguish between hegemony organized within the dominant classes—the constitution of the power bloc—and hegemony exercised by the power bloc through the state and civil society over the subordinate classes. The form of state autonomy can be seen as reflecting and shaping these two hegemonies and their inter-relations. Moreover, the development of an "organic crisis" turns on the relationship between the failure of hegemony in the power bloc to its failure in the wider society. It was in such terms that Gramsci was able to dissect the revolutionary ruptures in France and Russian as well as their absence in Italy.

But there can be no doubt that such organic crises are precipitated by transnational forces, all the more so for "semi-peripheral" societies. The soaring price of gold and the Lisbon Coup, both shaped by events in the West, transformed the political and economic context of the South African revolution in the 1970s. Skocpol is undoubtedly correct: revolutions are not made—they happen. But outcomes, at least in the

modern era, are shaped by the balance of class forces and the organization of consent as well as by state/state, state/economy and state/class relations.

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Apropos Mitterrand: State Power, Class Coalitions and Electoral Politics in Postwar France*

Jonas Pontusson

The resounding electoral victories of Thatcher and Reagan have left progressive forces with the sense of fighting an uphill battle. An ideological struggle has been lost, without any decisive confrontation, and the Left appears to have conceded the 1980s as the decade of the "new conservatism" in the advanced capitalist countries. The victory of François Mitterrand in the French presidential elections of May 10, 1981, is a most welcome opportunity to retrieve this rather hasty concession, for it promises to alter the political landscape of Europe in a more significant way than anything that has happened since the assumption of government roles by the British Labor Party and the German Social Democratic Party in the mid-1960s. The continuing crisis of the French economy imposes limits on the reformist potential of the Mitterrand presidency, but also opens the possibility of a reformist experience with more radical implications.

The present euphoria of the French Left follows on a presidential election campaign that was perceived as a rather dull re-run of the contest in 1974, with the added dimension of a communist candidate in the first round and intense acrimony between the two Left parties. In such circumstances, hardly anybody dared to predict a Left victory. Yet the Right was also deeply divided. By deflecting anti-communist propaganda, the divisions within the Left and the "historic defeat" of the Communist Party on the first ballot actually facilitated Mitterrand's victory. Ironically, a profoundly disunited Left succeeded where more than fifteen years of efforts to create a unified challenge to the

* Thanks to Tony Daley, Jeff Lustig and Brian Murphy for their critical comments and editorial help.

regime of the Fifth Republic had failed. Not only did Mitterrand win; he did so by a margin of over one million votes, which is more than twice the margin by which he was defeated in 1974. This breakthrough at the national level marks the culmination of a steady electoral growth of the oppositional forces since the mid-1960s, indicated by Mitterrand's successive scores as the presidential candidate of the Left: 45.5% in 1965, 49.2% in 1974, and 51.8% in 1981.

The trend which these figures represent has been accelerated by Mitterrand's victory, and the combined Left gained 55.7% of the vote on the first ballot of the legislative elections, an unprecedented score in the history of the European Left, which makes a parliamentary majority of the Left virtually certain. The first-ballot results also accentuated the growing electoral imbalance between socialists and communists. Indeed, the spectacular advance of the Socialist Party (polling 37.5% of the vote) introduces the possibility of a socialist government that would not depend on communist support in parliament. Yet much still depends on the outcome of the second ballot on June 21 (especially in view of the very low turnout for the first ballot). Recent events have restored some of the momentum of Left unity, and the inclusion of a few communist ministers in the new government is still very possible. There are too many contingencies to make absolute predictions about the composition of that government and the political course of the Mitterrand presidency. Instead, I propose to sketch, in very broad outlines, the political dynamics of class struggle and the distinctive features of the State in postwar France. This will help us understand Mitterrand's victory and provide a context in which to evaluate its long-term significance.

The State and the Political Exclusion of Labor

The significance of Mitterrand's victory can only be fully appreciated in terms of the political character of capitalist development in postwar France. By virtue of its interventionist posture and the dominant role of the executive, the French State has frequently been seen as exemplary of the functions and structures of advanced capitalist states in general. But on closer examination, the French case stands out as rather unique. Above all, it is unique in that the expansion of the State has not been accompanied by any systematic integration of the organizations representative of the working class into the machinery of state-policy making. Despite a long-standing corporatist tradition in relations between the State and societal interests such as agriculture, commerce and industry, organized labor has come to stand in a distant and almost exclusively adversarial relationship to the centralized state apparatus.

The political exclusion or marginalization of the working class is a phenomenon with deep roots in the history of French capitalism. The working class movement has previously held a central position in the political system only very briefly, and then under rather extraordinary circumstances, during the Popular Front (1936–37) and the period between the Liberation and the Cold War (1944–47). These are the experiences which the Left still invokes as reference points in discussions of the "French road to socialism." In both cases, the dominant role of the working class rested on the precarious basis of Left unity and Right fragmentation, and proved most vulnerable to the turn of political events. The reforms implemented by the Left in the latter of these periods—nationalizations, planning, and state control of credit through the financial system—were of crucial importance to the subsequent role of the State as promoter of the expansion and rationalization of the economy. Yet they failed to institutionalize working class positions of power.

The Fourth Republic (1946–58) provides the only experience in which elements of the working class movement have been integrated into government politics and positions in the State for a considerable period of time. But not only were these elements assigned a clearly subordinate position, the integration was also highly circumscribed. First, it took place primarily at the level of the party system, and second, it split the working class movement by integrating its socialist elements, while excluding its communist elements. These two limits were closely related, for the Communist Party by 1950 had established firm control of the General Confederation of Labor (CGT), representing the bulk of organized workers. In the end, the integration that occurred under the Fourth Republic was primarily an integration of the Socialist Party, and its net effect was to sever many of the party's traditional ties to the working class.

The exclusion of labor has been particularly important since the establishment of the Fifth Republic because it has been accompanied by the formation of a cohesive and insulated elite stratum within the state bureaucracy. In the absence of corporatist bargaining over state policies among the representatives of producer groups, bureaucratic elites have come to wield a great deal of independent initiative and assumed a key role in the formulation and implementation of policy. With a distinctive technocratic orientation, the bureaucrats in the core state agencies have consistently sought to bypass pressure group politics by dealing directly with big corporations on a one-to-one basis.

The autonomy and purposiveness of state action should not, however, be exaggerated. State interventionism has been shaped and constrained by the structural characteristics of the capitalist economy, and also by political exigencies emanating from the composition of the ruling class coalition. Furthermore, the regulatory agencies of the

Ministry of Industry have, much as in the U.S., frequently been captured by the sectoral business interests that they were supposed to regulate, and trade associations have retained an important mediating role at this level. The capacity of the State to intervene selectively in favor of particular firms or sectors derives primarily from those core agencies, linked to the Treasury, which have an inter-sectoral sphere of competence.

The French State has assumed many of the welfare functions characteristic of all advanced capitalist states. The reforms of the immediate postwar period set up a social security system in which the unions were assigned a major administrative role, but this role was drastically reduced as the system was reorganized in the 1960s. Moreover, the regressive character of taxation has eliminated any redistributive effects that the welfare functions of the State may potentially have had. Along with a heavy reliance on indirect taxes, extensive write-offs and loopholes make much of the income from share-holding and self-employment virtually tax exempt.

With the exception of a brief and unsuccessful attempt at a public sector incomes policy in 1970–72, no government of the Fifth Republic has ever sought to involve the unions in an ongoing process of bargaining or consultation. Industrial relations legislation has been massively biased against labor, notably in the area of the workplace rights of unions. And in cases of conflict, repressive force has frequently been used to enforce management prerogatives. Such policies have been successful in restricting the power of the working class movement. The level of unionization has ranged between 20% and 25% since the mid-1960s, figures which are comparable to those of the U.S. and significantly lower than those of most Western European countries. This weakness of labor's marketplace position also reflects the ideological-political cleavages of the trade-union movement and the importance of the secondary sector, relying heavily on temporary foreign workers for manpower.

