2011: Vol. 10, Issue 1

Table of Contents

Economic Recovery with No Growth Strategy

By | 2011: Vol. 10, Issue 1

I should begin with where we stand with the economy today. Stand is not the right way to put it. We are falling. We are down on our rears and I am not at all optimistic about where we are headed. Perhaps the biggest danger out there is the political danger of ongoing backlash. I think of the tea party's successful rise as an economic backlash. Worrying and thinking about economics makes me something of an economic determinist, but I do not think I am totally with economics as the main causal principle. I am very worried about what's going to happen. I am very worried about the Democratic response to the current state of the economy.

I was at a mainstream conference recently, put together by a Nobelist. There was a rather grand UN General Assembly-like setting. They asked me to make a presentation, and I was considerably left of everybody else in the political sense. Robert Rubin was there and he said, point blank, that he is opposed to further fiscal stimulus. He believes increasing the deficit now, increasing the deficit in the future, means higher interest rates in the future. As a journalist since the 70's, I have known Rubin for many years. He is not an economist. It was disheartening to hear him speak because I sensed it represented the Obama point of view.

The recession was allegedly over in the middle of 2009. In technical terms, I think it was over. We had a huge rescue package in 2008 and 2009. It was mostly a monetary rescue package. There was the 700 billion dollars from TARP in the fall of 2008, a Treasury policy. But there was a very rapid reduction of interest rates by the Federal Reserve, the federal funds target rate before that. That is what they try to control and Ben Bernanke, chairmen of the Fed, cut that very rapidly. Then there was what was called quantitative easing, i.e., purchases of debt. There were guarantees of debt by the Fed that ran up to two trillion dollars and still remain at two trillion dollars. There were Federal Reserve and Treasury guarantees and Fed guarantees of the commercial paper market and other markets of greater size. A commercial papers market is the financing that corporations and banks do with each other. It is an enormous market to meet daily cash needs and the money market funds were guaranteed.

The total package of guarantees came to 11 or 12 trillion dollars. All of this was necessary, all of this is to be applauded, and all of it kept us out of a much more serious recession, and, probably, a depression. The best model of this was done by Alan Blinder and Mark Zandi. Both are mainstream economists with a mainstream model. They argue that if TARP, the 700 billion dollar plan, (as well as all the other guarantees I'm talking about from the Fed and Treasury, and the 800 billion dollar Obama stimulus package in early 2009, spent over the course of 2009 and into 2010) had not been undertaken, we would still be in recession. Unemployment probably would have gone to 16 ½ percent. It got as high as 10.1 percent. 16 million people

would have lost jobs as opposed to 8 million people and the underemployment rate probably would have gone to 25 percent—that is the rate of people who are not only unemployed, but employed part-time who rather have full-time job or are discouraged workers who cannot find anything. One out of four Americans would probably not have a full-time job when they wanted one.

I actually think that model is optimistic. I think there could have been a much lower bar to this recession, but, if that model were correct, 16 ½ percent unemployment is by any informal definition a depression. So, the government did something right. They did rescue us from a much worse state, but now we are sitting here one year after the alleged end of the recession. Unemployment is 9.6 percent. There is no sign of a speed up in the economy as I speak. (In late 2010, there were more optimistic signs of stronger consumer spending, but nothing to approach the pace needed to cut unemployment seriously. The possibility of a double-dip as it is called, falling into another recession, is now below 50-50. The probability of slow economic growth is more in the neighborhood of 75 percent, for the next two or three years).

When you consider that the credit system is stretched and we will not generate income, the danger of another credit crisis is high. The danger of failures of banking institutions is very high in this environment. I asked Rubin, for what it is worth, whether he worried about that. Martin Wolfe the columnist of The Financial Times was also there claiming we needed a bigger fiscal stimulus. Rubin said that the bigger risk is to increase budget deficits. This is not remotely the case at the moment. The risk of falling into another recession or ongoing sluggish growth is enormous because of the thinness of the credit system. There are liabilities out there that have not been considered and almost never make it into the press. One of them is the second mortgage. The American mortgage system is peculiar because you can take out a second mortgage without getting permission from the guy who gave you the first mortgage. So there are two mortgages on a lot of these houses. The fact that these are not being accounted for in the stress tests that the government undertook with financial institutions is another example that we just do not know what is happening.

What should be done?Although there are some more fundamental and ideologically disturbing trends going on, what should be done is more fiscal spending. Instead, what is going to happen is we are going to get more so-called quantitative easing from the Federal Reserve (that is, purchases of long term bonds), which would bring down long term interest rates, help to keep mortgage rates low, help to get business to spend more to borrow more, and help to get banks to lend more. That is what is going to be done. Having been schooled in Keynes, I think that we need both guns working simultaneously. We need fiscal policy, we need spending, and we need monetary policy, the so-called quantitative-easing. The cannon of reducing rates has already been shot by Bernanke, so we know we have quantitative-easing. However, businesses are not going to lend unless there is demand for goods and services out there. There is not going to be demand for goods and services out there unless we get another fiscal stimulus to try to get the economy moving again. That, coupled with lower rates of quantitative-easing, may do the job. Quantitative-easing alone will not. (The Obama agreement on taxes did surprisingly produce a moderate and welcome stimulus with the extension of unemployment insurance and the payroll

tax cut. It is not enough; moreover, the payroll tax cut will increase the supposed Social Security deficit and strengthen the case of those who want to reduce Social Security benefits.)

Why is Obama resisting a more robust stimulus? Part of it has to do with the so-called deficit scare. He has surrounded himself with people who are afraid of increasing the deficit. Ironically, Lawrence Summers has been less of a deficit hawk than many of his other advisors. They think that the voting public is worried about the deficit, that it is a political issue, and they do not want to inflame it further. Obama endorsed the deficit commission. The deficit commission is manned by people who want to cut the deficit. It is not some kind of bi-partisan investigation of the dangers of future-deficits. That to me was a very sad example of politics at work. Obama may believe in fact that these deficits should be avoided. I think that he does not get the state of the weakness of the economy and, in this regard, his advisors have been on balance very bad. They apparently did not realize it until the Fall, when we got the numbers for the second quarter growth rate; that is the growth rate of the economy between April and June, which is something like 1.6 percent. You could have plausibly made a little bit of a case that the economy was coming back six months before that. Rates of growth were alright. They were not great by recovery standards. We had a slow recovery much like we had in 2001 and the subsequent years and 1991 and the subsequent years, but the unemployment rate in the Bush I recession into the early Clinton years never got higher than 7 ½ percent. In the Bush II recession, in the early 2000's, it never got higher than 6 ½ percent, so we had relatively a weak recovery and expansion. When we had huge jumps in employment in 1974 and 1975 and again in 2002, jumps to 9 percent in the mid 1970's and jumps to 11 percent under Ronald Reagan, we subsequently had a very rapid recovery and expansion. A steep recession is often followed by a rapid recovery and expansion. That is just not happening now.It is a different circumstance mainly because of all the debt out there.

Consumers cannot spend because they are paying down their debt. They have lost their houses and they are trying to save them. With unemployment so high, people are worried about losing their jobs if they have not already. In addition, average wages for those who have their jobs are falling. Wages in general did not rise in the expansion of the 2000's. Family income, household income, and immediate family income in 2009 after the recession, are as low as they were in 1997. In 2007, before the recession, immediate family income or household income was roughly close, but was no higher than it was in 1999. As I said, there has been no increase over the recovery and expansion. This has never happened in the post World War II period. My guess is it probably never happened in industrial history in America. People have not seen increases in wages. They have borrowed like crazy. The consumer debt, as a percentage of personal income, is at extraordinary record levels. The debt service, that is, the interest and the amount you pay back, which takes into account the lower interest rates, is at high levels compared to income. That started in the late 1990's under Clinton, but it got crazy in the 2000's. This means that we are sitting on a very weak foundation for consumers. We are sitting on a weak foundation for banks because they are hesitant to lend. They do not have to lend. They can borrow from the Federal Reserve at near zero interest rates and invest in Brazil, in China, in East Asia. The emerging economies are doing great. The capital flows are rushing to the emerging economies and may indeed create a bubble there because their currencies are

feeling upward pressure.

The big problem with TARP was not the money. It was not the 700 billion dollars. Warren Buffet gave money to Goldman Sachs under the same circumstances. I assure you he is not going to be happy if he just breaks even on that investment. I can assure you he is not going to break even on that investment. He is going to make a fortune. The federal government put up the risk capital and they should be making a fortune on that money. The more important issue is that they should have demanded conditions in which these banks lent that money out if they got it. I do not know if they should have nationalized. Many people like the idea of nationalizing. It would have been an enormous bill because you had to guarantee all the liabilities. It probably would not have worked out. It may have been hard to get through politically, but they certainly should have gotten rid of some management in these companies.

The idea that you leave the top management in these companies, who have friends that they protect who make bad decisions, who were responsible for certain kinds of decisions, is outrageous. You needed somebody to clear that out, but there was nobody around. Jamie Diamond, who is a smart man, was credited—here is one of the great ironies—for not getting too deep into the mortgage financing business, the securitization business. Jamie Diamond has a subsidiary at JP Morgan Chase called Chase Mortgage. They wrote sub-prime mortgages also, like Mozillo did at Countrywide. All the big banks and investment banks had a subsidiary, separate from their securitization operation. They wrote sub-prime mortgages. They were creating all these bad debts and possibly bad debts in competition with Mozillo. The mortgages were feeding the securitizations, the securitizations were feeding the mortgages and it got pretty crazy. Now with a Republican House, it seems like it will be impossible to get more stimulus through. So I do not seek any serious easy way out of this except slow growth for a long time. Some smart economists are talking about a lost decade, much like Japan’s lost decade. One advantage we have is that we learned something about Japan’s lost decade. The dumb conclusion was that stimulus did not work. The correct lesson is that there was not enough of a stimulus in that decade to get the Japanese economy going.That does not mean stimulus would completely relieve the American economy of any cost. These things are not costless. There is not going to be any costless solution to get out of this for America. We got in very deep. And how did we get in deep? I would like to talk about that a little bit.

What is the American economic growth strategy? America has not had a true growth strategy for thirty or forty years. After World War II, Alan Brinkley argues, the Democrats gave up social policy for economic growth. We believed then that if you controlled cyclical fluctuations in the economy, you could maximize growth. Keynesianism was heralded, adopted, believed in because using Keynesianism as a tool we can maximize the powers of expansion and minimize recessions. In fact in the late 60’s and early 70’s, people believed the recession was cured. If you eliminate or minimize the downturn and maximize the upturn you are increasing your rate of growth. That was the growth philosophy. There were a lot of other things going on. We built the highways and invested in education. There were more remnants of faith in government. I do not think it was ideal. It was never ideal in American history needless to say. A lot of Keynesianism was basically military Keynesianism; in those years it was called “war

Keynesianism". The real systemic risk in America I still think is not the financial industry, but the defense industry. When the Korean War was over, Lockheed and all those guys had legislators in their pocket. They said that we cannot stop spending at virtually the same rate we have been spending because our war technology will fall behind. Of course they had the Soviet Union to stoke fear in us. Then attitudes changed in the 1970's. One of the clear proximate causes of the attitude shift was very high rates of inflation coupled with high rates of unemployment. These were punishing to the American public. I believe the American public and its policy makers, ultimately Democratic policy makers, panicked in this period. This confluence of events coupled with anger about racial and other social programs in the 60's, Watergate, and the Vietnam War led to a very strong anti-government sentiment. This sentiment was stoked effectively by people in office and by the takeover of the economics profession by thinkers like Milton Friedman.

Here are the bookends. As Governor of California, Ronald Reagan thought he did not have much of a conservative record to run for president on in the early 1970s. He was always thinking about running for President and wanted a better conservative legacy. Reagan came out with this idea for passing a constitutional amendment to cut the California state income tax permanently, substantially and permanently. Reagan campaigned everywhere. Milton Friedman joined in on the campaign. Many well known conservatives were involved in this. But it lost. It was a huge setback for Ronald Regan. Some thought his career was over. It was voted down by the Californians in early 1972. They voted against cutting their income tax and limiting it forever. In 1978, six year later, they voted overwhelmingly for Proposition 13 and the huge cuts in property taxed. Those are the bookends of change.

I would like to add something however about economics that may be a little technical, but it is very important. There was not a simple takeover of economics by classical conservative economics. Conservative economists are classical economists who believe markets should be unfettered, but were also very concerned about making markets work properly. Conservative classical economists are worried about monopolies. They are worried about free and open access to markets, oligopolies, information in markets, lack of conflicts of interest and so forth. The economics that took over in the 70's I would call for lack of a better name liberalism in the 19th century sense of the term. It is not original, that word is not confined to Milton Friedman type economics. But the difference is this: Friedman had a political agenda, which was to cut government even if it meant economic sacrifice in the short run. I believe that neoliberal agenda, as some deem it, came to dominate everything he and especially his influential followers. Obviously, Ronald Reagan was part of that. Friedman was probably not the first person to think in those terms, but he wrote about it in the 1960's and published it in *Capitalism and Freedom*. He was willing to have big deficits because he had a bigger agenda, let's take government out of the way. He believed that if you got government out of the way you would have more prosperity, but it was a compromise, which was taken and became the rule. The best example of that, and I am bringing it around to what happened in America, is financial de-regulation. That neo-liberalism began to influence Democratic economists, people who considered themselves liberal. There are still economists at Harvard who consider themselves liberal in the modern sense—that is, progressive—one or two of them actually are

still progressive, but they are at least ten years older than I am. Younger economists there began to adopt certain of Friedman's ideas about reducing regulation and so-forth, especially anti-trust issues, which are not very much talked about and should be. What happened in the 1990's? The mainstream economists would preach to emerging economies, developing countries, third-world countries, to get the market incentives right. They would preach conservative economics as though all you had to do was get your incentives right and get your markets working correctly. But here's the point: what was going on in the financial industry violated principles of conservative economics, of classical economics. And yet the economics community did not erupt in anger.