There is a rather obvious explanation for the traditional exclusion of labor from the French political system. With the exception of a few extraordinary conjunctures, it has never been necessary to confront the problem of integrating a politically radical working class movement in order to create the coalitional basis of a (relatively) stable bourgeois-democratic regime. This has most clearly been the case in the Fifth Republic. The Socialist Party lent its support to the government formed by de Gaulle to avert a military coup in 1958, but withdrew from the governmental majority within less than a year. Since then, no governmental majority of the Fifth Republic has depended on or received the support of any working class organization (though many workers have of course voted for the Right).

One reason for the stability of labor-exclusive politics is the biases

against the Left built into the electoral system of the Fifth Republic. With one candidate per district and run-off elections in districts where no candidate gained a majority on the first ballot, this winner-take-all system was designed with two objectives in mind: to benefit the dominant party of the Right and to marginalize the Communist Party. The new electoral rules had a devastating effect on the representation of the communist electorate in 1958: with 18.9% of the popular vote, the party received only 10 out of 488 parliamentary seats (having previously held 150 out of 546 seats on the basis of a 25.5% vote in the 1956 elections). Electoral agreements amongst the parties of the Left have subsequently offset much of this disadvantage, but the system still discourages people from voting for the opposition in areas where its chances of success are slim. Moreover, the Right draws much of its electoral strength from rural areas, and these areas are over-represented in parliament by virtue of the apportioning of electoral districts. In the 1978 elections, for example, the Left parties combined polled 49.2% of the popular vote, but received only 40.5% of the seats in parliament.

The rules of the electoral game serve to magnify a slim majority of the Right, but once the Left passes a certain threshold (around 51–52%), its dominance is in turn accentuated. As the dominant party of the Left, the socialists—much like the Gaullists before them—stand to gain almost all the rewards of the skewed allocation of parliamentary seats, and may indeed gain a large majority of their own in the new parliament. Yet the socialists have long been opposed to the existing system of parliamentary representation, and would be hard put to justify the exclusion of their communist alliance partners from some form of government participation.

In the end, the electoral system is a reflection rather than a cause of the political balance of class forces that has prevailed under the Fifth Republic, and Mitterrand's electoral victory must be located in the context of changes in the configuration of class coalitions. Such changes essentially stem from two sources: the postwar evolution of French class structure and the impact of the economic crisis of the 1970s. The following two sections will consider how these changes have affected the Right and the Left respectively.

The Ruling Class Coalition and the Right

From the point of view of class analysis, the traditional weakness and political exclusion of the working class movement can be seen as a product of the lateness and unevenness of the capitalist transformation of France. The position of labor has been closely linked to the survival

of the peasantry and the urban petty bourgeoisie. As late as 1954, 26.7% of the economically active population was still engaged in agriculture. These traditional strata have provided a mass base of conservative coalitions, making the political exclusion of labor not only possible, but indeed necessary. Moreover, the boundary between the petty bourgeoisie and the bourgeoisie proper has been obscured by the continued economic and political importance of small and medium-sized capital. Small businesses and paternalistic management-labor relations have long constituted a major obstacle to the unionization of the working class, and this in turn points to another structural feature: the continued existence of a sizeable segment of the working class which has not been integrated into the organizational life of the working class movement. This segment has traditionally been under the ideological sway of the Catholic Church, and has provided yet another mass electoral base of Center-Right parties.

The institutional reforms introduced by the Left-dominated governments of the immediate postwar period linked the State to those sectors of the economy characterized by the use of advanced technology, a potential for international competitiveness, and high degrees of corporate concentration. Some of the political obstacles to the transformation of the economy were thus removed, and the balance of forces within the ruling class coalition shifted in favor of the "modernizers." The subsequent process of capitalist development was stimulated by the transfer of resources from agriculture to industry, the expansion of domestic consumption, and the opening of European-wide markets. Along with the problem of decolonialization, the dislocations that this process entailed and the resistance of the traditional strata brought about the collapse of the parliamentary regime of the Fourth Republic and the rise of the presidential regime of the Fifth. As a political movement, Gaullism represented a traditionalist-conservative constituency, while the economic and social policies of the Gaullist regime were designed to promote the interests of the most advanced sectors of capital.

The traditional strata were, in effect, politically trapped within the Gaullist coalition. They were partly deceived, but also bought off. At the same time as state control of the financial system was used to channel capital into export-oriented sectors, small business and agriculture continued to be cushioned against market pressures through protection against foreign competition, price controls, and direct subsidies. Much of this subsidization of the traditional strata for political purposes has been paid for by the working class through inflated prices on popular consumption (food items in particular).

Sustained economic growth, de Gaulle's personal charisma, and the insulation of the core of the state apparatus from the pressures of party

politics and interest group lobbying made it possible to hold together the contradictory social forces that provided the coalitional basis of the Gaullist regime. The magic of de Gaulle's appeal and the legitimacy of the technocratic State were both dealt a serious blow by the popular uprising of May, 1968, and it is at this level that the May events have had their most enduring impact. Turning a referendum proposal into a vote of confidence, de Gaulle was defeated and forced to resign in 1969. But at the same time, the spectre of social revolution raised by the May events had the immediate effect of consolidating the coalitional basis of the Gaullist regime, and the Right scored one of its most impressive electoral victories only weeks after it had seemed as if the regime was about to crumble. The presidential succession from de Gaulle to Pompidou was thus secured.

Pompidou's death precipitated a leadership struggle within the Right, which resulted in the Gaullist party losing control of the presidency to Valery Giscard d'Estaing, leader of the junior-partner party of the coalition. The significance of Giscard's election victory of 1974 lay partly in the demise of a dominant mass party capable of providing political coherence to the various apparatuses of the State and ensuring their subordination to the executive. Giscard's political support rested on a loose electoral-parliamentary coalition without any organized mass base, and his party was never able to dislodge fully the Gaullist party from its entrenched positions in the bureaucracy. Instead, competition between the two parties of the Right has served to politicize bureaucratic conflicts, stemming from the division of labor between "interventionist" and "protectionist" state apparatuses.

The relations between the two parties of the Right have deteriorated steadily since Giscard forced Jacques Chirac, the new Gaullist leader, to resign his position as prime minister in 1976, and appointed Raymond Barre, an economist without party affiliation, to replace him. Chirac challenged and defeated Giscard's personally chosen candidate for mayor of Paris in the municipal elections of 1977. Having reassured himself a Right majority in the legislative elections of 1978, Giscard retaliated by including no Gaullists associated with Chirac in the new government. This strategy of marginalizing the majority of the Gaullist party worked very well in the short run, for the Gaullist parliamentarians had no option other than to support the government on key votes. But it backfired completely as Chirac opted to risk a Left victory in the presidential elections in order to regain control of the Right, attacking the president virulently throughout the campaign and then refusing him an official second-ballot endorsement by the Gaullist party.

There is, to be sure, a strong element of personal rivalry in this temporary collapse of Right unity (which is already being rebuilt

under Chirac's leadership). Yet the divisions of the Right also reflect the growing contradictions that have beset the ruling class coalition as a result of the economic crisis. The two requirements for the effective maintenance of this coalition, protection of traditional strata and economic growth through the expansion of the advanced sectors, have become increasingly incompatible in the 1970s. The productivity gains realized by shifting resources from agriculture to industry in the 1950s and 60s were sufficiently high that subsidizing the traditional sectors did not significantly slow down the growth process. In the 1970s, by contrast, economic growth has come to require shifting resources across industrial sectors, frequently to offset profit losses rather than to realize profits. The "internationalization" of the economy has made protection against foreign competition more difficult (and protectionist policies introduce the danger of retaliation against French export industries), while the inflationary consequences of subsidizing the traditional strata have proven disastrous for the economy as a whole.

The Barre government sought to resolve these contradictions by placing the burden of the crisis squarely on the shoulders of the working class. Its economic policies were designed to slow down inflation and restore profit margins by keeping wage increases consistently below price increases in both the public and private sectors, and promoting productivity increases by cutting back employment. Along with government aid and public contracts to private firms being tied to management firmness in resisting wage increases, rising unemployment has contributed to declining real wages. This offensive against the working class has provided an economic climate more conducive to competitive adjustments to changing world market conditions, but it has nevertheless been necessary for the government to confront more directly the problem of how to deal with the uncompetitive segments of the economy.