Milton Friedman's predecessors were people like Henry Simons, very strong classical conservative economists, who disliked monopolies. There was a big fight over the power of monopolies within the Chicago department. The new guard displaced the old guard and changed the Chicago school's attitude towards monopoly. That was sort of the beginning of a neo-liberal lie. I go back because it played itself out in the mid-1990's. Classical economists would be up in arms about financial deregulation of the economy of any stripe because it violated classical economics. It violated the way markets should work. The credit rating agencies had absurd conflicts of interests that meant markets could not possibly work. The compensation schemes for bankers and traders, where you are compensated to take risk and you are not penalized if you lost money, violates conservative classical economics rules. The lack of transparency, the lack of open information and price setting in the over the counter derivatives markets, which became enormous and contributed to the catastrophe in a big way, went against classical economics. Classical economics would demand open markers, transparency and information. Yet, the mainstream economics field was not up in arms about this. The conservative economists were not up in arms about this. We had two chances under Bill Clinton to regulate the derivatives market and make it open. It was not only in 1999. The Clinton Administration was not on board. Certainly Alan Greenspan was not on board. They could have also regulated in 1994. The Democrats refused to force companies to put stock options for their executives and CEO's on the books. Where were economists on this? They had an extreme view about the efficiency of stock markets. Investors would take the expenses of stock options into account, went the argument. There were other examples of that. The Democrats also voted against allowing investors to sue securities firms. That's not all that happened by any means. Alan Greenspan firmly ended the Glass-Steagall Act long before Congress did in 1996. Basically, they let investment banks do what they wanted to do. My point here is that economics became neo-liberalism. It did not become conservative economics.

So what was the growth theory in America? Was it focused on dealing with fluctuations, minimizing cyclical fluctuations, or was there something else going on? Well I think it was this neo-liberalism gone haywire based on conservative economics' classical principle, which is that economies adjust on their own to optimal rates of economic growth. Keep government out. Conservative economics, just to re-stress this point, would say that you have to make sure markets work. The neo-liberals did not even worry about this. So what did we do? We had one policy target, one policy aim, for at least twenty five years, keep inflation low. Inflation was kept low at roughly 2 percent a year with the objective (the pain of that was borne by workers

because keeping inflation low required keeping wages low) that worked itself out in many ways. Inflation was successfully kept low. The other policy principle was deregulation and it all fit into this one idea: that economies would adjust on their own. Public goods and public investment were given a back seat, most notoriously in the Clinton Administration. When the Clinton Administration had a budget surplus they refused to put it into public investment.

A financial re-regulation program should address two problems. One is to prevent crises. The other, which is not talked about, is to make sure the financial community does what its supposed to do, which is allocate savings, allocate capital to productive uses in America. Now why have economists not questioned that in the last 30 years? In the 1980's, capital, debt capital, and bank capital was used to make hostile takeovers. The preponderance of evidence is that most of those hostile takeovers did not work out. The premium paid was never justified by the profits. In the 1990's we did indeed have a high technology boom. Much of it was real. But much or more of it was fantasy. The 1990's was probably the most financially corrupt decade since the 1920's. We've forgotten and been so negligent about this history, the media helped suppress it for so long. We do not understand at all how corrupt the 1990's were. You could not keep a job as an investment analyst if you did not lie about the companies you followed. You could not keep a job as a big time accountant in the 1990's, if you did not allow your client to cook the books. Investment bankers gave under the table pay-offs to executives, including many idolized high-technology executives.

We think of the saints of that time as the high-tech nerds who were interested in technology and not in money. Yet, Frank Quattrone and a bunch of other investment bankers were giving under the table stock to the CEO's of these high-tech companies and to the investment managers that bought them. Not you or I and our pension and IRA's , but the investment managers who ran our pension funds and IRA's. The result was a ridiculous boom in fantasy and absurd investment that came crashing down. The fact is that the NASDAQ index of stocks is where these high-technology companies were posted, which went public. They reached 5,000 in March 2000 and fell by 80 percent in the next year and a half to two years. Today, it is still at only 50 percent of the high ten or eleven years ago. Most of these companies went out of business. Those that did not were selling for under a dollar. Almost none of them in the early 2000's reached their IPO price. My point is the financial system, wasted enormous amounts of money. I have not even talked about Enron and Worldcom and hundreds where hundreds of billions of dollars were wasted. This is the perfect example of a financial system diverting your savings and my savings. Good dollars went into very bad silly investments and they made a fortune doing it. A re-regulation system should be dedicated to making sure the financial system allocates capital efficiently and productively. And you tell me whether you've heard anybody in the Obama Administration talk about that issue in any serious way. That white paper, the Obama Administration did in June 2009 and that Timothy Geithner was in charge of had no theme, no thesis about the various causes of the problem, no objectives. It was a plan to plug the holes in the dam.

The thing that the executives always say is that financial crises happen every five or six years. Bob Rubin says it. Warren Buffet says it. Jamie Diamond made a big issue of it. These things

just happen. It's the price of capitalism. Nonsense. WE never had a crisis like this one in the professional careers of any of these men. The last one of such dimensions was 75 years ago.Evidence rarely seems to be a factor. There is no evidence that an inflation rate of 2 percent will produce more rapid growth than an inflation rate of 3 percent. Yet, the economics profession talks about, how we have to stay at two percent. There is no evidence that higher inflation begins to impede economic growth unless it gets very high. These guys are remarkably irresponsible.

But the fact is many bad things have been happening, since the rise of neo-liberalism and financial deregulation in the late 1970s. Here's a list. We had a Mexican crisis in 1982. The Fed and the IMF had to bail out the big banks, a completely altruistic thing. We had a stock market crash in 1987. We had a junk bond crash and a savings and loan crash in 1989, which led to the recession of 1990. We had a near crash in 1994 when Alan Greenspan suddenly raised interest rates and we had the peso crisis of Mexico that year, on which Robert Rubin rested his reputation by supporting a federal bailout. We saved Mexico with a forty billion dollar rescue package. Of course we actually saved American institutions who had lent money and other western institutions, who had lent money. In 1997 we had an East Asian financial crisis. We protected people here who had no idea of how devastating those crises were to those economies—and those people. That was pure depression in East Asia. Much of it had to do with the end of capital controls that the Clinton Administration favored, so that foreign capital could go in and out of these countries. It was a devastating blow. In 1998 the Russia defaulted, Long Term Capital Management went under. The Fed organized a bailout by the banks. Around 2000-2001 there was the great high-technology crash and the biggest bankruptcies of all time, Enron and WorldCom, 2000-2001. Finally the housing bubble and financial institution crash of 2007-2008.

I am going to repeat those dates 1982, 1987, 1989, 1994, 1997, 1998, 2000, and 2007-8. That is eight financial crises. The conventional wisdom has been that we handled all those crises. We did not handle all those crises. They all hurt the American economies significantly. They all cost jobs. They often resulted in recessions. They used up capital that should have been used for more productive purposes. These were the consequence of the blind deregulatory process.

This essay is based on a talk given at the Logos Salon in the fall of 2010.

Grasping for the Thread: Greece and the Ongoing Global Crisis

By | 2011: Vol. 10, Issue 1

In May 2010, following negotiations with the IMF and the European Commission, the Greek government agreed on a loan package worth EUR 110 billion over the next three years (EUR 80 billion from the EU and EUR 30 billion from the IMF), in exchange for a EUR 30 billion austerity program. The so-called "adjustment program" is aimed at eliminating primary governmental deficit via reduction of the public sector wage bill, cuts in social benefits and increases in value added taxes (together with a range of structural changes to the labor market, social security etc). In this article I do not examine the assumptions of the IMF and EU program, which seem highly unrealistic – for example, projected growth of 1,1 percent in 2012, or a primary budget surplus of 6 percent of GDP in 2014.[1] Instead, I shall focus on the economic philosophy of the program and on some less obvious connections between the global crisis and the Greek economy.

Institutional framework and the creation of "free markets"

There are many reasons why it is worth studying the austerity program currently being implemented by the Greek government in collaboration with the European Union (EU), the European Central Bank (ECB) and the International Monetary Fund (IMF). The program may be seen not only as a turning point in the way the EU approaches the global economic crisis and as an indication of how the crisis is deepening, but also as a measure of how modern political institutions work, and of just how bankrupt political democracy in European societies now is. The Greek problem, for all its many unique internal configurations, is also a European problem. It sheds light on how the EU has moved forward since the Maastricht Treaty (1992) and the creation of the Eurozone in 1999, while also reflecting the antinomies of the common market and the asymmetries of European integration.

The incumbent political and economic leadership in Greece defends the austerity measures by invoking the "realities" of modern capitalism. We live, they say, in the world of mobile capital, a world in which markets, not governments, have the upper hand, and we cannot do anything to change that. Our world is interdependent and governments cannot punish capital -or capitalists- because if they do, then capital will move around the globe in search of better opportunities, reducing those uncooperative to poverty. As capital is global, they argue, so we must have global governance. And as the economy is regulated by market forces and profit, so people must leave economic decision making not to political agents elected by majorities, but to market agents.

However, "free" or "united" markets only exist because people decided to create them. They

are political constructions, not economic or natural necessities. And mobile capital functions as it does because states have decided to forfeit their right to control it, and have handed over the regulation of economic affairs to supranational institutions. If we approach the philosophy of modern economic and political institutions, it is easy to apprehend this “market fanaticism”. The ECB, linchpin of contemporary European economic leadership, was established on the basis of two clear-cut political and ideological beliefs: firstly, that the best central bank policy consists in adherence to strict anti-inflationist rules[2]; and secondly, that the economy ought to be regulated to the least possible extent, following the implementation of aggressively market-oriented imperatives to be “open”, “competitive”, “transparent” and “flexible”. The Single Market Program, passed in a series of 264 European Council directives in the late 1980s and early 1990s, was a clear indication of this gung-ho approach to the regulation of property rights, competition, control over the flow of goods and services, the removal of customs barriers etc.[3] At the core of the arrangements lay the belief that modern capitalism was no longer susceptible to a 1930s type deep structural crisis. The phantom of 1929 had been replaced by the certainties of 1989.

It is no mere coincidence that the 2004 European Union constitution â€“ rejected by many European countries, including France – declared that: “The primary objective of the European System of Central Banks shall be to maintain price stability” and that the economic policy of the member states ought to be “conducted in accordance with the principle of an open market”. The text reflected a certainty that European economies did not produce any fundamental “imbalances” or, at least, that these imbalances could not undermine the kingdom of “open market economies with free competition”. The proposed constitution allowed a member state “where a sudden crisis in the balance of payments occurs” to “take the necessary protective measures.” But “such measuresâ€¦ must not be wider in scope than is strictly necessary to remedy the sudden difficulties which have arisen”. Indeed, the text only contained one reference to the target of “full employment” and to citizensâ€™ “entitlement to social security benefits and social servicesâ€¦” Before that went the exposition of the basic principles behind the EU, i.e. “balanced economic growth and price stability” and “a highly competitive social market economyâ€¦”[4] The Treaty of Lisbon (13-12-2007) wrought no substantial changes to those provisions.

Before the present financial crisis became a public debt crisis, participation in the Economic and Monetary Union (EMU) may have “contributed to the lack of full awareness of the problem [of increasing current account deficits] as it removedâ€¦concerns about the financing of external debt”. Indeed, an important by-product of the Eurozone was that by reducing the cost of financing current account deficits, it allowed countries such as Greece, Portugal and Spain to vastly increase such deficits. For instance, Greeceâ€™s deficit climbed from 5 percent of GDP in 1999 to 14.4 percent in 2008. Admitting the country to the EMU deprived monetary authorities of the exchange rate policy as a mechanism for alleviating “external imbalances”. In the meantime, increases in crude oil prices â€“ Greece is heavily energy dependent – and the relative poor inflow of direct foreign investment “implies that the financing of the external imbalance has been increasingly taken up by external borrowing.”[5] Additionally, declining competitiveness exacerbated the current account deficit after EMU entry, driven mainly by the

enhanced profit margins of Greek industries. These were brought about by excessive price increases, which “led to import substitution, as domestic producers became less competitive relative to foreign producers”-, as well as by major purchases of ships by Greek ship-owners, and an increasing export of incomes, in the form of interest and dividends, as a result of the higher participation of foreign firms in the Greek market. The drop in interest rates that occurred after the country entered the common currency area, coupled with a rise in domestic consumption driven by credit expansion, meant that a larger sum of internal savings â€“ far greater than the European Union average- was directed via banks to the household and shipping sectors.6

Decreased transaction costs following the introduction of the Euro facilitated direct foreign investment between member countries and access to the market “for higher-risk issuers”.7 The deregulation of credit and capital markets which took place in the late 1980s and 90s, involving interest rate deregulation, liberalization of cross-border capital movement and the abolition of direct credit controls, enhanced profit opportunities for many Greek credit and industrial corporations, especially after the enlargement of the EU into Southeast Europe and the opening up of neighboring Balkan markets.8 Banking groups such as the National Bank of Greece, Marfin Financial Group, Eurobank, Alpha Bank, Piraeus Bank, and industrial corporations like Viohalco (metal production), Titan (the larger cement producer in the Balkans), Vivartia (food production), Mytilineos (metal and energy production), Coca-Cola 3E (the largest producer of fresh juices in the Balkans), Intracom (telecommunications, information, defense etc) invested heavily in the Balkans.9 In 2006, Greek banking, commercial and industrial capital accounted for “27 percent of the total of direct foreign investment in Albania”, was ranked first in foreign investment in Macedonia, second in Bulgaria, fifth in Romania and invested billions of euros in Bosnia-Herzegovina and Serbia-Montenegro. These investments required the involvement of Greek banks through subsidiaries operating in the region; this was achieved via the acquisition of local banks, or through the collaboration of multilateral financial institutions.10

At a meeting held in Vienna in January 2009, the EU and the IMF agreed with European banks involved in Southeastern Europe to provide financial help to Latvia, Romania, Serbia, Bosnia, Hungary and other countries facing serious balance of payments problems, and to enhance liquidity in Western banks with large-scale operations in the region, in exchange for promises by those banks that they would not withdraw capital from their subsidiaries in the region [the so-called “Vienna Initiative”]. At another meeting held in Vienna in late February 2010, ten European banks with major involvement in Serbia, including three Greek groups (the National Bank of Greece, Alpha Bank and Piraeus Bank), reaffirmed their commitment to support their subsidiaries in Serbia.11 These agreements were to prevent countries already hit by the recession and highly indebted to foreign banks from experiencing a sudden outflow of capital, in exchange for “stabilization programs” supported by the IMF. According to Anne-Marie Gulde, senior advisor in the IMFâ€™s European Department, the Fundâ€™s heavy involvement in the region was aimed at rescuing major Western banks in order “to avert a systemic crisis, even with the loans provided by the IMF, the European Union, and other multilateral and bilateral lenders”.12 Greek banks, which had previously been reluctant to use the EUR 28

billion provided under governmental “support measures”, designed in September 2008 “to ensure the stability of the Greek financial system”, that is, to rescue banks from dangers of a run on their deposits, were now eager to use not only the initial EUR 28 billion package, but to increase support schemes to EUR 43 billion. Indeed, after the debt crisis erupted, triggering a deterioration in both public and private sector loan terms, the collapse of interbank lending and the withdrawal of deposits in excess of EUR 15 billion, in April 2010 Greek banks formally requested that the Ministry of Finance increase the state guarantee package. According to the European Commission, the additional liquidity was necessary because Greek banks were “facing liquidity constraintsâ€¦ maturing interbank liabilities have not been renewed” and “have increasingly relied on Eurosystem credit operations”.13

Â It is difficult to ascertain how much of this state aid was directed to Greek bank affiliates in the Balkans. The foreign network of Greek banks, one of the strong points of Greek banking capital prior to 2008 – accounting for more than 3.000 branches worldwide, local deposits worth EUR 37.8 billion and total assets of EUR 87.6 billion – is now most definitely a source of inquietude, if not of direct losses. As Balkan countries dive ever deeper into recession, banking institutions in Greece are eager to secure new state aid. Yet, it comes as a shock to note that at the very same time, the recently elected (October 2010) government headed by G. Papandreou has slashed wages in the public sector, imposed a three year wage freeze on the private sector and cut state aid to several public utilities in order to “save the country from bankruptcy”. Nevertheless, it appears willing to support the banking system to the tune of 43 billion Euros, a sum unprecedented when compared to the size of the Greek economy â€“in fact, the bank aid package equals the amount the country pays annually to bondholders for interest and amortization.14 In this respect, it would not be unfair to assume that one of the main targets of the current Greek austerity measures and the joint EU-IMF “rescue package” is to provide an attractive financial environment and adequate resources to cover Greek banking exposure in the Balkans.

Inflation targeting and the euro-area debt market

After the 1980s, mainstream economists generally agreed on the following: that the social costs of inflation outweighed the social cost of unemployment; that Central Banks should be “independent” so as to be able to refuse requests to finance budget deficits; that it is crucial for governments to be committed to low inflation targets, so as to convince the public of their determination to reduce inflation; that the postwar commitment to full employment was a false economic philosophy, leading to unbalanced budgets and increased governmental regulation; that the “Great Inflation”, i.e. the period from 1967 to 1983, when inflation rates in the USA did not fall below 3 percent, reaching a climax of 12 percent, was as bad as the 1930s Great Depression; lastly, that Reaganomics and Paul Volker leadership in the Federal Reserve System changed this course for the better and established a regime of low inflation rates via the control of money growth.15 This highly biased narrative usually omits any reference to “the fundamental cause of both of the “twin evils” of higher unemployment and higher inflation”, that is, “the “significant decline in the rate of profit in all major capitalist countries in the 1960s and 1970s”.16

The public, and certainly modern politicians, became committed to the war against inflation, even if that meant allowing unemployment rates to exceed 10 percent. The consequences of such policies were severe. Restrictions on public lending via the control of money growth â€“ allegedly a machine producing money and inflation[17]– and central banking independency left two alternatives open. The first was the support of balanced budget and reduced public spending; in mature capitalist societies with booming services sectors, this lead to significant "social deficits". State ownership had previously been used as a redistribution tool to provide health care, education, water, energy or transport services for the poorer segments of the population. Now, who was to provide these services without large state investments or unbalanced budgets? Under favorable circumstances (i.e. with the free use of the large public infrastructure and network), private agencies could do so. Yet new, promising investment opportunities for private capital went hand in hand with growing social inequalities. In a progressive tax system, the welfare state was funded by the richest taxpayers. Now, those taxpayers benefited from "privatization programs" and efforts to limit the size of government at the expense of the underprivileged. The benefits of low inflation for consumers were outweighed by a loss in employment and the high costs paid to the owners of private utilities.

This train of events proved incompatible with the notions of sustained growth and social cohesion. Politicians and economists who accepted the philosophy of the "minimum state" were also aware that deregulation and privatization could not proceed without social unrest. They thus accepted the necessity of running public deficits in one form or another â€“either to support "national security", expenditure on armaments and foreign wars, or to finance a large trade deficit â€“ the last being a tribute to the priorities of multilateral corporations. The way in which public debt is financed is crucial. The best way, according to neo-liberal economists, is not by public paper money creation but by credit provided by private or "independent" banking institutions.

The creation of the Eurozone, which Greece entered in 2001, contributed to the "integration" of the European security market and to an increase in the securities issued by private and public agents. The "euro-area public debt market" was as large as the US Treasury market. But unlike the US, the issuance of public debt in the euro area remained a decentralized process, involving less favorable terms for the debt instruments of smaller-euro-area issuers who had to pay a "liquidity premium" in order to have access to European financial markets. The "Giovannini Group" was formed in 1996 to advise the European Commission on issues relating to EU financial integration; in November 2000 it published a report arguing for more "efficient" and "coordinated" government bond issuance among euro-area member states. The report recommended the creation of "a more homogenous public debt market that wouldâ€¦help to ease liquidity constraints, particularly for smaller issuers." The Group proposed "not only common issuance terms and conditions but also a joint debt instrument underpinned by the several guarantees of the participants", aimed at improving the liquidity of euro-area public debt and reducing the yield spreads of smaller member states.[18] Nevertheless, nothing substantial was done in this direction.

From the late 1990s on, governments reduced their supply of securities as their economies

improved. Coupled with new incentives provided by the euro-area to private bond issuers, this led to an increase in securities issued by the private sector, and a decrease in the percentage of government bonds in financial markets. Many corporate firms, like the US Freddie Mac Federal Mortgage Agency and the Fannie Mae Mortgage Company (privatized in 1968), or the German Pfandbrief Banks, issued multi-currency bonds in a manner similar to the borrowing practice of governments. Private debt markets grew substantially after the introduction of the euro, thus facilitating the development of derivatives and repo markets.19

The Eurozone became an attractive area for private entities to raise funds by issuing debt securities. Between 1999 and 2006, the nominal amount of debt security increased worldwide from $34.2 billion to $67.7 billion. In a continuous upward trend from 2000 onwards, the Euro increased its share of all debt securities as a debt denominated currency from 22 percent in 1999 to 27 percent in 2007 (the USD accounts for 43 percent and the Yen for 14 percent). The Euroâ€™s popularity in international capital markets was due in no small part to the ECBâ€™s “hard money” policy, which led to significant appreciation against the dollar and the Japanese yen. The share of euro-denominated securities for non-euro area states and corporations went up from 21 percent in 1999 to 31 percent in 2006. And although debt securities issued by public authorities are still the most important segment of the market in the Eurozone, the share of government debt has been decreasing since 1999. From 75 percent of all debt securities in 1999, it stood at 47 percent in 2006. The Stability and Growth Pact, adopted in 1997 to enforce budgetary discipline by the Euro member states, was not only intended to reassure European bankers that inflation targets would not be evaded by any member state, but also to make it more attractive for private financial institutions worldwide to raise funds in the Euro through the issuance of debt securities. Indeed, the outstanding amount of Euro-denominated debt securities issued by non-Euro area banking and credit institutions -the so-called Monetary Financial Institutions (MFIs) – increased by 579 percent between 1999 and 2006.20

At the same time, households were becoming heavily indebted to banking institutions and were forced to cover their needs by submitting to onerous terms, due to the gradual disintegration of the welfare state. The main problem arising from the current financial environment is not large state indebtedness, but predominantly huge private debt, both corporate and individual, and the enormous growth of capital markets.

Privatization and “Militarization”: a destructive co-existence

The rise in worldwide military spending over the past 12 years is yet another factor which triggered the global financial crisis, and which is also a component of the Greek debt crisis. This trend is not necessarily a by-product of the so-called “war on terror” and the USA invasion of Afghanistan and Iraq, since it was already in train prior to September 11, 2001. In 1998 the US Department of Defense budget reached a post-Cold War low point of $361.5 billion (calculated in 2010 USD). Yet ten years later, in 2008 the USA was responsible for 41.5 percent of global military expenditure, with a budget in the order of $696.5 billion. I am not aware whether this 92.7 percent increase is linked to the introduction of the Euro, but the fact

remains that the rise in US “defense” spending “has no precedent in all the years since the Korean war”. The pro-person cost of US commitments in Iraq and Afghanistan is three times that of the Vietnam War. Î¤he transition from a conscript to a professional army, increasing operation and maintenance costs, and the changing ratio between “shooters” and support personnel and activities, in favor of support, contributed to the post-1998 rise in defense spending. From another point of view, the US Department of Defense has increased its dependence on private, contract labor. Private defense contractors constitute a far larger share of the US military budget than in the past. This “privatization” of the army, a general trend from public to private personnel that is observable not only in the army but in a whole range of services and activities worldwide, does not necessarily involves lower cost, if we take into consideration that “only 40 percent of Pentagon contracts were conducted under what it terms “full and open competition.””21

The redistribution of tax money to armaments and defense related programs was not compensated by any significant rise in job creation. A 2007 report on the job creation effects of military spending in comparison with alternative uses, such as personal consumption, mass transit, health care, education and construction, revealed that military spending creates the fewest number of jobs of any of the above alternatives, with two of the categories- education and mass transit- creating “more than twice as many jobs as with defense.” Furthermore, the report concluded that per dollar spending in education will generate both higher average wages as well as more new jobs than in the military, and that there is “good reason for avoiding tax cuts as a means of promoting job creation” because “using the savings from a reduction in the military budget to lower taxes primarily for the wealthy” would have “a relatively weak payoff in terms of promoting decent jobs”.22

The recent huge increase in defense spending is not only economically unsound, but constitutes a direct threat to democratic policy. A sign of this threat is the “trend towards larger defense contractors, some of whom are national monopolies”, and the creation of “even more powerful and influential producer groups” to compete for defense contracts. This trend preceded the global increase in defense spending after 1998, in a manner that leads us to conclude that even if September 11 had never occurred, the defense industry would have managed to create or benefit from an event of similar magnitude and importance in order to keep itself alive and profitable. 1998 testimony from the US General Accounting Office (GA0) on “defense industry consolidation” accepted that “the defense industry is more concentrated today than at any time in more than half a century”. The purchase of Grumman by Northrop in 1994, the merger of Lockheed and Martin-Marietta in 1995, and of Boeing Company with McDonald Douglas in 1997, meant that “lobbying by defense contractors for business replaces even limited competition”. If we take the defense industryâ€™s record as a contractor into consideration, it is easy to see the threat that aggrandizement poses to democracy. Lockheed Martin, the larger federal contractor with contracts worth more than $38 billion for 2009, has the most “misconduct instances” since 1995. The company was cited by the Federal Contractor Misconduct Database for 50 cases of serious contract fraud and *violations*, which included defective pricing, unlicensed exports, overcharge, bribery, Foreign Corrupt Practices Act Violations, violations of Arms Exports Control Act, emissions violations, nuclear safety

violations, Federal Election Law violation etc. The next four largest federal contractors, all of which are in the defense industry â€“Boeing, Northrop Grumman, General Dynamics, Raytheon- have been found guilty of 98 instances of misconduct since 1995.23

Europe responded to these trends with the creation in 2000 of EADS, formed by the merger of Daimler Chrysler (Germany) with Aerospatiale-Matra (France) and Construcciones Aeronauticas SA (Spain). As a prelude to this merger, the Eurofighter Typhoon project, initiated in 1998 by a consortium of European firms, became a direct competitor of the US aircraft industry. The Eurofighter marketing team set an ambitious goal of exporting 500 aircraft by 2022. In 2000 Greece announced a decision to purchase 60 Eurofighters, rising to a possible 90. However, the purchase never occurred. Instead of the more costly Eurofighters, in October 2005 the conservative government headed by K. Karamanlis requested a possible purchase of 30 F-16C/D Block 52+ aircraft (with an option on 10 more) and other support equipment. The principal US contractors were Lockheed Martin, Boeing, Raytheon, Northrop-Grumman and the British BAE.24 In July 2006, Greeceâ€™s Government Council for Foreign Affairs and Defense (KYSEA) re-arranged its military procurement program for 2006-2010. EUR 11.39 billion was earmarked over a new five-year plan: EUR 2.9 billion for new orders (mainly 20 transport helicopters, 6 French frigates, 5 maritime patrol aircraft and 400 Russian armored troop transport helicopters), and the remaining 8.43 billion for equipment ordered by previous governments.25

According to the Stockholm International Peace Research Institute (SIPRI) annual report, Greece was the fifth largest recipient of major conventional weapons from 2004 to 2008, behind China, India, the United Arabic Emirates (UAE) and South Korea, accounting for 4 percent of global arms imports. This percentage is monstrous if we take into consideration that Greek GDP is only a little higher than that of the US state of Washington ($333 billion in 2009).26 Greece has the fifth Mirage fleet in the world and one of the largest F16 fleets in Europe. The Hellenic Air Force ordered its first 40 F16s in 1985, in the so-called “purchase of the century” signed by the socialist government under A. Papandreou. Two major orders for 40 F-16C/D-50 Block 50 fighters in 1993 and 60 F-16 Block 52+ aircraft in 2000 were made by socialist governments headed by K. Simitis. Finally, in 2005 the conservative K. Karamanlis administration ordered 30 F-16C/D Block 52+ aircraft, which were delivered in 2009. Greece has the highest military budget in Europe in proportion to GDP (3.6 percent in 2008) and ranks second in NATO behind the United States, despite the fact that it has not been actively engaged in any internal or external war for many decades. This contrasts with almost every other country in the globe with a military spending share exceeding 3 percent of GDP. In 2009, in the midst of the global financial crisis, Greece continued to spend $13.9 billion on its “defense”. Long standing tensions between Greece and Turkey are cited as the reason for this massive figure. But even Turkey, with an economy twice as big as that of Greece, with a population seven times larger, and with a constant undeclared war in its South-Eastern provinces, spent $19 billion in defense in 2009, amounting to 2,2 percent of GDP.27

We would probably not be in the realm of fantasy if we concluded that the order for 60 Eurofighters which Greece placed with the European consortium in 1999, and later cancelled,

was a ticket for entry into the Eurozone. Â Likewise, Greeceâ€™s access to the EU / IMF-backed Â “support mechanism” in spring 2010 went ahead after informal promises were made by G. Papandreouâ€™s government that, austerity measures notwithstanding, he would not forget the European arms industry in future defense contracts. Greek orders are crucial for the survival of literally thousands jobs in Germany and France: In 2009, Greece followed Turkey as the second largest German arms industry client and the third most important market for French military suppliers.28

In the second half of the previous decade (2005-2009) global arms sales rose by 22 percent. A recent report on the performance of the global aerospace and defense industries confirms that overall revenue “remained flat” and that “flat revenue growth during the 2009 economic crisis should be considered good industry performance, compared to other industries heavily impacted during the recession”. The report notes that “the defense industry generally relies on long-term contracts not greatly impacted by short-term economic events”, but moderate defense budgets, “additional cutbacks in large weapons programsâ€¦ and the uncertain legacy of an historic global credit crisis” constitute great challenges for the industry. Despite these challenges, the report predicts that “the new decade ahead should mark a period of robust prosperity”.29 There are many reasons for this optimism; the most important among them being the Obama administrationâ€™s plans to spend $5 trillion on defense over the period 2010-2017.