It is in this context that Barre's "liberalization" program should be understood. What this program has involved is primarily a change in the instruments and goals of state policy rather than a fundamental retreat from state interventionism. It may be characterized as a "Japanization" of French industrial policy. Whereas in the past, political or technological objectives (such as the need for an indigenous computer industry) were sometimes pursued with little regard to commercial viability, Barre's policies emphasized competitive criteria for state promotion of industry. The most perverse expression of this new emphasis is surely the export of arms gone wild in recent years. By relying on market mechanisms to force a restructuring of the economy, the Barre government also sought to relieve itself of responsibility for declining industries, and to depoliticize the entire process of industrial adjustment. This proved impossible. Government

policy was continuously constrained by the need to secure the political support of small business and traditional strata, and such constraints undermined its effectiveness. At the same time, the massive troubles of some segments of monopoly capital made new state interventions necessary. Most notably, the State was forced to bail-out the steel industry in 1978, assuming the major share of its capital. Hence the witticisms that French-style "liberalization" consists of decontrolling the price of bread while nationalizing the steel industry.

The rhetoric of liberalism can also be seen as an attempt to shore up the regime's support amongst the professional-managerial middle strata, whose importance relative to the traditional middle strata has increased greatly since the 1950s. Yet this "new middle class" is much more heterogeneous and much less a captive of the Right than the old one. As a result of the bipolarization of French politics and the growing strength of the Left in the 1970s, the regime became increasingly dependent on those very strata whose protection could no longer be reconciled with capitalist rationalization. The attempt to make the working class carry the burden of the crisis simply accentuated this dilemma by exposing the reality behind the façade of liberalism and consolidating the oppositional forces. Even though Chirac failed to present a coherent alternative to the government's recovery program, his campaign played on the fear of dislocation amongst the traditional elements of the ruling class coalition, and successfully tapped their growing resentment of policies which appeared to favor big business only. At the same time, Mitterand tapped the resentment amongst the new middle strata. The unity of the ruling class coalition thus collapsed under the pressures of economic crisis.

The Working Class Movement and the Left

It would only be a slight exaggeration to argue that there existed already in 1968 a social majority of the Left, and that it is the rigidity of the political system, including the Left parties, that has hitherto prevented that majority from assuming a political expression at the national level. A number of long-term socio-economic changes have contributed to the broadening of the social base of the Left. For one thing, the agricultural sector has been mechanized and the demographic importance of the rural population has declined drastically since the early 1950s. Only 10.8% of the economically active population in 1976 was engaged in agriculture. There is a farily clear correlatin between urbanization and the electoral growth of the Left, but the political significance of this demographic change must be understood in the evolving context of class struggle. It was by no means

automatic that urbanized peasants would look leftwards. Bringing with them traditional social values and perceiving factory work only as a temporary means of support, the massive influx of people from rural backgrounds into the industrial work force in the 1950s initially served to weaken the position of organized labor. This effect was accentuated by the impact of new technologies on production processes, particularly the deteriorating status of traditional skills that previously had been the major basis of union strength and an important source of leadership. Along with the expansion of the tertiary sector (both public and private), the transformation of production processes also generated new middle strata of white-collar wage and salary earners, who have increasingly displaced the traditional petty bourgeoisie as the key component of the middle class.

The expansion of these new middle strata was from the very beginning a contradictory process, in part because of the proletarianization of white-collar work. The growing involvement of "new workers"—former peasants as well as white-collar workers—in the labor conflicts of the 1960s provided an important impetus to the revitalization of the trade-union movement (and so did the student movement, though much more from a distance). The most important sign of this revitalization was political reorientation of the Catholic trade-union movement, which led to the creation of the French Democratic Confederation of Labor (CFDT) in 1964. In contrast to the anti-communism of other unions, the CFDT from the beginning pursued united actions with the communist-dominated CGT. The CFDT also challenged the dominant position of the CGT by unionizing "new workers" the CGT had neglected and by developing new forms of union practices, emphasizing militant workplace struggles and "qualitative" demands that challenged wage hierarchies and bureaucratic work organizations. CFDT membership increased steadily until the beginning of the economic crisis, and the appearance of this new competitor in turn forced the CGT to engage in more aggressive and innovative practices. While the rivalry between the two major confederations has frequently complicated the formation of a unified trade-union front, most notably since the breakdown of Left unity in 1978, it has also been a source of responsiveness to rank-and-file pressures.

Elements of the professional-managerial strata have also come to identify themselves with the Left. The one thing which most clearly distinguishes these elements from those which have rallied behind Giscard seems to be their overwhelming professional attachment to the public sector (state enterprise, administration and education). Such Left-leaning middle strata have provided not only an important electoral base of the revitalized Socialist Party, but also the principal recruitment source of its leadership. The socialists' long tradition of

municipal activism and urban machine politics—as opposed to the communists' emphasis on workplace organization—has facilitated the absorption of these new elements. There are very few workers in the socialist leadership, but the party's share of the working class vote has increased steadily during the 1970s, and CFDT members make up a large part of its working class electorate. By contrast, the Communist Party still draws its cadre primarily from the working class, but the party's membership and electorate have become increasingly heterogeneous.

The Gaullist regime provided the initial impetus towards Left unity. The new electoral rules severely penalized a divided opposition, and the *de facto* agreement between socialists and communists to withdraw in favor of better-placed candidates of the other party on the second ballot in the elections of 1962 marked the beginning of a conflictual process of partial unification of the Left. The progress towards Left unity was disrupted for several years by the events in France and Czechoslovakia in 1968, tensions between the two major parties reappeared following the failure of the presidential challenge of 1974, and the "Union of the Left" collapsed completely after the socialists and communists failed to reach an agreement on the updating of their common program in the fall of 1977 and then lost the elections of the following spring. A major source of the difficulties in the 1970s has been the fact that the alliance has consistently benefitted the socialists more than the communists in electoral terms. But the divisions within the Left of course have a long history. Ever since the historic split in 1920, relations between socialists and communists have been characterized by continuous shifts between the poles of unity and sectarian acrimony.

It must be emphasized, however, that the period since the early 1960s marks a significant change with respect to the past. For Left unity has been the persistent theme of this period. The sectarian cycles have been of a much shorter duration and have never entailed a complete breakdown of relations between the two parties. Indeed, the theme of Left unity has become deeply rooted in the activities and consciousness of trade-union and party militants of all persuasions (including the Far Left) over the last twenty years. The remarkable consistency with which communist voters supported Mitterand on the second ballot, and the enthusiasm with which his victory was greeted, show that the acrimony of 1978–81, despite the rhetoric of the communist ledership, did not really mark a return to the "class-against-class" politics of the early 1930s and the 1950s.

This is not to say that it will be easy to reestablish Left unity on a programmatic basis. The point is rather that there are constraints on how far the leaders of either party can stray from the theme of unity.

The Communist Party paid a heavy price for its sectarianism as Georges Marchais, the party leader, polled only 15.4% of the vote in the first round of the presidential elections. The communist vote recovered only very slightly in the first round of the legislative elections (16.2%). Compared to 20.5% in the elections to the European Parliament in 1979, Marchais's score represents the largest single drop in electoral support that the party has ever experienced, as well as the lowest vote that it has received in any postwar election. Still, the Communist Party retains its dominant role in the CGT, and will remain an important force within the Left. It should be remembered that the party also suffered a massive loss of voters in 1958, and did indeed recover from this crisis, even though it never fully regained its previous level of electoral support.

Much as in 1958, the loss of electoral support is a symptom rather than the cause of the present crisis of the Communist Party. Having precipitated the breakdown of the common program negotiations of 1977, the party leadership has failed miserably in its efforts to develop a coherent alternative to the electoralist strategy of the Union of the Left. Divisions between "eurocommunists" and "traditionalists" within the party apparatus yielded the adoption of a thoroughly inconsistent resolution at the 23rd Congress (1979). Precisely because a retreat to a complete isolation is no longer a viable option, attacking the socialists became necessary to hide the party's lack of a strategic orientation that could restore the momentum of Left unity on more satisfactory terms.