On the other side of the Atlantic, EU member states spend around 180-200 billion Euros on defense – even though this only amounts to around one third of the US defense budget, it is still far larger than the annual figures for Russia and China. A recent report on the EUâ€™s “Security and Defense Policy”, prepared by the Friedrich Ebert Foundation, highlighted the prospect of a future decrease in European influence around the globe as a consequence of an aging population, energy dependence and modest economic growth. To offset these disadvantages, the authors of the report proposed that EU governments strive to create a common European security and defense policy, involving the consolidation of European arm industries, common arms programs, joint military exercises, and intensification of the EU presence in Asia so as to render Europe “a major strategic actor with China.30 This prospect, amidst the ongoing depression, is a terrifying one. Germany has once again become a leader in the world arms industry (behind USA and Russia), doubling its exports over the last five years, leaving another European country, France, in fourth place among the top arms dealers worldwide.

Crisis and the environment

The above arms race is all the more harmful today for the added reason that public investment, especially in infrastructure projects and social services, is absolutely vital if we are to offset the effects of global warming on human societies. According to the World Water Council, by 2025 “half the worldâ€™s population will be living in areas that are at risk from storms and other weather extremes”. The economic cost of these events is set to spiral: Economic looses from major natural disasters reached $30 billion in 1990, $70 billion in 1999 and over $150 billion in

2005. State planning is now more urgent than ever, because just a recovery is not enough. Counterbalancing climate change impacts on water resources, the arrival of more pests and diseases, increases in heat-related-illnesses and breathing problems will be a daunting challenge for states to rise to.31

The vulnerable position of the insurance industry in 2008-2009 was not only linked to “toxic” investment [as in the case of insurers with large banking operations like AIG Holding Co, ING and Fortis] but to the fact that natural disasters, which continue to increase in number and severity, have already begun to undermine future prospects for the industry. Insurance companies managing 11 per cent of global financial assets have come to realize that their long-term health depends on reducing greenhouse gas emission to prevent climate change. Hurricane Katrina set the alarm bells ringing: in addition to being the most costly weather-related disaster ever, with economic losses in excess of $126 billion, it cost the industry over $30 billion in insured losses. Many executives acknowledged beyond “any doubtâ€¦ that a warming of the atmosphere and oceans is causing an increased likelihood of storms, tidal waves, hailstorms, floods and other extreme events”, and that “failure to act would leave the industry and its policyholders vulnerable to truly disastrous consequences”.32

When drawing up the common constitution, instead of imposing strict anti-deficit rules or balanced-budget requirements the European Commission should have encouraged member-states to specify that water and other resources must be publicly delivered, a provision that very few countries in the globe have adopted.33 Unfortunately, international organizations approach water resources as a new promised land for profitable private investments, hiding their intentions behind phrases like “good water governance, strong regulations, sound policies” and “full-cost pricing for water services”. The World Water Vision, an ambitious project under the auspices of the Global Water Partnership, an institution created in 1995 on the initiative of “governments, multilateral banks, UN agencies, professional associations, and the private sector”, recommended that “private actors provide the main source of infrastructure investment” in future water supply projects. According to World Water Vision estimates, the public sector share in water resource investment should be reduced from 58-71 percent of total investment in 1995 to 25 percent in 2025, with the remainder covered by “private firms”, “international private investors” and “donors”.34 Nowhere in these reports will you find an acknowledgment that water “is not a commercial goodâ€¦ but rather a human right and a public trust” or that “water corporationsâ€¦ are dependent on increased consumption to generate profits and will never be able to seriously join the effort to protect and conserve source water.”35

In poor or developing countries which are submitted to the yoke of the World Bank or the IMF, water supplies are targeted for unrestrained commercial exploitation; private participation in water resources has been used as an instrument for the repayment of external debt or as a precondition for World Bank lending. A 2001 study of water privatization schemes in three African countries (the Ivory Coast, Senegal, Guinea-Bissau,) concluded that “High prices and disconnections must mean that the poorest segments of society are likely to be the main losers from the privatization process”.36 Another, more thorough case study by the same writer,

examining privatization processes in Sub-Saharan African, a region dominated by three French multinationals (Saur, Suez and Vivendi), revealed that private companies failed “to comply with regulation”, that there was a “problem of reconciling the conflict between the profit motive and the provision of a social service”, and that “consumers cannot pay tariffs sufficient to finance the levels of investment required in water infrastructure”.37

“Development” achieved via economic growth measured in purely monetary terms should no longer be the standard in the modern world. Given that “people who have sufficient access to natural resources to meet their basic needs generally do not consider themselves poor”, integrated water [or other resources] management should focus on “”sustainable livelihoods” and enhancing the quality of life, rather than on the reduction of poverty in narrow monetary terms. Public ownership of basic human resources in democratically organized states should be the norm, not the exception, if we meant to be serious in claiming that we are adequately dealing with the problems in todayâ€™s world.38.

Conclusions

The majority of European governments are currently waging a war against their societies and ordinary citizens, apparently oblivious of natureâ€™s fight for survival against mankind. In that fight, the conventional arsenal now owned by nations is not merely incapable of bringing victory; it is likely to prove suicidal. In late August 2007, the Greek government was effectively forced to stand by as wildfires swept through large parts of the Western Peloponnese, leaving a smoldering trail of ashes in their wake. What was the financial cost â€“ quite apart from the loss of human life – of “the largest environmental disaster in modern Greek history”? What relationship is there between the deep structural crisis being experienced by Greek agriculture (which has fallen from 9.9 percent of GDP in 1995 to less than 3.4 percent of GDP today) and the priorities set out under the Common Agricultural Policy following the creation of the EMU?39 The IMF and the EU are more than willing to count the cost involved in paying for 5.416 seasonal fire fighters, in a public fire service with more than 3.280 permanent posts unfilled, but they are unlikely to examine the how Greece would benefit from having fewer F-16 aircraft and more fire-fighting aircraft, fewer armored fighting vehicles and more fire-fighting vehicles.

In August 2007, the prophets of globalization confirmed that “the current economic situation is in many ways better than what we have experienced in yearsâ€¦ Our central forecast remains indeed quite benign: a soft landing in the United States, a strong and sustained recovery in Europe”. In 2010 the same prophets urged the Greek authorities “to privatize or close down the numerous state enterprises which have proven to cost tax payers large sums of moneyâ€¦ and which may well be obstacles to more efficient market structure as long as they remain in the public hands.”40 The same market “fanaticism” that triggered the world crisis is now being promoted as the way out of it. In the mean time, salaries are being slashed and millions of jobs are on the line. US employers shed more than 7 million jobs in 2008 and 2009, the biggest employment loss since the 1930s. Another 7 million jobs were lost in the European Union over the same period. The official unemployment rate in the 27 EU member states rose from 16

million in the first quarter of 2008 to over 23 million in May 2010.41

A sustainable way out of the crisis should bring together ostensibly unconnected facets of the modern world which contributed to the collapse of the economic system and the world debt crisis: the Eurozone project, the arms race, global warming, the commercialization of society and the dominance of market-type relationships. Any solution which ignores the fact that the present crisis represents the failure of the political and economic setup dominant over the past thirty years, when "market economics" ruled supreme, will be incapable of tackling economic problems in the real world. With the EUR 110 billion "rescue package" the EU and the IMF may have shored up the European financial system against potential losses running into billions, but in doing so they risk plunging not only Greece but the whole of Europe into prolonged stagnation.42 The remedies now being touted by the Papandreou Government, the EU and the IMF, -more free markets, more powerful corporations, more "wage and labor market flexibility", less welfare state, less democratic scrutiny and social rights â€“ in short, the new mantra dominating not only Greece but the entire Eurozone – are more than likely to transform this crisis into something deeper than a simple "reproduction crisis of the capitalist system".

Notes

1 On this see Ronald Janssen, "Greece and the IMF: Who Exactly is Being Saved?", July 2010, *Center for Economic and Policy Research*, p. 1-8, https://www.scribd.com/doc/34895662/Greece-and-the-IMF-Who-Exactly-is-Being-Saved.

2 Kathryn M. E. Dominguez, "The European Central Bank, the Euro and Global Financial Markets", *Journal of Economic Perspectives*, vol. 20, no. 4, Fall 2006, p. 70-74.

3 Neil Fligstein and Iona-Mara-Drita, "How to make a Market: Reflections on the Attempt to Create a Single Market in the European Union", *The American Journal of Sociology*, vol. 102, no. 1, July 1996, p. 1-33.

4 "Treaty establishing a Constitution for Europe", Brussels 29/10/2004, rev. 2, p. 10, 35, https://www.unizar.es/euroconstitucion/library/constitution_29.10.04/part_I_EN.pdf. *Ibid.*, p. 41, https://www.unizar.es/euroconstitucion/library/constitution_29.10.04/part_III_EN.pdf. *Ibid.*, p. 15, https://www.unizar.es/euroconstitucion/library/constitution_29.10.04/part_II_EN.pdf.

5 F. Lane, *ibid.*, p. 54-55. George Zombanakis, Constantinos Stylianou, Andreas S. Andreou, "The Greek Current Account Deficit: Is it Sustainable After All", *Working Paper. Bank of Greece*, June 2009, no. 98, p. 3-16,

https://www.bankofgreece.gr/BogEkdoseis/Paper200998.pdf. Gikas Hardouvelis, Platon Monokroussos, Tasos Anastasatos, Costas Vorlow, "Global financial crisis weighs on Greek growth outlook", *Eurobank EFG Economic Research*, December 2008, p. 10, https://www.hardouvelis.gr/FILES/PROFESSIONALpercent20WORK/Greekpercent20MACROpercent20MONITORpercent20Decpercent202008.pdf.

6 Dimitris Malliaropulos, " How much did competitiveness of the Greek economy decline since EMU entry?", *Eurobank Research Economy and Markets*, vol. 5, no 4, July 2010, p. 1-2, 12-13, https://www.eurobank.gr/Uploads/Images1024/OikonomiaAgores13July2010.pdf. Gikas Hardouvelis, Platon Monokroussos, Tasos Anastasatos, Costas Vorlow, *ibid.,* p. 10-11

7 Philip R. Lane, "The Real Effects of European Monetary Union", *The Journal of Economic Perspectives*, vol. 20, no. 4 (Fall 2006), p. 52-55.

8 Christos Gortsos, "The Greek banking system", Hellenic Bank Association 2005, p. 2-17, https://62.1.43.74/8Ekdiloseis/UplFiles/synedriapercent20kaipercent20imeridespercent20eet/Thepercent20Greekpercent20Bankingpercent20Systempercent20bypercent20Dr.percent20Christospercent20Gortsos.pdf.

9 *Ioannis Michaletos, "2007: the Top 10 Greek Corporations to Watch", 1/17/2007, https://www.balkanalysis.com/2007/01/17/2007-the-top-10-greek-corporations-to-watch/.*

10 Constantine G. Athanassopoulos & Vassiliki Delitheou, "Globalization and Profits in the Balkans", *The Bridge. A quarterly review on the Greek presence in SE Europe & the SE Mediterranean"*, 2006, no 2, p. 58-61, https://www.bridge-mag.com/pdf/vol2/bridge_02.pdf.

11 Paul Hannon, "Greece Bailout: What Role For Banks?", February 11, 2010, https://blogs.wsj.com/source/2010/02/11/greece-bailout-what-role-for-banks/. Bojana Todorovska, "Vienna Initiative. Largest Foreign Banks in Serbia Reaffirmed Commitments", 26 February 2010, https://www.ebrd.org/pages/news/press/2010/100226a.shtml. Stewart Fleming, "Playing for more than just money", 24/09/2009, https://www.europeanvoice.com/article/imported/playing-for-more-than-just-money/65958.aspx.

12 Camilla Andersen, "Agreement with Banks Limits Crisis in Emerging Europe", October 28, 2009, *IMF Survey Magazine*, https://www.imf.org/external/pubs/ft/survey/so/2009/int102809a.htm.

13 European Commission, 12/5/2010, "Greece Amendment to the Support Measures for the

Credit Institution in Greece”, https://ec.europa.eu/community_law/state_aids/comp-2010/n163-10-en.pdf.

14 Enosi Ellinikon Trapezon, “To elliniko trapeziko sistima to 2009, Iounios 2010”, [Hellenic Bank Association, “The Greek Banking System in 2009, June 2010”], p. 62-63, https://www.hba.gr/main/Ereunes-meletes/EllinikoTrapeziko2010-FullForWeb.pdf.

15 Allan H. Meltzer, “From Inflation to More Inflation, Disinflation and Low Inflation, Keynote Address”, *Conference on Price Stability Federal Reserve Bank of Chicago*, Thursday, November 3, 2005, p. 1-13, www2.tepper.cmu.edu/afs/andrew/gsia/meltzer/FR_of_Chicago.doc.

16Fred Moseley, “The Decline in the Rate of Profit in the Postwar US Economy: A Comment on Brenner”, p. 1-2, https://www.mtholyoke.edu/~fmoseley/Working_Papers_PDF/HM.pdf. For a more traditional view see also, Merih Uctum, Sandra Viana, “Decline in the US profit rate: a sectoral analysis”, *Applied Economics*, vol. 31, no. 12, 1999, p. 1641-1652.

17 Richard E. Wagner, “Boom and Bust: The Political Economy of Economic Disorder”, *The Journal of Libertarian Studies,* vol. 4, no. 1, Winter 1980, p. 1-37.

18 “Co-ordinated public debt issuance in the euro-area. Report of the Giovannini Group”, November 2000, p. 1-4, https://ec.europa.eu/economy_finance/publications/publication6372_en.pdf.

19 Orazio Mastroeni, “Pfandbrief-style products in Europe” p. 44-45, https://www.bis.org/publ/bppdf/bispap05b.pdf.

20 European Central Bank, “The euro bonds and derivative markets”, June 2007, p. 1-20, https://www.ecb.int/pub/pdf/other/eurobondmarketstudy200706en.pdf.

21 Carl Conetta, “An Undisciplined Defense. Understanding the $2 Trillion Surge in US Defense Spending”,*Project on Defense Alternatives. Briefing Report 20*, January 8, 2010, p. vi, 1, 7, 10, 13-15, https://www.comw.org/pda/fulltext/1001PDABR20.pdf. Larry Makinson, “Outsourcing the Pentagon: Who benefits from the Politics and Economics of National Security?”, *Center for Public Integrity*, Washington DC: 29 September 2004, https://projects.publicintegrity.org/pns/report.aspx?aid=385.

22 Robert Pollin and Heidi Garrett-Peltier, “The U.S. Employment Effects of Military and

Domestic Spending Priorities”, *Department of Economics and Political Economy Research Institute*, University of Massachusetts, Amherst, October 2007, p. 6-15, https://www.ips-dc.org/reports/071001-jobcreation.pdf.

23 Keith Hartley, “The Arms Industry, Procurement and Industrial Policies”,in Todd Sandler and Keith Hartley (edit.), *Handbook of Defense Economies. Volume 2. Defense in a globalizing world*, Amsterdam 2007, p. 1156, 1168. Federal Contractor Misconduct Database, “Lockheed Martin”, https://www.contractormisconduct.org/index.cfm/1,73,221,html?ContractorID=38&ranking=1. POGO’s Updated Federal Contractor Misconduct Database, “Lockheed Martin Leads In Contracts and Penalties”, April 21, 2009, https://www.pogo.org/pogo-files/alerts/contract-oversight/co-fcm-20090421.html. “Defense Industry Consolidation: Competitive Effects of Mergers and Acquisitions. Testimony”, 03/04/98, https://www.globalsecurity.org/military/library/report/gao/nsiad98112.htm.

24 Defense Security Cooperation Agency, “Greece – F-16C/D Block 52+ Aircraft”, October 26, 2005, https://www.dsca.mil/PressReleases/36-b/2006/Greece_06-17.pdf. “Greece Alters Its Defense Spending Priorities”, October 20, 2008, https://www.defenseindustrydaily.com/greece-alters-its-defense-spending-priorities-plans-02476/

25 “Greece Alters Its Defense Spending Priorities, *ibid.*

26 SIPRI Yearbook 2009, “Armaments, Disarmaments and International Security. Summary”, Stockholm 2009, p. 15, https://www.sipri.org/yearbook/2009/files/SIPRIYB09summary.pdf.

27 Monika Wyrzykowska, “Greek Military Spending in light of the Euro Zone Crisis”, https://atlantic-council.ca/?p=1662. Mustafa Kutlay and Arianna Catalano, “Making Deals instead of Wars: New Turkey’s Approach for Greece in the Doldrums”, Tuesday, 18 May 2010, https://www.turkishweekly.net/columnist/3336/making-deals-instead-of-wars-new-turkey-39-s-approach-for-greece-in-the-doldrums-.html.

28 SIPRI Yearbook 2009, *ibid*., p. 14. Sven Heymann, “German arms exports more than double”, 31 March 2010, https://www.wsws.org/articles/2010/mar2010/germ-m31.shtml. Derek Scally, “Germany now worldâ€™s third-largest arms dealer”, https://www.defenceforum.in/forum/showthread.php/8952-Germany-s-arms-exports-double-now-world-s-third-largest-arms-dealer.

29 “2009 Global Aerospace & Defense Industry Performance Wrap-up. A study of the 2009

performance of 91 global A&D companies",p. 2-4, 17, https://www.deloitte.com/assets/Dcom-Germany/Localpercent20Assets/Documents/08_Fertigungsindustrie/2010/MFG_Global_Aerospace_Defense_Wrap_Up_2009_280510.pdf.

30 "The Lisbon Decade", 19/04/2010, https://www.german-foreign-policy.com/en/fulltext/56335.

31 "Climate change boosting flood and drought: experts", https://www.cma.gov.cn/en/speeial/2009special/wcc_3/effects/200908/t20090819_42146.html.

32 Virginia Haufler, "Insurance and Reinsurance in a Changing Climate",in Henrik Selin and Stacy D. VanDeveer (ed.), *Climate Change Politics in North America*, Canada Institute. Occasional Paper Series, October 2006, p. 87-88, https://www.wilsoncenter.org/topics/pubs/CI_OccPaper_ClimateChange3.pdf.

33 Maude Barlow, "Blue Covenant. The Alternative Water Future", *Monthly Review*, vol. 60, no. 3, July-August 2008, p. 125-141.

34 Saeed Rana and Lauren Kelly, "The Global Water Partnership Addressing Challenges of Globalization: An Independent Evaluation of the World Bankâ€™s Approach to Global Programs", Washington D.C., 2004, p. viii. "Investing for the Water Future", p. 60-65, https://www.worldwatercouncil.org/fileadmin/wwc/Library/WWVision/Chapter5.pdf.

35 Maude Barlow, *ibid*., p. 125-141. See also Sandra L. Postel, "Entering an Era of Water Scarcity: the Challenges Ahead", *Ecological Applications*, vol. 10, no. 4, August 200, pp. 941.

36 Kate Bayliss, "Water privatisation in Africa: lessons from three case studies"*, Public Service International Research Unit,* May 2001, p. 12, www.psiru.org/reports/2001-05-W-Africases.doc.

37 Kate Bayliss, "Utility Privatization in Sub-Saharan Africa: A Case Study of Water", *The Journal of Modern African Studies*, vol. 41, no. 4, Dec., 2003, p. 508-511, 527-529.

38 BothEnds, "Towards People Oriented River Basin Management: An NGO Vision" in Danielle Morley (ed.), *Freshwater Report*, 12/5/2000, p. 18, https://www.earthsummit2002.org/freshwater/Freshwaterpercent20Report.pdf. Stefanie Jeukens, Edit Tuboly, Paul Wolvekamp, Danielle Hirsch, "Both Ends Feedback on Gender, Politics and Participation: A summary of summary of views and considerations which surfaced

during the NGO Water Vision consultations, in *World Water Vision. Results of the Gender Mainstreaming Project: A Way forward*, March 2000, p. 42, https://www.worldwaterforum5.org/fileadmin/wwc/Library/Publications_and_reports/Visions/GenderMainstreaming.pdf.

39 Greece with the "highest share among EU member states of exports of food, drinks and tobacco in its total exports (18,7 percent in 2006)" remains a net importer of agricultural products due to its huge imports of livestock from the EU. Elena Kagkou, "Agriculture, Fishery, Food and Sustainable Rural Development in Greece, *Options MÃ©diterranÃ©ennes*, serie B, no 61, 2008, p. 214, https://portail2.reseau-concept.net/Upload/ciheam/fichiers/Greece2008.pdf. "Peloponnese", https://en.wikipedia.org/wiki/Peloponnese.

40 Excerpt from the 2007 OECD World Economic Outlook in Dirk J. Bezemer, ""No One Saw This Coming": Understanding Financial Crisis Through Accounting Models", *MPRA*,Paper No. 15892, 16. June 2009, p. 20, https://mpra.ub.uni-muenchen.de/15892/. July 2010. IMF Country Report No. 10/217. "Greece: Stand-By Arrangement. Review Under the Emergency Financing Mechanism", Washington, D.C., p. 17, https://www.imf.org/external/pubs/ft/scr/2010/cr10217.pdf.

41 "European Commission. Unemployment statistics", https://epp.eurostat.ec.europa.eu/statistics_explained/index.php/Unemployment_statistics.

42 Ronald Janssen, *ibid.,* p. 7-8.

Notes on the Counter-Revolution

By | 2011: Vol. 10, Issue 1

Counter-revolution has gripped the American imagination. Neo-Conservatism was the dominant ideological expression of the new millennium and the Tea Party is today on the march. They have roots in the beginnings of American history and, like their predecessors everywhere, they are the reaction against the prospect of radical — if not always — revolutionary change. Modernity is the crucible in which both counter-revolution and revolution were forged. Both make reference to a notion of progress that speaks not merely to the growth of capitalism but to the privileging of individuality, social equality and the liberal rule of law. There never was a true ideological consensus. Counter-revolution and revolution always provided fundamentally divergent responses to the constraint on arbitrary institutional power. The point for departure in theory and practice, indeed, was the burgeoning bourgeoisie of the 17th century that began an attack upon the *ancient regime* with coalitional support from other classes contemptuous of throne and altar. Partisans of this undertaking sought to substitute capitalism for feudal social relations, a republic for the monarchical state, and a new secular ideology for religious dogma. With its insistence upon individual enterprise and scientific innovation, the liberal rule of law and the assault upon traditional authority, scientific reason and moral autonomy, the Enlightenment crystallized what became known as the “age of democratic revolution.”

The crowning achievements of this enterprise were the three great democratic revolutions that occurred in England (1688), the United States (1776) and France (1789). All of them were predicated on the vision of a new constitutional order in which equal citizens of diverse background and different interests might determine their fate together peacefully under the liberal rule of law. Constitutionalism and suffrage rejectedâ€”*in principleâ€”*the idea of individuals living without explicit human rights in a “community” bound together by land and custom. The principle, of course, did not instantly translate into fact and, thus, there began the long struggle for suffrage by excluded groups. All of their most important representatives — from Mary Wollstonecraft to Martin Luther King, Jr. — pointed to the implicit demands generated by universal ideals and the prejudiced society that denied them. It only makes sense that the formation of a liberal and secular order should have been welcomed not only by those Jews seeking entry into gentile society, butâ€”what is so often forgottenâ€” also by those seeking freedom from the theocracy of the provincial ghetto.

Eighteenth-century constitutional revolutions tore down the walls of the ghetto, opened society, andâ€”finallyâ€”enabled Jews to claim their rights as equal citizens. The failings of these revolutions with respect to implementing equality among citizens, it should be noted, were due less to the inadequacies of their Enlightenment supporters than the unrelenting assault upon their most basic political values by those who would form the counter-revolution.

Counter-revolutionaries trembled. Edmund Burke warned against severing the bonds “between

the dead, the dying, and the yet unborn;" Gustav le Bon identified democracy with the "mob;" Johann Georg Hamann lauded irrationalism; Joseph de Maistre and other traditionalists decried the new tolerance accorded women and "alien" groups like the Jews. Critics of the new age felt themselves justified by the instability and terror generated through the French Revolution, and the years following the Napoleonic Wars were dominated by attempts to introduce a "restoration" of the past. Authoritarianism blossomed with the sanctification of tradition, established forms of hierarchy, and fear of both the "masses" and the "other."Â Experience, intuition, and conspiratorial visions were given philosophical primacy over reflection, critique, and the logic of historical development. Christianity was resurrected, so to speak, in the assault upon secularism and German nationalists introduced policies based on the "purity of race." Everything associated with the Enlightenment and the French Revolution, in short, came under suspicion. Â Stendhal appropriately called the period, stretching from 1815—1848, a "swamp." It was, indeed, dominated by the army and the church or, using the title of his most famous novel, "the red and the black."

Integral nationalism and absolutist understandings of religious faith have always intoxicated the advocates of Counter-revolution. Herein lies the basis for their contempt of liberal notions of toleration and individualism as well as what would become socialist ideals of equality and an extended understanding of "rights." With the attack upon the republican ideal of the citizen came the attack on the rights of the *other.* Rejection of all ideas concerning natural rights and human dignity, which the Enlightenment inherited from the Renaissance, enabled counter-revolutionaries to dispense with cosmopolitan values and embrace explicit doctrines justifying racism, sexism, and the like. Tensions between these two outlooks would simmer for the next three decades following the fall of Napoleon in 1815. They exploded with the demands for republics that, especially in France, would prove, both "democratic" and committed to the "social" good in the Revolutions of 1848.

Liberals in the United States would fuse these two strands of the Enlightenment into a philosophy capable of gripping the masses first in the form of Progressivism during the beginning of the twentieth century, then in the New Deal of Franklin Delano Roosevelt, next in the Civil Rights Movement, and the Poor Peopleâ€™s Movement of the 1960s. But the defeat of the Revolutions of 1848 by reactionary forces, fighting against republicanism and socialism in the name of values inherited from the Counter-Enlightenment, led continental liberalism to surrender its radical impulse. European liberals wound up exchanging the original cosmopolitanism associated with the Enlightenment for new imperialist aspirations, the old emphasis upon republicanism and civil liberties for support of existing monarchical regimes, and the spirit of social reform for an almost unqualified belief in the market. Thus, in contrast to its Anglo-American variant, continental liberalism ultimately served as little more than the political philosophy of the bourgeois gentlemen. Its advocates throughout the latter half of the nineteenth century, and well into the twentieth century, would essentially act as brokers between the authoritarian movements of the right and the socialist movements of the left. Until the anti-communist rebellions of 1989, in fact, continental liberal parties were never able to secure a mass base for their worldviewâ€"and, even today, they still have their problems. Nevertheless, from 1848 until the present, both political democracy and social equality would

serve as targets for the counter-revolution.