Closely related to this strategic equivocation has been the failure to develop new organizational practices in response to the changing nature of the communist movement. The communist rank-and-file and electorate are no longer insulated from the rest of society as they were during the Cold War, and strong oppositional sentiments have surfaced, particularly around the demand for internal democratization. Voting for Mitterrand rather than Marchais or simply abstaining were perceived by many communists as the only means to express their opposition to the party line. The stalemate within the party leadership prevents the involvement of the rank-and-file in any critical reassessment of past and present policies, but rank-and-file sentiments nevertheless circumscribe the leadership's room for political maneouvering in a more passive fashion. The ability of the Communist Party to regain some of the initiative lost to the socialists has increasingly come to depend on its ability to resolve this internal crisis.

In contrast to the Communist Party, the factional struggles of the Socialist Party are not kept secret. Yet the lines of division are often just as murky. There exist four basic tendencies organized around the key personalities and groupings that came together to reconstitute the

Socialist Party in 1971: the social democratic tendency originating in the old Socialist party, the tendency around Mitterrand, the tendency of Michel Rocard, most appropriately labeled "new leftist," and the left-wing tendency called CERES. The two principal issues of contention have been the party's relationship to the communists and the reform program to be pursued by a Left government. These issues are cross-cutting, and the lines of division can be indicated crudely in the following manner:

Left Alliance

Reform Program	less favorable	more favorable
radical	social democracy	Mitterrand
moderate	new left	left-wing

Various alliances have been formed over the last decade, and the only constant feature of internal party politics has been the central position of the Mitterrandist tendency in every majority. At the most recent party congress in 1979, a challenge to Mitterrand's position as party leader was defeated by reintegrating the left-wing into the party executive.

It could be argued that the present imbalance between communists and socialists will strengthen the more rightist and anti-communist elements of the Socialist Party. It is true that much of the party's recent electoral advance has been realized by winning over voters from the Right, who may well have voted for the socialists precisely in order to prevent communist participation in the government, but the socialists have also made inroads into the communist electorate. Mitterrand's position has been greatly strengthened by his victory in the presidential elections, and the weakness of the Communist Party is likely to facilitate Left unity on Mitterrand's terms as the communists have little choice but to attempt to regain strength by joining the bandwagon. The debate amongst socialists in the 1970s revolved around how rather than whether to relate to the communists, and rejecting the idea of a Left alliance altogether would place serious strains on the cohesion of the party. While its new role as the major government party is likely to alter the terms of debate, possibly resulting in a fundamental realignment of forces, the Socialist Party will no doubt continue to be subject to many different pulls.

It is important to recognize that Left unity is not simply a matter of relations between the two major Left parties. Unity at the party level has always depended on popular mobilization, and the disunity of the most recent period has been sustained by the demobilizing effects that

the protracted economic crisis has had on the working class. Rising unemployment has led to a rapid erosion of the marketplace power of organized labor, and the threat of lay-offs has discouraged militant workplace struggles. Acutely aware of their own weakness, both the major confederations responded to the crisis by concentrating their energies on mobilizing support for an electoral breakthrough of the Union of the Left, which at the time appeared very close. This political orientation in effect contributed to the decline of workplace militancy. At the same time, relations between the two confederations became increasingly politicized, and demoralization set in as the Left failed to gain power and Left unity collapsed. Since 1978, the CFDT has sought to shift its emphasis back to local struggles again, but has achieved only limited success in this regard. Union membership, and CGT membership in particular, is reported to have dropped drastically in the last few years.

The unions have been fighting a losing battle, and the struggle to redistribute the burden of the crisis has consequently remained centered in the electoral arena. In this sense, Mitterrand's victory marks a critical breakthrough which opens up a whole new cycle of working class struggle.

Conclusion: Towards Social Democracy?

It is of course conceivable that Mitterrand's victory will prove to be a freak, the inauguration of a brief reformist experience like those of the Popular Front and the immediate postwar period. The recovery program of the Left could fail, and a worsening of the economic situation —due to capital flight, declining private investment, etc.—might precipitate another reversal of government and opposition in the next elections. Yet the preceding analysis suggests that Mitterrand's victory reflects certain fundamental changes in the postwar period, and that the social base of the Left is broader and more stable than it was in those earlier periods of government participation.

The institutional framework of the Fifth Republic ensures that a Left government will be able to implement extensive reforms. While the Left does not intend to change the constitution of the Fifth Republic, it is committed to a whole range of reforms that could fundamentally alter the character of the political regime. A voting system based on multi-candidate districts and proportional representation of the electorate as a whole, strengthening the position of the Left parties, will almost certainly be introduced. The burden of taxation will be shifted away from wage and salary earners. The marketplace position of organized labor will be strengthened through industrial

relations legislation and nationalizations (nationalized industry being a traditional stronghold of union power), and the unions will be provided regular access to state policy-making. Finally, the interventionist capacities of the State will be extended through the nationalization of private banks and the revitalization of planning.

The actual scope of these reforms, the pace at which they will be implemented, and their long-term significance remain to be determined. These questions hinge not only on the final results of the June elections, but also on changes in the balance of class forces over a more extended period of time. Such changes are related to reforms as both cause and effect, and this relationship cannot be postulated *a priori*. From the point of view of the historical sketch presented above, some of the issues involved here may be posed in a more tentative fashion by asking whether Mitterrand's victory might be interpreted as France beginning a process of "catching up" with the advanced capitalist countries of Central and Northern Europe.

As I have tried to suggest, the difficulties that the Right experienced in dealing with the present economic crisis were exacerbated by political exigencies emanating from the composition of its coalitional base. The Mitterrand presidency could be seen as creating the conditions for the integration of the working class and the formation of an "objective" alliance between organized labor and monopoly capital at the expense of uncompetitive business and traditional strata, thereby allowing a new phase of capitalist rationalization to take place. Based on stimulating growth by increasing popular purchasing power, and in the first instance by raising the minimum wage, the recovery program of the Socialist Party (and that of the Communist Party as well) is clearly much more of a threat to small and medium-sized capital than to the advanced sectors of export-oriented capital. The same is true of the Left's plans to increase social security benefits, which are partly paid by employers.

It is, however, highly doubtful that France could replicate the social-democratic experiences of a previous era. The current crisis as well as the character of the working class movement and the State impose constraints on such a development. Let me briefly identify the most important of these constraints.

With respect to the economic situation, the exposure to international market forces introduces an important dilemma for the Left. Increasing domestic demand without creating severe pressures on the balance of trade will require increased levels of investment in industries producing mainly for the domestic market. According to the plans of the Left, public investment will be made available to these industries and the costs of social security reforms will fall disproportionately on big business. Such measures could seriously affect monopoly capital,

undermining its willingness to collaborate with the government. In addition, budgetary deficits are constrained by the need to contain inflation, and one wonders whether the principles of Keynesian demand management can work in France at a time when they appear increasingly ineffective everywhere else.

Many of the structural features of the working class movement that appear to have been crucial to social-democratic experiments in other countries simply are not present in France. The Socialist Party lacks the organizational ties to the trade-union movement characteristic of traditional social democracy, but has been more profoundly influenced by the resurgence of working class struggles and the intellectual radicalization in the 1960s. The party is more heterogeneous, and its politics are not based on a revisionist consensus. No matter how dominant in parliament, the Socialist Party will still have to contend for Left hegemony with the communists and other forces. The centrality of the problem of Left unity complicates the prospects of social democracy. If the socialists fail to achieve a working alliance with the communists, they will confront significant opposition within the working class movement, while a growing momentum for unity may push a Left government beyond the bounds of traditional social democracy.

The politicized and fragmented character of the trade-union movement undermines the possibility of corporatist integration. Organizing wage restraint so as to prevent an increase of the minimum wage triggering an upward shift of the entire wage structure may be facilitated by the present demobilization of the working class, which for the time being leaves the confederations with the initiative. The CGT and the CFDT have both declared their willingness to cooperate with a Left government, but the rivalry between them may make negotiations and the imposition of wage restraint rather difficult. In the long-run, moreover, the "social democratization" of France would require a massive unionization of the working class, which could add to such difficulties by generating new workplace struggles and thereby undermine the already limited capacity of the confederations to control the rank-and-file. It is doubtful whether the present economic situation allows for a sufficient margin of reforms to integrate the working class effectively.