This ongoing battle of differing value systems was generated less by some abstract “dialectic” than a concrete and empirical conflict between the partisans of revolution and counter-revolution. That becomes apparent not so much in *The Communist Manifesto*, which can be understood as a testament to the Revolutions of 1848, but in the stunning set of historical works that chronicled the events like *Revolution and Counter-Revolution in Germany* by Friedrich Engels and *The Class Struggles in France* as well as the classic *Eighteenth Brumaire of Louis Napoleon* by Karl Marx. Rarely noted is that here, for the first time, a general theory of the counter-revolution is articulated. Marx insisted that the issue is not merely one of reactionary ideas, or the attempt to transfer symbols and myths from an earlier time into the present, but rather a set of ideas directed at the two most progressive ideologies held by the two dominant classes of the modern production process: the liberalism of the revolutionary bourgeoisie and the socialism of the working class.

According to this logic, pre-capitalist values and ideologies should hold a particular affinity for pre-capitalist classes like the aristocracy, petty bourgeoisie (or, in German, the *Mittelstand*), the peasantry, and even the notorious *Lumpenproletariat*, who are rooted in a community bolstered by religious and traditional values. These pre-modern classes feel themselves threatened by the urban character, the cosmopolitan quality, and the scientific character of the modern production process. Just as they all resent the exploitative hegemony exercised by the bourgeoisie, and they all fear being reduced to an anonymous mass proletariat, they cannot embrace either liberalism or socialism without existentially denying themselves. Marx and Engels maintained that counter-revolution is embraced by the losers or those who feel they might become losers in dealing with the economic, political, and social forces comprising modernity.Â With its authoritarian nationalism, its preoccupation with prejudice and inequality, counter-revolution thus becomes the underside of the revolutionary struggle for cosmopolitanism, political liberty and social equality.

Perhaps it was because 1848 solidified the linkage between political democracy and social equality, and because the reaction to these values was so clear cut, that Marx and Engels were able to elucidate their theory of counter-revolution when they did. It would remain a staple for concretely analyzing every form of counter-revolution that has emerged since Napoleon III and Bismarck propagated an even more intensified commitment to integral nationalism and the organic community following the defeat of the international revolutions of 1848. Counter-revolutionary ideas of this sort inspired the rise of anti-Semitic and populist movements in the last decades of the nineteenth century led by Adolf Stoecker, the court chaplain of Kaiser Wilhelm I in Berlin, as well as Austrians like Karl Lueger and Georg Ritter von Schoenererâ€”both of whom were admired by the young Hitlerâ€”who were already successfully employing slogans like “Germany for the Germans” and “From Purity to Unity.”

But nowhere was this more the case than in France during the sensational Dreyfus Affair of the 1890s that surrounded the trumped-up conviction for treason of the only Jew on the General StaffÂ by a military tribunal.Â Heirs of the Enlightenment and 1789 like Emile Zola and Jean

Jaures, the great socialist leader, took up the cause of Captain Alfred Dreyfus and decried the verdict. But their defense was predicated on placing reason above experience, evidentiary truth above tradition, and a universal sense of justice above the needs of the national "community." Reactionaries analyzed the matter differently. Â Literary figures like Maurice Barres, crackpot thinkers like Charles Maurras, and journalists like Paul Bourget insisted that bringing universal standards of justice to bear on the case would result in a denigration of the national interest. Equal treatment for a Jew as a "citizen" of France would, they believed, result in further "deracination" of the country and the erosion of its Christian heritage by an elitist group of "intellectuals." Advocates of the counter-revolution maintained that their rejection of universal "abstractions" like the rule of law and their willingness to privilege intuition over reason allowed them — as against their liberal opponents –Â to remain "rooted" in their community and stand in a genuine experiential, or "organic," relation to the "people." Little wonder then that the Dreyfus Affair should have solidified the connection between republicans and socialists even as it generated a movement, *Action francaise*, whose ideology basically anticipated that of fascism.

Movements such as these prevented Enlightenment ideals and proponents of the democratic revolution from achieving ideological hegemony over Europe until after World War II. Â All of them had their mass base in some combination of pre-capitalist classes and in the least economically advanced areas of the nation. Fascism and Nazism were no different. They, too, were conscious responses to the Enlightenment and its two progressive political offspring, liberalism and socialism. In Germany most of the bourgeoisie identified with an increasingly impotent set of parties embracing a continental variant of liberalism while the majority of the working class voted until the end for their social democratic parties. All these political organizations supported the Weimar Republic and all were avowed enemies of the Nazis who made war on them in word and deed. What was true in Germany, moreover, was true for Europe in general. Social democracy maintained the loyalty of the great majority of the working class throughout the twentieth century; it introduced the first democratic parties to Europe; and, still officially clinging to the ideology of "orthodox Marxism," it served as the mass base for the republics that sprung up all over Europe in the 1920s. Indeed, beginning during the last quarter of the nineteenth century, the European socialist movement shouldered that a "dual burden" that involved defending the universal liberal political values inherited from the bourgeoisie while, simultaneously, furthering its own particular economic interests. Or, to put it another way, social democrats attempted to link what today we call "negative liberty" with "positive rights." Thus, it only made sense that the socialist movement should have been the most consistent opponent of totalitarianism.

Fear of communism helped produce the new fascist movements that arose in Italy, Hungary, Germany, Romania, Spain, and elsewhere. Mussolini and Hitler often expressed their admiration for Lenin and Stalin. Other than from 1939-1941, of course, communism and fascism bitterly fought one another. But this was ultimately a matter of expediency. There remains much debate concerning whether — or, better, to what extent — communism fits the counter-revolutionary paradigm. The Bolshevik Revolution of 1917 was clearly committed to furthering social equality, a radical "soviet" version of democracy and an internationalist

ideology. With the rise of Stalin, however, meaningful social equality was decimated by terror, iron dictatorship supplanted democracy; and internationalism gave way to the crudest nationalism. Communism generated its own counter-revolution. But, then, it is also the case that the uprising had nothing to do with the historical stage theory of Marx and Engels. The Russian Revolution occurred at what Lenin called “the weakest link in the chain,” that is to say in the most underdeveloped “capitalist” nation, and that increasing fear of losing the battle for modernity helped propel the most terrible crimes of the communist regime. Thus, there is something legitimate in speaking about “red fascism” and interpreting communism as a form of counter-revolution.

Both fascism and communism explicitly opposed liberal republicanism. Communism first gained its political identity, in fact, when Lenin sought to differentiate his movement, with its new commitment to a party dictatorship, from social democracy with its republican ideals. By the early 1920s, moreover, the Communist International had already passed resolutions stating its refusal to support parliamentary democracies and Stalinâ€™s famous refusal of 1928 to form a common front with the socialists against the Nazis hurt the anti-fascist cause far more than its enemies. With the same venom, movements of the far right despised liberals and social democrats everywhere in Europe. Germany was only the most notorious instance: its fascists condemned the “traitors” — especially the social democrats — who supposedly provided their nation with a “stab in the back” during the First World War as well as the “November criminals” who signed the humiliating Treaty of Versailles and brought about the Weimar Republic. Both communism and fascism embraced a military vision of the political party, identified their party with the state, relied upon a “cult of the personality,” and ruled through a mixture of propaganda and terror. Stalin employed conspiracy theory as surely as Hitler. Both also considered terror a means and an end, ultimately embraced anti-Semitism (though in dramatically varying degrees), and participated in the creation of what has justly been called a “concentration camp universe.”

In the wake of Auschwitz and the Gulag, the disclaiming of responsibility by the criminals during the Nuremburg Trials, totalitarian ideologies lost their appeal and legitimacy. Liberal ideals and the dignity of the individual were accorded a new standing as calls arose for extending democratic rights to people of color, gays, and women. The Civil Rights Movement led by Dr. Martin Luther King initiated what would become a general challenge to racist, patriarchal, and homophobic prejudices that had become ingrained elements in the mainstream understanding of how society was organized and the character of the national “community.” These concerns blended into a rejection of imperialism and colonialism, which was expressed in the opposition to the Vietnam War in the United States, and a general call to “work through the past” in Europe. Sexual relations became less rigid, new experiences were sought, egalitarian educational experiments were attempted, and a new sympathy emerged for “the other.” But “the â€˜60s” was not merely about “sex, drugs, and rock â€˜nâ€™ roll” any more than it was simply about culture and morality. With the “new social movements” in the United States came a slew of new and transformational economic and social programs known as “the Great Society” and attack on inequality more expansive even than the New Deal of FDR. In tandem with this came legislation that enabled people of color to vote, overturned racist

electoral laws carried over from the collapse of Reconstruction in the 1870s, and thus produced the most radical extension of the franchise since women won the right to vote in 1919. Finally, with respect to the struggle to end the Vietnam War, there emerged an assault upon the traditional insular and formation of foreign policy by the political establishment.

In short, “the 60s” shook the economic, political and social foundations of the United States along with its ability to conduct foreign policy. Conservatives and liberals too were outraged. By the middle of the 1970s, the United States was experiencing what President Jimmy Carter called a “malaise.” Respect for traditional values seemed to have plummeted. Business elites claimed that the United States had lost its competitive edge in the world economy. Thinkers like Samuel Huntington insisted that there was too much democracy and it was becoming ever more difficult for governments to rule. With the Iranian Revolution of 1979 led by the Ayatollah Khomeini, moreover, it appeared that the United States had lost its standing in the world. Ronald Reagan was elected President in that same year and the foundations were laid for Neo-conservatism during the age of Bush and the Tea Party during the age of Obama. The latter is more of a mass movement and — insofar as it exists outside the halls of power in Washington DC –relies on more on populist anger and conspiracy theory. There is less respect for intellectual argument and somewhat more ambiguity when it comes to support for military intervention and imperialism. Free market capitalist ideology today blends less with imperialist demands than attacks on immigration and an increasingly overt racism. Whatever the differences of emphasis, however, both Neo-conservatism and the Tea Party express a similar contempt for the welfare state, intellectual deliberation, cosmopolitanism, and egalitarian philosophies. Â Both, indeed, are products of what Richard Hofstadter called the “paranoid strain” in American politics and share a legacy that has its roots in the “Know-Nothings” of the 19th century.

Comprised of reactionary business and intellectual elites threatened by the new global economy, and supported by anti-urban elements disgusted with the decline of tradition and cultural mores, the new movements sought vengeance against the cosmopolitan implications of political liberalism and the socialist tradition. The reaction still rests on the importance of religion, “family values,” and the values of the capitalist entrepreneur. Neo-Conservatism and the Tea Party join hands in an unremitting assault upon all attempts redistribute wealth in a more equitable manner following the largest upward income shift in American history that occurred from 2000-2008. Following the Iraqi debacle, and the ill-fated Afghani war, there is somewhat less concern with “pre-emptive strikes: and the “war on terror” than the bail-outs in response to years of de-regulation and the economic disaster of 2008. But there is still less emphasis placed upon curbing the national security state than dismantling what remains of the welfare state. Phobias concerning the threat posed by Islam combine nicely with contemporary views on immigration. Highlighting the difference between “us and them” remains a cardinal element of reactionary theory and practice.

And amid all this there are the religious fanatics. These are evident in all faiths in a period marked by a world-wide counter-revolutionary resurgence of religion. All fundamentalists look backward for their inspiration. All of them privilege authority over liberty, unquestioning faith

over critical reflection, and the community over the individual. All of them have their problems with the rights of women and gays, abortion and patriarchy, censorship and democracy. Each rejects the separation of church from state and the critique of patriarchal hierarchies. Each insists upon the legitimacy of traditions simply because they exist. Intolerance and dogmatism are built into this mode of thinking if only because discussion is limited by the holy words of an inerrant Bible, an infallible Pope, the Islamic Shariâ€™a, or the Jewish halacha.

Advocates of political democracy and social equality were not for the most part advocates of abolishing religion. Their concern was with curtailing the political ambitions of religious institutions with absolutist claims. Or, to put it a different way, the issue for liberal secularists was less belief than conduct. Both in the Occident and the Orient, whatever the differences of social context, the battle is still over whether a single religion, or a single interpretation of that religion, should dominate public life or, instead, whether every religion should be seen as just another private interest in an open society. Rejecting this latter view is not simply a matter of the Church, the Synagogue, and the Mosque acting in accordance with divine law against the incursions of the profane, although it can be turned into that, but of ideological primacy and institutional self-preservation. Thus, the more dramatic the demand for reciprocity the more fundamental will be the response.

Rabid nationalists, religious fanatics, and bigots inspire the counter-revolution of our time. All of them resist the intrusion of political democracy and social equality into their societies. That is because these values inherited from the Enlightenment threaten their power and a set of outmoded legitimating traditions that are sanctified simply because they exist. Freedom is never a problem for the powerful. They already possess it. The “problem” arises only when freedom is demanded by the disenfranchised, the exploited, and the excluded. Reactionaries still fear — above all — the emergence of an individual insistent upon respect and equality who is intent upon knowing more, earning more, consuming more, and living life as he or she chooses. The counter-revolution knows its enemy, the same enemy it has always had, namely, the idea that things can be different.

*STEPHEN ERIC BRONNER is Distinguished Professor (PII) of Political Science and the Senior Editor of *Logos*. His many works include *Socialism Unbound* (Columbia University Press) and *Critical Theory: A Very Short Introduction* (Oxford University Press)

Islamophobia as a Form of Paranoid Politics

By | 2011: Vol. 10, Issue 1

I) The Historical Prevalence of Paranoid Thinking in America

It was forty six years ago, in the year 1964, that the historian Richard Hofstadter observed that "American politics has often been the arena of angry minds….Behind this, I believe, there is a style of mind that is far from new….I call it the paranoid style because simply no other word adequately evokes the sense of heated exaggeration, suspiciousness, and conspiratorial fantasy that I have in mind" (Richard Hofstadter, "Paranoid Style in American Politics" Harpers Magazine, November, 1964).