The structures of the French State and its mode of policy-making also present obstacles to the integration of the working class. A Left government must either coopt or displace the bureaucratic elites occupying entrenched positions of power in the State. These elites are hardly indifferent to the political content of state policies. They are organized into professional corps which sustain corporate solidarity and also play an important role in the highly competitive promotional system of the bureaucracy. Attacking the prerogatives of the corps

would threaten the coherence of the State and the effective operation of its various administrative apparatuses. Most importantly, the central position of bureaucratic elites is closely related to the State's capacity to intervene selectively to promote the restructuring of capital.

Selective state interventions rather than indicative planning on the basis of elaborate econometric models was from the very beginning the key to state interventionism, and the "liberalization" of the late 1970s was anticipated by the retreat from planning in the late 1960s. Planning proved politically cumbersome by publicly exposing the close collaboration between big business and the State. The mechanisms of selective intervention are much less transparent as they involve informal bargaining between state bureaucrats and big business over very specific objectives, on the one hand, and complex financial operations whereby the State influences the allocation of credit, on the other. The entire system is premised on the exclusion of labor by virtue of the private and technical character of the decisions that are made, and it is precisely the fact that the pressures brought to bear on business emanate from within the bureaucracy rather than from popular forces that has made the process of state-business collaboration so successful. In this sense, it is impossible to separate the form of policy-making from the content of policy output, and quite false to assume that the Left can simply occupy the executive and wield interventionist instruments for its own purposes. Any real integration of organized labor into the policy-making process will require changes in the structures of the State, and such changes will be met by resistance within the bureaucracy as well as the business community. These two sources of opposition converge in those regulatory state apparatuses which have long been captured by sectoral interests.

Mitterrand's victory introduces political class struggle into the very core of the state apparatus. This is an arena where the working class is inherently at a disadvantage, and where its struggles will be fought primarily by reformist politicians and bureaucrats. In order to achieve even very limited objectives, however, a Left government must seek to mobilize popular support and to strengthen the economic and political position of labor. This may set in motion a dynamic of class struggle in which reforms take on more radical implications. Realignments within and between the parties of the Left as well as the trade-unions are vital to such a development, which is by no means the only possible outcome of the reformist experience that has just begun. Whatever the outcome, the French experience will provide important lessons for leftist forces in all the advanced capitalist countries.

June 19, 1981

The Political Economy of Environmentalism

Dudley J. Burton

Review of Andre Gorz, *Ecology as Politics,* translated by Patsy Vigderman and Jonathan Cloud, South End Press (Box 68, Astor Station, Boston, Mass. 02123), 215 pp., $5.50 paper.

Introduction

Ecologie et Politique is a series of newspaper and journal essays written in the early 1970s and published in France in 1975. It covers a wide range of topics, from specific discussions about nuclear power and the automobile to general essays about health, imperialism, and political economic analysis. The overall argument is for a "utopian socialism" which opposes capitalism, while at the same time establishing a critique of those Marxists and state socialists who support authoritarian state structures and social relations in the name of continual and technical growth. "Growth-oriented capitalism is dead. Growth-oriented socialism, which closely resembles it, reflects the distorted image of our past, not of our future. Marxism, although irreplaceable as an instrument of analysis, has lost its prophetic value" (p. 11).

A collection of "Seven Theses by Way of Conclusion" in Chapter I provides a brief summary of the book's main points.

1. The causes of the current crisis of capitalism are the over-development of productive capacities and the destructiveness of the technologies they are based on. . . .
2. The overcoming of current rationality and the reduction of material consumption can be brought about by technofascist central regulation as well as by convivial self-management. . . .
3. The connection between "more" and "better" has been broken. . . .
4. Poverty in wealthy countries is caused not by insufficient production but by the kinds of goods produced, the methods used to produce them, and their inequitable distribution. . . .

5. Unemployment in wealthy countries reflects the decreasing amount of socially necessary labor time. . . .
6. Once social labor is limited to that required for socially necessary production, the reduction of working hours can be accompanied by the expansion of self-directed and freely chosen activities. . . .
7. The uniformity of consumption patterns and of lifestyles which characterize present society will disappear with the disappearance of social inequality. . . .

These conclusions reflect a hard "environmentalist line" which even many environmentalists may not share, since they focus too much on growth *per se*. On the other hand these arguments link environmental concerns with those radical political theorists which have been skeptical of industrialism, technology, and progress (e.g. Nietzsche, Ellul, and Arendt). In this encounter between Marxism and these other perspectives there is a potential for an enormously important conversation. This potential is not realized in Gorz's treatment, but we can nonetheless learn from his effort. There are a variety of crucial questions raised here by the radical treatment of ecology and the environment.

But these questions are buried in the rather haphazard argument Gorz makes. The book reflects much that is both exciting and problematic about environmentalists and environmentalism generally. It speaks the language of ecology and systems without necessarily being systematic; it agonizes about the problem of nature and of human being—and being human—in nature; it attempts to provide an integrated, coherent analysis at the world-historical level without getting trapped in naturalism or historicism; and it struggles with the political dimensions of technology, resources, population, and pollution. The book approaches some profound questions about the relationships among nature, human nature, culture, politics and social organization which those of us involved in the development of environmental studies have always hoped the field could critically engage.[1]

Yet this particular book makes these connections casually, uncritically, without reference to historical debate about the issues, and without any qualification on the scope and applicability of its conclusions. Further, it is unfortunate that such a long time has elapsed between the original publication of the essays in the book and their translation into English. Some of Gorz's work seems dated and immature in the face of a rapidly developing critical, sometimes radical, literature on these topics.[2]

The book has some serious problems, then. Gorz might respond to the criticism of the book's unsystematic treatment of issues that he has used a journalistic strategy to be prophetic and suggestive, to avoid elaborate theoretical arguments which can descend into trivia. The

book's main virtue is that it does make accessible a number of crucial issues often ignored by the left. It represents Gorz's own political development, then, as he tries to grapple with ecology and the problems of transition from capitalism to a more just and humane—and ecological—order. He tries to assess the significance of ecology and the ecology movement for this transition, and this depends upon a prior critique of ecology as part of the contradictory confusion of capitalism. While his own treatment of these questions is unsystematic, let my try to bring his major arguments into focus.

The Political-Economic Argument, and the Future of the State

Gorz does provide us, unlike some other writers, with the rudiments of a Marxist political economic analysis of the relationships between the environmental, economic and cultural crises within Capitalism. Ecological problems for Gorz are part of an ever-deepening crisis of Capitalism, understood broadly as a political cultural formation and narrowly as an economic system. The process of growth, so essential to the logic of Capitalism, becomes contradictory.[3] Gorz's discussion of health, largely following Ivan Illich's *Medical Nemesis* (1976), becomes a core metaphor for both his social critique and visionary ideal. The deodorized, shrink-wrapped, pill-popping culture of medicine reflects a social dis-ease with the industrial, toxic, high-speed lifestyle which makes us sick by trying to make us well. This is a culture rooted in a political economy of advanced capitalism, one due for severe dislocations.

The underlying political economic scenario of the book is briefly as follows:

As the production system makes more intense demands in resources and the environment, the costs of production rise because the costs of environmental reproduction increase. For example, think of various pollution abatement technologies: Paying for this equipment raises the cost of production, but produces no revenue. Its effects are to reduce profits or raise consumer prices and to increase the capital required in production, or, in other words, to increase the organic composition of capital.

Any firm's desire to raise its prices reflects the efforts of all other polluting firms to do the same. And no firm can reduce its profits without being forced out of business. The overall effect, then, is to push prices to rise faster than real wages, and effectively to deduct the costs of environmental controls from the income of consumers. The production of heavily polluting goods will fall off, and these goods will be

available and affordable only to the rich. Inequality will intensify, with the rich getting richer, and the poor, poorer.