In his essay Hofstadter recounts the almost continuous presence of the paranoid style of thinking in American politics from colonial times right into the modern period. It is to be noted that Hofstadter covers only national or nearly national instances of American paranoia. Those local political "exaggerations, suspicions and conspiracy fantasies" must also certainly exist to complement the more widespread versions. Some of the instances Hofstadter covers, along with others I have added, include anti-Catholicism in the colonies and, in the first years of national independence, a fear of a French style political terror. Fear of Free Masons came next. Then followed waves of hysteria over various immigrant groups: Chinese, Irish, German, Italian, etc. Then came the Red Scares of the 1920s, followed by concentration camps for Japanese Americans during World War II. After that there was fear of communism and McCarthyite persecution. Then followed the paranoid reaction to the civil rights movement, and on it goes. Every one of these episodes formed the basis for imagined enemies embedded in the homeland and seeking its ultimate destruction.

It would appear that people are most susceptible to these paranoid feelings and fears under conditions of cultural challenge and social uncertainty. In turn, such uneasiness is subject to manipulation by assorted demagogues, the media and politicians in general. This is particularly the case if outsiders are felt to be a source of trouble. According to Hofstadter, the claims that underlie paranoid politics are often cast in "apocalyptic termsâ€¦.a conflict between absolute good and absolute evil." This being so, the enemy must be "sinister, ubiquitous, cruelâ€¦seeking to deflect the normal course of history in an evil way." The espouser of such fantasies may or may not believe his or her own message. Nonetheless, they will surely present themselves as standing on the "barricades of civilization" fending off the barbarians. Under the circumstances, compromise is quite out of the question. "Total triumph" is what is called for.

II) Why Paranoid Politics May Be So Prevalent

There is something psychologically elemental about this situation. The tendency to fear outsiders, and to suspect that in the unknown lurks sinister dangers to one's way of life as well as one's person, seems to always to be a ready societal potential. This may be a consequence of what I term natural localness. That is, the natural preference of most human beings is to orient their lives locally and to be uneasy with that which is foreign. This can even be thought of in Darwinian terms. We know that in the course of its evolution the human mind became "equipped with faculties to master the local environment and outwit denizens" (Steven Pinker, How The Mind Works, 1997, 352). Thus, we all pay particular attention to our local arena because it supplies us with knowledge necessary to make useful and usually successful decisions, secure sustenance and avoid danger. In other words, a concentration on the local environment has survival value. There are nature and nurture components to this. There are biological, hard wired imperatives that make us group oriented and fear and danger sensitive. On the other hand, how we manifest these imperatives is a function of what we learn from our personal experiences which, in turn, usually takes place within a localized cultural context, and is dependent on the quality of information available to us. In our immediate daily environment we can be responsible for gathering the necessary information. Beyond the horizon, however, the issue of information and its reliability becomes problematic.

Natural localness is not just a phenomenon experienced by the individual. It is also a group orientation. Culture is a community affair. For most community members it forms a bounded paradigm that flows from the customs and traditions of local and regional venues. Local culture (now customized so as to be compatible with national culture) not only defines acceptable behaviors but, to a large extent, the very parameters of thought. Therefore, the community's culture establishes perceptual limits for the average person's outlook. This happens in such a "natural" way that it is largely unconscious. The process of maintaining culture prioritizes group solidarity and that means differentiating the inside from the outside. If you will, our "global village" remains significantly segregated into self-centered neighborhoods.

While there are good reasons why most of us are this way, natural localness has its obvious shortcomings. It means that most of us live largely in ignorance about what is going on beyond the proverbial next hill. This ignorance can reinforce feelings of exclusiveness that reflect themselves in a suspicion of and dislike of outsiders. As the cognitive psychologist Keith Oatley has written, "Our [evolutionary] forebears had a tendency to treat members of out-groups…with contempt and sometimes murderous aggression" (Keith Oatley, Emotions, A Brief History, 2004, 29). This tendency has not disappeared. In a country as diverse as the United States, localness has helped create the Hofstadter paranoia that is constantly manifesting itself in phobic reactions occurring in proportion to our ignorance of one and other. In this environment accurate information about the lifestyle and intentions of our neighbors is important to the maintenance of inter-group peace. Yet, most often, we do not have such information and so the proclivity for negative feelings is subject to manipulation by those who present themselves as knowledgeable on these matters.

III) Islamophobia, The Latest Case of Hofstadter Paranoia

To understand popular susceptibility to Hofstadter's paranoid style is one thing. To have actually done something about it is another. No really adequate effort has been made by American society to wean the population off these cyclical bouts of destructive trauma. Certainly the great potential of our educational system to deliver purposeful and consistent training in tolerance has not been realized. However, some positive ground has been gained through the use of the law. The legislation that brought us civil rights laws is a particularly bright example. However, without a purposeful follow-up as would be the case with nationwide tolerance training, the psychological impact of forty years of civil rights efforts has probably been no more than superficial. As the reaction to a range of subsequent events from busing policies to the election of President Obama has shown, there is a frighteningly high number of "angry minds" out there who have never reconciled themselves to the fact of differences, be they based on color, ethnicity or religion.

The cyclical nature of our paranoid episodes suggests that the conditions that provoke paranoid politics from theory into practice are always just under the surface of our national affairs. And so we now come face to face with the latest manifestation of American paranoia, the phenomenon of Islamophobia. The history of how American Muslims became the latest target of Hofstadter's form of malicious politics is the story of peaceful citizens brought into an unwanted spotlight by circumstances over which they had no control.

Muslims have been in what is now the United States since colonial times. Many of them were brought here as African slaves. It is estimated that between 15 and 30% of the men brought to British North America as slaves were Muslims (Edward Curtis, Muslims in America, 2009, chapter 1). There were also free Muslims in residence and at least one of them fought on the American side during the War of Independence.
(https://www.middle-east-studies.net/?p=2755)

The presence of these early American Muslims was recognized by the inclusion of the religion of Islam in the discussion on religious freedom in the early years of the nation's history. John Adams, Thomas Jefferson and Benjamin Franklin all mentioned Islam in their arguments supporting the broadest possible religious freedom and tolerance. This was the position of almost all those supporting the adoption of the Constitution to replace the Articles of Confederation. Thus, from the very founding of the nation, a friendly regard toward individual Muslims was part of the American outlook.

Light levels of Muslim immigration into the U.S. kept this minority under the radar screen of paranoid politics through the 19th century. It was also the fact that Muslim immigration was ethnically varied: Albanians, Arabs, Bosnians, Turks, Syrians and even Chinese Muslims were in the mix. Thus, while ethnic associations might cause some of these immigrants problems, religion usually did not.

Immigration picked up after World War I and the demise of the Ottoman Empire. After World War II and the breakup of the European Colonial Empires, another immigrant wave of Muslims took place. This meant that as the end of the 20th century approached there was a small but

noticeable Muslim minority in the United States of between five and seven million people. (Tom W. Smith, “Estimating the Muslim population in the United States,” The American Jewish Committee, 2001).

Most of this community was socially and politically conservative. They lived quietly and were by any standards loyal and appreciative citizens. Unfortunately, their compatriots in the Middle East were suffering quite another side of the American experience. U.S. foreign policy in that area consistently supported dictatorships, some of which were quite oppressive toward politically active Muslim organizations. In Lebanon the U.S. supported Christians against Muslims and with its support of Israel, the United States has abetted the ethnic cleansing of the Palestinians. This sort of behavior had gone on since 1945 right up to the present yet, being far from their local lives, it was largely unknown to the American public. It was omitted from the media news or distorted to appear something that it was not, policies protecting the “free world.”

In the end, U.S. foreign policy in the Middle East was bound to result in an open conflict with indigenous Muslim groups seeking to reform the situation in their countries. That in turn would change the perceptual landscape for most Americans in terms of Islam and Muslims. This was because their ignorance of foreign policy opened the average American to the manipulation of a media and government that would now focus on the hostility of Muslims toward the U.S. while omitting mention of the American actions that brought that hostility forth. If things turned bad enough American Muslims would become, in the eyes of their fellow citizens, guilty by association of anti-Americanism and thus candidates for Hofstadter’s paranoid politics. On September 11, 2001 things got bad enough.

The September 11 attacks allowed those either prone to paranoid politics or possessing ulterior motives to imagine an Islamic conspiracy to subvert the United States. Alleged Muslim intentions were seen as similar to communist aims during the Cold War. Both groups were pictured as perpetrating vast conspiracies to take over the world. Both were thought to have secret agents and sleeper cells in the U.S. And both were pictured as hostile the American way of life. Two particular groups in the U.S. quickly took advantage of this paranoid potential relative to Islam in order to push their agendas: American Zionists and American Christian fundamentalists.

The Zionists saw the potential of focusing paranoid politics on American Muslims as a way to marginalize a group that was often critical of Israel and its ethnic cleansing of Palestinians. Thus, the Zionist extremist Daniel Pipes has repeatedly called into question the loyalty of American Muslims and singled them out as somehow anti-American because, “a substantial” number of them “share with suicide hijackers a hatred of the United States.” (Paul Campos, A Dangerous Argument, Rocky Mountain News Jan. 4, 2005). The Christian fundamentalists have a fear and loathing of Islam even older than that of the Zionists. For the fundamentalists September 11 opened the door to a new crusade, to the renewal of the age old battle between Christendom and Islam now brought into the heartland of America. Thus, Christian fundamentalist organizations in the state of Oklahoma, led by State Representative Rex

Duncan, have pushed legislation that would prohibit the state's courts from using Sharia law to decide any cases. This nonsensical gesture (American courts are bound to use American law) was "passed overwhelmingly in both the house and senate" of Oklahoma. (Hailey Branson-Potts, OkGazette.com, "State Question 755," October 6, 2010). At the foreign policy level, both groups lobbied for the invasion of Iraq and the war in Afghanistan.

All of this means bad times for America's Muslim citizens and residents. Take the case of Safaa Fathy, a physiotherapist by trade and mother of three. She is a resident of the small town of Murfreesboro in Tennessee. "There is something around the whole United States, something different" she says. "I was here since 1982. I have three kids here and I never had any trouble. My kids, they go to the girl scouts, they play basketball, they did all the normal activities. It just started this year. It's strange, because after 9/11 there was no problem." (Chris McGreal, "Muslims in America Increasingly Alienated," Guardian.co.uk, September 23, 2010). So what is the present problem? It happens that Safaa Fathy is on the board of the local Islamic center which rumor now says is a "front for Islamic Jihad." She is also accused of plotting to force Sharia law on her neighbors, thus "threatening the existence of Christianity in the state of Tennessee." Why the time delay from 9/11? Perhaps the process was slowed by George Bush Jr. publicly separating al-Qaeda and Islam proper. Perhaps it just took this long to turn attacks on Muslims and those who appeared Muslim (such as the Sikhs) into a full scale, nationwide hate campaign. Perhaps the trigger was the recent announcement by the 250 Muslims in Murfreesboro that they planned to expand the size of their mosque.

Another more national focus of the present paranoid campaign against American Muslims is the proposed Islamic center to be placed in an abandoned clothing store two blocks from "ground zero" in Manhattan. The opposition to the center has brought together all of the paranoid political minds of America. Publicity seeking Quran burners and Christian fundamentalist supporters of Israel now travel comfortably with right wing Republicans, Tea Party Democrats and extremist Jewish Zionists as they claim that the Manhattan project is really a "training facility" for Muslims who want to take over America.

A particularly colorful character in this paranoid campaign is the American Zionist Pamela Geller. She is one of America's up and coming purveyors of Islamophobia (Anne Barnard and Alan Feuer, "Outraged and Outrageous" New York Times, October 8, 2010). Ms Geller has, almost single handedly, turned the debate over the proposed New York Islamic center into a clash of civilizations. Along with air time on Fox News, Geller accomplished this through her blogg, Atlas Shrugs. This achievement must stand as a milestone in web history, though not a particularly wholesome one.

Geller is also co-founder of the *Freedom Defense Initiative* which is dedicated to stopping "Islamic supremacist initiatives in American cities" and identifying "infiltrators of our federal agencies." She is also a founder of the organization *Stop Islamization of America* which, in the finest Orwellian fashion, describes itself as a "human rights organization." It recently raised enough money to place advertisements on the sides of New York City buses identifying the Islam with the 9/11 attacks. The organization's motto is "Racism is the lowest form of human

stupidity, but Islamophobia is the height of common sense." She is an ally of any number of right wing politicians known for their anti-Islamic positions such as Newt Gingrich, John Bolton, Gary Berntsen, and the Dutch Islamophobe Geert Wilders. And, she is a right-wing Zionist with connections to the West Bank settler movement. This may be the real root of her anti-Islamic sentiments.

Geller is just the tip of the iceberg. There is much anti-Islamic rhetoric to be heard in the November 2010 political campaigning particularly in America's Bible Belt, which U.S. fundamentalists describe as the center of America's crusade against Islam. That is why Lou Ann Zelnick, running for Congress in Tennessee as a Republican can claim that there is a secret conspiracy among Muslims to "fracture the moral and political foundations of middle Tennessee." (Chris McGreal, Guardian.co.uk,). After all, as her friend Lourie Cordoza-Moore, the founder of a group of Christian supporters of Israel explains, Tennessee is integral part of the Bible Belt and the Muslims see that area as the "capital of the crusades." (Chris McGreal, Guardian.co.uk,) It is a neat, if quite crazy, picture where all the parts seem to fit.

There are millions of Americans who find the Islamophobic message convincing (See Reza Aslan's "America's Anti-Islam Hysteria," The Daily Beast, October 12, 2010). For example, most of the followers of Glenn Beck, Franklin Graham, Michael Evans, Rob Grant and the late Jerry Falwell are probably on the same page as Pamela Geller and Lou Ann Zelnick. Taken altogether they might account for about 10% of the adult American population (that is over 20 million people). These are the sort of people who think that Barack Obama is a closet Muslim leading an Islamic plot to take over the country and institute Sharia law. You may think that this notion is just too fantastic, but it probably helped cause the Texas State Board of Education to believe that there is a plot by Muslim Americans to take over the textbook publishing industry. As a response to this fear, the Texas State Board is now proposing to "curtail references to Islam in Texas textbooks" (April Castro, "Texas ed Board Considers Resolution Limiting Islam," Associated Press, September 24, 2010).