In this context of deepening crisis the state will increase its control of society through the establishment of "optimal" control over production and pollution, through technical and bureaucratic regulation, and through the repression of dissent. Resentment will be focussed on readily available scapegoats, like racial or ethnic minorities, migrant workers, the young or the old, and other nations. The state will become more and more coercive, and the society will devote even more resources to police, security, and the protection of privilege. Within this scenario, any effort to restrict growth merely increases unemployment, poverty, and inequality. The result is what Gorz calls "Technofascism," an authoritarian and centralized response to ecological and social crisis. In the ecological realm, this state establishes a "eco-fascism" through its enforced displacement of environmental costs on the poorest among us.

Let it suffice to say that this is a very simple, even simple-minded, model of the capitalist political economy and its resources to environmental constraints. It confuses the value-price relationship; it ignores the international dimensions of Capitalist crisis management; it does not make distinctions between economically productive and socially unproductive investment (as in growth and employment from pollution control) and it forgets the internal divisions within Capital.

Still, much of what this model describes is already evident, especially in the United States. And the ideological ground for even more of it is being prepared by organizations like the American Enterprise Institute and Stanford's Hoover Institution. The seeds of "liberated" capital, increased military spending, increased resource exploitation, and decreased concern for the poor and for long-term environmental conditions are already being sown.

Gorz concludes that the underlying principle of the society we now have is something like "that which is good for everyone is without value; to be respectable you must have something 'better' than the next person" (p. 8). This competitive ethic animates the capitalist epoch; it is the social relation which fuels the realization of economic value. Gorz argues that the ecological restraints which the system will encounter will force a re-evaluation of that social ethic. Either the upper classes will maintain their increasingly precarious privileges through a draconian state, or the victims will organize an alternative way of being a society. Ecology is thus part of this larger process; it is not an end in itself. The ecology movement is a stage in the larger struggle—but an important stage, for it can raise an alternative social vision of non-competitive equality and harmony. Gorz argues that the economic and ecological crisis facing capitalism will force us to redefine the way we want to live together, rather than struggle over who controls this bad society. ". . . we must begin by asking the question explicitly: what are we really after? A capitalism adapted to ecological constraints; or a social, economic, and cultural revolution that abolishes the constraints of capitalism and, in so doing, establishes a new relationship between the individual and society and between people and nature. Reform or revolution" (p. 4)?

In this book Gorz is going beyond the analysis of the interior work process and struggle carried out in *Strategy for Labor* (1967). By the time of his Preface for the American edition, Gorz had the following realization:

> To reveal deeply felt (but also hidden) needs and articulate them, we first must show how their satisfaction is actually within our reach; that, for instance, repetitive work, regimentation at the places of work, and authoritarian division of labor are no longer technical necessities and can be fought against successfully; that squalor, ignorance, insecurity, new scarcities coexisting with waste, etc. can be done away with; and that a system that makes people work like zombies to produce useless, destructive, or self-destructive things has outlived its usefulness.

In the present book Gorz realizes that the only answer to the problem of growth, waste, and scarcity is a radically altered pattern of distribution, to be sure, but also of expectations and demands. Otherwise, he thinks we can only have a society which is less free and just even as it tries to produce more goods.

Gorz argues implicitly that the environmental and social reforms achieved in the past twenty years in the advanced industrial democracies cannot survive. Reagan and Watt are already proving this skepticism correct. I believe that while environmental gains, and at least the reduction in rates of despoilation, have occasionally been great, they are politically vulnerable in the extreme. While it will not be possible to eliminate directly the basic bureaucratic and regulatory apparatus recently put in place, it will be possible to weaken it through personnel and budget cuts, other policy priorities, and inflammatory rhetoric about the social costs to economic growth, jobs, and productivity resulting from environmental "over-regulation." The question is, what is to be done as the forces of accumulation reassert themselves in an era of increasing constraints from real and manipulated scarcities? How do we fight back against a technofascism which seeks first to discipline workers and disabuse society of its "rights" to clean air, health, and welfare? How can environmentalists be a central part of a radical strategy?

The Context of Environmental Politics

In order to appreciate Gorz's position, we must counterpose it with the more usual conservative and reformist arguments about environmentalism, using American history and non-Marxist class analysis. Environmentalism began in the Conservation movement of the early twentieth century. This movement favored the creation of parks, the protection of public lands, scientific management of resources, and the creation of state bureaucracies to carry out the reform programs, since no direct attacks on the institutions of capital and property were involved.

A second movement came into prominence in the late '60s and early '70s, specifically around Earth Day and the passage of the National Environmental Policy Act (NEPA) in 1970. This movement diverted some attention from the anti-war movement, but it also absorbed some anti-war people and much of its sentiment. One conservative argument is that the environmental movement emerged at this time because the upper-middle class, college educated, white collar suburbanites who had supported blacks and other minorities in their efforts to penetrate lower middle class blue collar jobs were rebuffed in the Wallace backlash (Tucker, 1980). This upper-middle class translated its concerns about demands from the lower-middle class for social mobility and higher standards of living into threats against everyone's interests. Or, to put it differently, this class made its interests in protecting itself into what Grant McConnell sympatheticaly calls a "super-interest." Environmentalism became more than selfish interest-pleading; it became moral righteousness in the face of the destruction caused by the "special interests." The slogans became things like "The planet itself is in danger"; "Mankind is on the verge of extinction through pollution and over-population"; "Technology, industry, and economic growth must be controlled" . . . The movement combined anti-business and "back to nature" rhetoric with political efforts to stop or modify what others saw as jobs and opportunity. While its critics saw it cementing its connections with an established, conservative aristocracy with whom it shared concerns about privilege and the protection of natural landscapes and the political status quo, its proponents saw the need for revolution. Michael McCloskey, the executive director of the Sierra Club, made the following statement in 1970:

> A revolution is truly needed—in our values, outlook and economic organization. For the crisis of our environment stems from a legacy of economic and technical premises which have been pursued in the absence of ecological knowledge. That other revolution, the industrial one that is turning sour, needs to be replaced by a revolution of new attitudes toward growth, goods, space, and living things (Worster, 1977:342).

Yet even the severest critics recognize that the environmentalists have been expressing some powerful, legitimate misgivings. William Tucker, one of the most vehement of these critics says, "It is my feeling that it will be the task of American politics in the next few years to incorporate the major issues which environmentalists have raised without adopting the conservative and elitist cast which environmentalists given to them. Environmentalism without elitism is a legitimate goal of the American political system" (Tucker, 1980). Like Gorz, however, I have no confidence that our present system can deliver equality and environmental quality.

What the conservatives and reformists under Reagan want, however, is for the environment to be more thoroughly economized; that is, priced, marketed, and ruled by supply and demand considerations. The idea is to put as little break as possible on market power, to force every issue into cost-benefit terms (where the "costs" of non-development are always clear and the benefits of not undertaking projects are often nebulous or intangible), and to decrease the costs of current regulatory practices. This tactic has been especially powerful in the controversies over health and safety regulations.[4]

Gorz, on the other hand, sees our current Capitalist rationality, values, and institutions as collectively perverse. Views about the elimination of scarcity through economic and technological growth reinforce the existing rationales and institutions controlling change, and *vice versa*. He says we tend to focus on instrumental goals, without attention to the ends and social tasks of specific actions, or institutions. The interests of capital demand an intensification of demands on the environment, yet other opportunities for achieving improved living conditions—what growth is supposed to achieve—are not of central concern. (Look, for example, at Reagan's rejection of energy conservation alternatives in favor of increased petroleum, coal, nuclear and synfuels production. Conservation, he says, would leave us hot in the summer and cold in the winter.)

Gorz's argument and his recommended political strategy rests on an analysis of overaccumulation and reproduction. "We are dealing with a classic crisis of over-accumulation, aggravated by a crisis of reproduction which is due, in the final analysis, to the increasing scarcity of natural resources" (p. 27). In other words, we have over-invested, since we assumed the growth process of the post-World War II years would continue unabated. Yet the employment of these investments requires energy and resources in increasingly short supply. Thus we have a difficult time paying off our old debts, much less in re-orienting investment. The solution for these combined crises cannot be found in the recovery of growth, but only in an inversion of the logic of capitalism itself. "More" and "better" do not necessarily go together; centralized

planning can only "manage," and perhaps intensify, the crises; reducing needs and finding new ways to fulfill those which remain rather than creating new needs are the only possible escape routes.

The revolutionary strategy which is implied throughout is one familiar to the New Left: the development of a broad front of allied movements which oppose the logic of capitalist society as well as its institutions. Nowhere does Gorz spell out the implications for political action as clearly as he spells out the counter-ethic (or radical vision) which would animate that action. But the implications are clear: a radical politics emerges among these groups who begin to organize alternative organization and structures of work, social life, community, self-government. These groups can be rooted in the working class (as progressive unions would be), but are not defined by their class location. Gorz implies that the traditional economic focus of even most socialist labor organization will blind them to the necessary radical alternatives to capitalist social relations.

In this strategy, environmental issues loom large, though the list of issues goes beyond the energy and eco-systems focus of current environmentalism. Health and safety, urban living, and modern stress become more intimate parts of an environmental critique, and Gorz thus suggests that radical claims can be advanced by neighborhoods, regions, or other social groups. The problems with his implied strategy lie mostly in what he does not address: how a movement of national power is generated out of discrete groups, and how the technocratic power of the modern state is to be overthrown by convivial groupings. Gorz is stronger when he argues about what radicals should search for than he is in arguing about strategies.

In his litany of small-scale, decentralization, local control, wide political participation, and "less is more," Gorz joins an emerging phalynx of critics challenging industrial corporations and the state (e.g., Lovins, 1976; Sale, 1980; Schaar, 1981). The ecological argument provides a unique weapon in this intensifying struggle. However, even this perspective takes rather different forms for Gorz than for someone like Barry Commoner, whose political interests are more immediate and for whom "governance" of the existing system is a legitimate first step. Having suggested that the state will become increasingly important in the management of environmental crises, Gorz never goes further to suggest how electoral strategies or mass movements might effect the centralized state. His argument for alternative radical movements (that is, alternative to traditional labor parties or trade union movements) avoids the crucial issue of state power.

The Argument about Ecology

Ecology becomes a central analytic category for Gorz because "all productive activity depends on borrowing from the finite resources of the planet and on organizing a set of exchanges within a fragile set of multiple equilibriums" (p. 13). Or, put more broadly, human activity finds in the natural world its external limits." In the same way that political economy emerges only with *social* production—that is, as production is founded upon a division of labor and regulated by abstract processes like markets or planning—so ecology does not emerge as a specific discipline until economic expansion upsets the unwritten rules of traditional behavior and destroys what that social activity requires. "Ecology is concerned with the external constraints which economic activity gives rise to when it produces environmental alterations which upset the calculations [traditional, intuitive, informal] of costs and benefits" (p. 13). Ecology is not a higher, but a different rationality which transforms our conceptions of production and consumption, efficiency, scarcity, and growth. Yet, Gorz argues, there is no inherent ethic in ecology. We can either live decently within ecological constraints, or have centralized institutions and hard technologies to manage the pressure on ecological constraints. "The choice is simple: conviviality or technofascism." Gorz chooses not to deal at all with the classic argument that resources are hardly "finite" in any realistic sense, and that "scarcity" is a non-problem because of substitution effects (Barnet and Morse, 1963). However, in this view "poverty" is not a problem either, while it certainly is for Gorz.

However, in a somewhat confusing move, Gorz proceeds to argue that, as an ecological principle, "It is better to leave nature to work itself out than to seek to correct it at the cost of a growing submission of individuals to institutions, to the domination of others" (p. 18). Gorz says the ecological objection to systems engineering is not that it violates nature, which is not sacred, but that it substitutes new forms of domination in the form of administration in the place of existing natural processes. Contrary to Gorz's earlier claims, this conclusion *does* imply an ethical principle—one which subordinates human regulation, organization, and authority to that of natural selection.[5]

This principle underlies Gorz's political conclusion that the ecological perspective is incompatible with both Capitalism and authoritarian socialism, but not with "libertarian or democratic socialism." At best, such a conculsion requires a great deal of clarification, and at worst, it is wrong. What, for example, is libertarian socialism, if not the radically de-centralized, self-reliant, but unpropertied anarchism which Kropotkin first imagined? Doesn't democratic socialism necessarily imply some very carefully articulated authority, deliberation,

and collective choice? Aren't some forms of legitimate domination to be found in any society? How is his liberating view of "ecology" to be distinguished from some of the reactionary implications of the socio-biological interpretation? In short, the dichotomy between "natural" and "administrative" is far too loosely drawn, again illustrating the lack of an articulated theory of the state or even of its political contradictions.

Two assumptions about nature seem to underlie Gorz's position. The first, about non-human nature, asserts that there are limits to what human beings can do without seriously damaging natural processes, and eventually their own survival. The second, about human nature, asserts that our needs are not infinitely malleable or expansive, that the satisfaction of needs is not transferable from one domain to another, and that some forms of society are more "natural" than others. In other words, there is a basic human constitution, which, while highly adaptive, does react to ever-intensifying stress. The conditions of advanced industrial capitalism—with its complexity, scale, division of labor, technology, status differences, and frenetic activity—create both collective and individual craziness. They can destroy our humanity, in both the material and spiritual senses. The first of these assumptions emerges with the science of ecology and the history of environmentalism. The second was widely debated in nineteenth century social theory, but is re-emerging with new complexity at the end of the twentieth century.

"Ecology" as used in the book refers less to a technical, scientific discipline than it does to the mentality and sensitivity to systems, whole sets of relationships, flows and feedbacks. Its understanding can be codified as "Nothing is lost," or "There is no free lunch," or "The left hand *will* find out what the right hand is doing" or at the extreme, "Nature knows best." The approach to ecological issues in this book, however, is anecdotal. There are no direct references to food chains, energy flows, niches, evolution, or responses to environmental damage. The diversity/stability hypothesis consistent at least in broad terms with the political perspective of the book, is not even mentioned. This ecological gospel states that rich, complex, differentiated ecosystems are less susceptible to serious disruption from environmental change than simple, homogeneous ecosystems are.

Obviously, the book cries out for a more thoroughgoing critique of the ideas of nature, science, and systems which underlie contemporary thinking generally, and about ecology in particular.[6] Our views about science, systems, and rationality have developed hand-in-glove with Capitalism, and ecology is not free of this history. Gorz at least warns us that ecology can imply "economic" management of both society and nature on a global scale. But he doesn't provide a substantive account

of what will prevent the "natural" conditions of democratic socialism from reproducing John Locke, or even Herbert Spencer.[7]

Gorz's ecological ideal seems to be one in which individuals and small groups occupy niches; in which there is little, or only routinized, competition for territory, resources, or power; and in which natural forces primarily regulate human behavior in a very direct way. Perhaps this is a world consistent with that portrayed in Marshall Sahlins' *Stone Age Economics* (1972). It is a world where work does not require a great deal of time, where erotic and creative activity flourish, and where cultural differences are appreciated and enhanced. It is not a world of momentous individual or collective efforts, actions, or achievements. By avoiding these, presumably such a society avoids wholesale war, tyranny, and exploitation.

Such ideals and alternatives are only hinted at in Gorz's very specific discussions. I think especially of the treatment of the sociology of nuclear power, the emergence of multi-nationalism, opportunities for the reorganization of work, the population problem, the "social" ideology of the motorcar, and most extensively, the relations of medicine and health. These are all lively, fact-filled discussions which express outrage at the current way of doing things. Still, perhaps inevitably, there is a considerable break between the theoretical and specific discussions, reflected organizationally in the division of chapters. Perhaps in a book, rather than a collection of essays, this continuity would be stronger.

Critique

The conclusions of the book bear the marks of communitarian, anarchist, and continental pluralist traditions, though never with any references or analysis. They reflect the points of view we might otherwise read in John Schaar (1981), Kirkpatrick Sale (1980) or Murray Bookchin (1971, 1980). The more classical origins seem to be Proudhon, Sorel, or the Anarchosyndicalists. The place of Marx, Marxism, and socialism in all this becomes very unclear, and the long-standing controversy between state socialists and anarchists is blurred. Gorz suggests that the state can only be transformed from outside, through popular struggles for self-reliance, but he also talks about administrative reforms (such as centralized planning for democratic goals) and uses the classical language of socialism.

It is easy to see why Gorz wants to avoid the issue of the state. While Marx and Lenin never talk of seizing the state without at the same time transforming it, Engels is much less clear, "The proletariat seizes

political power and turns the means of production into state property." But then further, "The state is not 'abolished.' *It dies out.*"[8] But Gorz seems to be responsive to contemporary critics who point out that the state has not "withered away" in socialist cases, that it has not prospect for doing so, and that, if anything, Marxist struggles are now taking place in the grass-roots of these nominally Marxist states, as Bahro (1978) recently argued.

The anarchists have always had less truck with the state, seeing it as obstacle and threat to freedom rather than a means to it. For them, state power, whether in Eurocommunism or America Capitalism, is the reflection of the problems of bigness, concentration, and power, not a possible instrument for their resolution. For these theorists, socialism is necessarily decentralized, small-scale, and self-managed; markets, central planning, and state regulation will inevitably prevent such development.

Gorz wants to work both with the state and against it. Yet he presents no dialectical account of how this might be progressive. While he is enthralled with the anarchist ideal and its ecological justification, he fully well also knows the powers which prevent the ideal from coming to pass and even the ambivalences which its adherents have about it. While Gorz's goal is revolution, he muddles toward it with a program of state reforms, which aim to achieve "democratic planning" and encouragement of grass-roots revolts against the technology, medicines, and consumerism of industrial capitalism. I believe this is the only feasible strategy, but it needs more systematic treatment and more mobilizing rhetoric than Gorz provides.

Gorz finally asks himself,

> Are such proposals utopian? Why couldn't they become a political program? For such a "utopia" corresponds to the most advanced, not the most primitive, forms of socialism—to a society without bureaucracy, where the market withers away, where there is enough for everyone, where people are collectively and individually free to shape their lives, where people produce according to their fantasies, not only according to their needs; in short, a society where 'the free, development of each is the condition for the free development of all.' (Marx, *The Communist Manifesto*, 1848:9).

In short, the utopianism sometimes gets completely out of control.

Within this conceptual and political uncertainty, there is scant attention to the interior of "conviviality," the surrogate word for community which Gorz borrows from Illich. While there is a critique of "self-management" insofar as it tends to isolate small groups of workers from the larger forces which inevitably affect them, there is neither a theory nor a strategy for the grass-roots, democratic mobilization which will be necessary to confront the "techno-fascist" imperatives of a cleaned up, tightened up, frightened Capitalism. Only a few closing vignettes of living examples, which includes with equal optimism figures as diverse as Nicholas Georgescu-Roegen (1971), Karl Hess (1975, 1979), and Jerry Brown, provide us sense that there is a "continuing American Revolution," that people continue to struggle for identity, engagement and social change. ". . . Typical Americans start from the premise that the country belongs to them, that it will be what they make it, that it is up to them and not to the authorities to change things. The American Revolution is not over" (p. 215). One wonders why Gorz has so much interest in the United States when socialist politics are taken so much more seriously in Europe.

Gorz's partial response is that the ecological struggle is, in its present form, and at least as understood by him, an indispensable dimension of the struggle against capitalism. And it cannot be subordinated to the political objectives of socialism. "Only where the left is committed to a fully decentralized and democratic socialism can it give political expression to ecological demands" (p. 20). Most left movements have not reached this stage, he says, having incorporated ecological principles neither in program nor practice. Therefore, the ecological movement must continue its independent struggle, its "specific autonomy." In fact, Gorz argues that ecological concerns are fundamental, that political radicals have a great deal to learn from the critique of technology which in turn rests upon an understanding that "the domination of nature entails the domination of people by techniques of domination" (p. 20). ". . . Against the centralizing and totalitarian tendencies of both the classical Right and the orthodox Left, ecology embodies the revolt of civil society and the movement for its reconstruction" (p. 40). Bookchin, however, makes this point even more clearly:

> Ecology in my view, has always meant SOCIAL ecology: the conviction that the very concept of dominating nature stems from the domination of human by human, indeed, of women by men . . . of the individual by the bureaucracy, as well as of one economic class by another or a colonialized people by a colonial power . . . And as long as hierarchy persists, as long as domination organized humanity around a system of elites, the project of dominating nature will continue to exist and invariably lead our planet to ecological extinction (Bookchin, 1980).

We can all hope that it is an act of political prescience for Gorz to look to the United States and its environmental movement to cement the linkages between ecology and politics. There are stirrings in neighborhood organizing, "soft" energy and conservation, consumer alliances, and other strategies for self-reliance which go far beyond the romanticism of the communal movement (Boyte, 1980). Environment-

alists are becoming more concerned about jobs; the terms of the struggle over nuclear power are becoming clearer; alliances are being formed to promote nuclear and military conversion to more socially productive activities; resources and social service systems are being examined to see precisely who benefits from them and who pays for them; linkages between "wilderness" and the inner-cities are being drawn. Grass-roots movements are complemented by struggles within the state over policy goals and appropriate mechanisms. There is a growing understanding that the religious and cultural underpinnings of our way of life are corrupt, depending as they do on inequality and domination. For all its political and intellectual problems, the new environmental literature in America is struggling with these issues.[9]

Gorz's overall argument is that the energy-intense, resource-exploitive, environmentally deteriorating consequences of Capitalist industrialism can neither be sustained nor be effective in improving the individual and collective lives of its people. But many among us desire the benefits of this system—travel, communication, gadgetry, even medicine. While there is a certain romance about small-scale, tightly knit, largely autonomous communities, the individualistic sides of us rebel. Many of us live in cities and even as we are harmed by them we also enjoy the fruits of a whole world's labor. Will ecologically sensitive Americans or Europeans move quickly to drop their dependence on imperialism?

There has long been talk about the "new person of the new order"—integrated, sensitive, multi-faceted—but there has been much less attention to the required levels of indirect responsibility and accountability for others and for the whole. Gorz does not help us much here; but it seems to me there must be such attention to the problems of social and environmental obligation unless we expect both population and living standards-that is, demands on the environment—to decline drastically.

In conclusion, Gorz fails most profoundly on matters of the transition from capitalist imperialism to ecologically sensitive democratic socialism.[10] Perhaps it is even unfair to raise such an objection to a professed "utopian socialist." But there are hard questions about organization, management, administration, and even centralization which must be addressed if some real people in real need *today* are to be understood and aided. Our approach to the liberal state then becomes complicated, as we must mobilize within the state to use its power to increase justice even as we organize alternative modes of governance. Such a strategy is trick and dangerous, but it seems to be the only one which can mediate between the forces of romantic decentralization and those of increased techno-fascism.

FOOTNOTES

1. For reviews of the character of American environmentalism, see Petulla, 1980, and Mitchell Symposium, 1980.

2. In the area of environment and resources specifically I would include Barnet (1980), Engler (1961, 1978, 1980), Commoner (1976, 1979), and Lovins (1977); in the area of environmental and technological critique: Sale (1980), Illich (1976, 1980) and Berry (1979); and in the feminist literature dealing with nature and domination: Griffin (1978), Merchant (1980), and Daly (1978). (Gorz has nothing to say about feminism.)

3. For other views of this controversy, see Smith, 1979 and Daly, 1980.

4. See especially Green and Waitzman, 1979.

5. For the literature and arguments about the ethical dimensions of ecology, see Rolston, 1975 and 1979, and Heinegg, 1979.

6. See, for example, Worster (1977) for a history of this development.

7. Anyone concerned with a more philosophically and theoretically articulated presentation of ecological ideas or the "ecological perspective" in social affairs should consult Dunlap (1980).

8. From *Socialism: Utopian and Scientific,* part III, emphasis in the original.

9. See, for example, Rozack, 1977; Johnson, 1978; Henderson, 1978 and forthcoming; Bookchin, 1980; and Luke, 1981.

10. I am informed, however, that he has addressed this problem more systematically in subsequent writings which are still unavailable in English.

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