IV) Conclusion

Ossama Bahloul, the imam of the Murfreesboro mosque, has grasped the historically cyclical nature of the problems that now confront him and his fellow Muslim Americans. He notes that "others have been here before. A generation ago in Tennessee black activists were burned out of their homes for fighting against segregation and civil rightsâ€¦.It's a cycle of life." (Chris McGreal, Guardian.co.uk,).

Well, it certainly is a cycle of American political life and, ironically, one completely opposed to the post civil rights era ideal of the American ethos. That being so, we can properly describe as unAmerican those Christian fundamentalists, American Zionists and others who denigrate Muslims living in the United States. They are the purveyors of paranoid politics and as such the least civilized of our citizens–the ones who omit "and justice for all" whenever they pledge allegiance to the flag.

Cetaceans: From Bare Life to Nonhuman Others

By | 2011: Vol. 10, Issue 1

THE PREMISES

In the first half of the nineteenth century, a white sperm whale of prodigious size and strength terrorized whalers[1] off Chile. Mocha Dick, as the whale came to be known, retaliated with audacity and cunning when attacked. According to a contemporary report, in one occasion he suddenly breached to come to the aid of a distraught cow whose calf had just been slain by the whalers. When, old and half-blind, he was killed, his body, which was 21 meters long, bore almost twenty harpoons. It is related that, in his career, he stove three whaling ships and a number of boats, killing more than thirty men, and that — perhaps extending his hatred to all human beings – he also sunk an Australian trader and a French merchantman.[2] Mocha wasn't the only whale who fought back. In 1820, in the south Pacific, another sperm whale, coming down hastily with his head about half out of the water, twice struck the whaleship Essex, sinking it and causing the subsequent, slow death of a dozen whalers.[3] In 1851, the Ann Alexander was drowned by a whale who, after being hit in the head, disappeared for a while, and then rushed at it at such a speed that there was no time to make any avoiding action, and the ship was shaken from stern to stern.[4]

These and other occurrences could be seen as cases of what, within the field of genocide studies, is defined as the resistance of victim groups. For, starting at least from the Seventeenth century, whales and dolphins have been killed by the hundreds of thousands, so that the history of human relationships with cetaceans can be actually seen as a genocidal history. True, we normally use the term "genocide" to refer to a practice concerning human beings, but there is nothing in it which logically prevents it from being applied to nonhuman beings. And it is clear that the notion, which refers to intergroup violence as contrasted to violence between individuals,[5] plainly fits this context.

Indeed, one can detect in the past human-cetacean scenario many of the elements characterizing genocidal practice. [6] Among them are: economic exploitation ("total carcass utilization" was the slogan of the leading companies); accessibility of victim group (the catch of the fastest and heaviest cetaceans — the rorqual whales – was made possible by steam-powered ships and harpoon cannons); massacre (some 1.4 million whales were killed in the Antarctic alone); slavery (small cetaceans have been kept in captivity since the half of the nineteenth century); disruption of families (the Basques would catch northern right whales when they gathered to breed); destructuration of codes of behavior (since the 1930 dolphins were employed in a display industry for public entertainment); and rationalization of misdeed (historians celebrated the myth of those who could "destroy in its own element the mighty

monarch of the ocean,"[7] and writers praised "the whale-ship, that cleared the way for the missionary and the merchant".[8] Moreover, if one considers that great and small cetaceans typically wandered free in an area of the planet that human beings hadn't as yet entirely colonized and enframed, even the notion of *supersessionism* – or intergroup violence prompted by the view that "inferior" groups can be superseded by "superior" groups – can be applied to the dislodgment of the various species of whales from the oceanic areas to which the whaling fleets progressively penetrated, or to the fishermen's crusades to eradicate dolphins from the waters where they expanded their activities.

As a consequence of such policies, around the middle of the past century large scale hunting, developed into a commercial industry, had already lead to the near extinction of many species. In that very period, however, there was an externally induced caesura. It is acknowledged that the disasters of the first half of the twentieth century prompted a pervasive moral and juridical reflection aimed at curbing forms of institutionalized violence in varied areas. Among the results of such reflection, there was on the one hand the affirmation of the idea that the traditional order based on full state sovereignty was coming to an end, and that it was time that international law should compensate for nation states' failures; and, on the other, the appearance on the global scene of new areas of international law, ranging from arms control to minority rights to refugee law, and including for the first time environmental protection. Both these developments had an impact on the question of cetacean hunt, and the year 1946 saw the creation of the International Whaling Commission (IWC), which aimed at coordinating the different national industries and also at identifying particular species to be protected.

The history of the IWC is well known. If for the first two decades its presence was hardly noticeable, soon afterwards the growing international interest in the plight of cetaceans made it the locus of a clash between the pro- and anti-whaling camps. After the Convention on International Trade in Endangered Species outflanked the IWC on its left, listing as threatened ever more whale species, and in the face of the escalating "whale wars" of the 1980's[9] and of the release of imprisoned dolphins in Hawaii and in Japan,[10] the year 1986 saw a victory of the conservationist countries with the approval of a five-year moratorium, implying a ban on commercial whaling that exempted only "aboriginal subsistence whaling" and "scientific whaling". In 1990, when the moratorium was renewed, the reformist process underwent an acceleration, and the IWC condemned as unnecessary the killing "for research". Just while the public opinion and the great majority of states responded favourably to the global anti-whaling movement, however, a pro-whaling bloc crystallized. In the last two decades, such bloc made every effort to counter the progressive trend. Norway lodged an official objection to the moratorium and continued to whale commercially; Iceland awarded itself a quota for "scientific" whaling; and Japan started a systematic program of "scientific research". The three nations also threatened to leave the IWC if it did not repeal the ban.

CETACEANS AS BARE LIFE

What is the situation that such pro-whaling resistence has determined ? At present about two thousand whales are slaughtered annually under the heading of "scientific research", as well as

a consequence of the possibility for member countries of opting out of IWC rules; and hundreds are legally killed on the basis of catch limits for "aboriginal subsistence whaling" set by the IWC. As for small cetaceans, while IWC, in its role of "scientific advisor",[11] recognizes the need for further international cooperation "to conserve and rebuild depleted stocks", thousands are slaughtered yearly in the so-called drive hunts, in which dolphins are corralled into bays and then stabbed to death.

There is, in the philosophical landscape, an ethico-political theme that well captures this situation — a situation in which, even in the absence of extensive intergroup violence, individual existences remain under constant threat. It is the theme of "bare life". Despite some indeterminateness in its use, which makes it sometimes allude to a structural condition, the notion of bare life[12] essentially refers to a contingent situation of powerlessness which can be administratively imposed upon individuals. Forged from the beginning in connection with an analysis of the relation between lawmaking and menace of death, the notion was revived in the context of more recent reflections on the entanglements between political power and the realm of arbitrary violence.[13] Bare life is the life of those beings who, through a complex form of "inclusive exclusion"[14] from the juridical order, are so completely deprived of rights and prerogatives that no act committed against them can appear as a crime. In other words, bare life is life "exposed to an unconditioned threat of death."[15] Though the focus is exclusively on human beings,[16] and on their being *reduced* to bare life, as it dramatically occurred in not too distant decades through a gradual process of denaturalization, deportation and segregation, it is difficult to ignore the fact that, if human beings can be reduced to this condition, nonhuman beings tend to be such as a matter of course. Thus, when in this context it is argued that the extermination of bare life is nothing but the actualization of the victims' liability to be killed, a parallel with animals immediately makes its appearance; and when it is emphasized that a legacy of modern totalitarianisms is the predisposition to handle individuals as bare life, we are soon told that, at this point in history, "humanity… has become animal again."[17] In its archetypal form, bare life manifests itself in nonhuman beings.

Literally, in our societies, animals are caught in a juridical apparatus which includes their exclusion by ratifying the harms that can be inflicted upon them. This holds in a particularly distinct way for the current situation of cetaceans. Differently from what was the case when, being definitely seen as fair game, they were objects of genocidal practices, in fact, their present deprivation of rights does not stem from a total exclusion from the juridical order, but is rather inserted in an international legal system which frames and countenances it, with the IWC still sticking to the conventional conceptual and pragmatic framework revolving around "quotas", "catch reports" and "humaneness of killing operations."[18] All considered, what one confronts in whales and dolphins is the instantiation of a life that as such remains exposed to violence "precisely in the most profane and banal ways"[19] – that is to say, bare life.

Yet if, in the case of normally protected human beings, quite inadequate legal provisions can be the mark of an appallingly demoted status, in the case of routinely defenseless nonhuman beings they can be taken as providing an objective springboard for an impending, important shift. This is, in fact, the direction in which a legal argument for cetaceans' rights based on a

reasoned survey of international jurisprudence leads.

A NEW PERSPECTIVE

A few years ago, legal scholars Anthony D'Amato and Sudhir Chopra published a dense essay in which they claimed that it was time to extend to whales the most fundamental of all human rights – the right to life.[20] In support of such claim, they advanced a juridical argument connected with the broadening world consciousness which has manifested itself in the history of the policies of the involved international institutions. Alleging that a detailed reconstruction shows how such policies moved through five incremental stages – free resource, regulation, conservation, protection and preservation – D'Amato and Chopra, employing purposive as well as descriptive materials, in view of the fact that customary international law is a synthesis of qualitative and quantitative elements, argue that this very progression naturally paves the way for a sixth stage – *entitlement*. And while their main focus is on the large cetaceans who since the outset were brought within the IWC's legal competence, their reasoning can be easily extended to small cetaceans, since, as we have seen, dolphins too incrementally passed from a free resource stage to a scenario in which, while not setting official regulations, the IWC itself deals with their conservation.[21]

D'Amato and Chopra admit that the idea of entitlement implies a major theoretical change: to claim that cetaceans are "entitled" to life means to recognize that they must be raised from the sphere of bare life governed by instrumental calculations to the favoured realm where rights and prerogatives apply. They nonetheless show how, while involving a crucial shift, the entitlement stage can be logically construed as a mere incremental advance in the series of the progressive stages in question. For, set within the framework of international jurisprudence, what the involved historical process reveals is that trend in the component of customary international law which is called *opinio juris*. The development of international custom, the authors argue, is a dynamic process, and to anticipate a customary trend is to argue that, in a sense, it already exists. In the case of cetaceans, the practice of states has moved through phases that are best characterized as increases in international breadth of awareness, pushing forward even structurally reluctant institutions such as the IWC; and this combination of practice and awareness is just what formally constitutes the material and psychological elements of general custom. Since what states do becomes what they legally ought to do, by virtue of a growing sense that what they do is right, proper and natural, the dawning sense of duty to cetaceans discloses a sense of obligation that constitutes the *opinio juris* component of binding customary international law. It is in this sense that it can be asserted that the attainment of the entitlement stage in its inevitability has already been anticipated in the law.

As D'Amato and Chopra stress, the idea of having an entitlement includes a notion of a moral right that can inform existing law or push it in a certain direction. In a legal context, when a court accepts the moral claim of right and recognizes it as somehow subsisting in the law all along, though legal precedent was to the contrary, it is said that the court "articulates" the pre-existing right. Along these lines, an international court could articulate a right to life of whales and dolphins arising from the customary law practice of their preservation. This because

cetaceans' entitlement is already implicit in international law as resulting from progression through the previous stages, and from a sense that further development is morally legitimate.

Concerning the aspect of perceived moral legitimacy, D'Amato and Chopra observe that, factually, the "extensionist" feature of this course is consonant with a global historical process which has seen the continuous widening of the circle of rights holders, with a progression in ascribing fundamental protection to formerly defenceless beings. To this, one may add that, evaluatively, this substitution of hierarchical visions with presumptions in favour of equality is just what we see as moral progress. And lastly, it should not be forgotten that, while international legal theory has long emphasized its theoretical autonomy, recently many scholars have challenged this conventional model, regarding instead international law as at least partially founded on ethics.[22] Against this background, it may be in order here to briefly consider the strictly ethical side of the case for cetaceans' rights.

WHO ARE THE OTHERS?

In short, ethics has as its object two sorts of theory of conduct. Morality in the broad sense is an all-inclusive theory of conduct, including precepts about the general values to be pursued. Morality in the narrow sense consists instead of a system of constraints on conduct, usually expressed in terms of negative duties, whose task is to prevent *harm to others* – first and foremost, in the two main forms of the infliction of suffering and the taking of life.[23] Traditionally, in our philosophical landscape, it was the notion of "person" which played a major role with reference to the identification of who is to be included among "others," in the particular sense of those beings who have full moral standing.[24]

Are cetaceans persons? Though "person" is defined so that it is a descriptive term, the assignment of descriptive content is guided by moral considerations. Is the concept of person coextensive with the concept of "human being"? Arguably not. First, its theological use in connection with God prevented it from becoming another term for human being. Second, a central strand in analytic philosophy, arguing that the facts which are morally relevant in themselves are not biological facts, but rather psychological facts, recently claimed that the concept of a person is the concept, not of a being belonging to a certain species, but of a being endowed with certain mental traits.[25] More particularly, elaborating on the basic idea that a person is a being that can consider itself as itself in different times and places,[26] many authors contended that the mental trait which is central to personhood is the property of being aware of oneself as a distinct entity – in other words, self-consciousness.[27] This approach has the clear advantage of bringing to light a possible ground for the conventional connection between personhood and the right to life. For a being which is aware of itself can conceive of death as the termination of its existence, and can accordingly dread it, and has therefore a direct interest in its continued life; and if the function of rights is to protect interests,[28] the interest of such being ought to be protected by a right to life. Due to this moral entailment, if the status of bare life is the paragon of powerlessness, the status of person is the locus of ethical privilege.

Are cetaceans self-conscious? We have now sufficient information about these nonhuman beings' cognitive capacities to answer this question affirmatively. An ever-growing scientific literature tells us that, in whales and dolphins — beings who are endowed with great and complex brains[29] — we can find complex and stable cultures which had previously only been suggested for our species;[30] a capacity for mirror self-recognition – the classical test for self-awareness – as well as for verbal language apprehension;[31] and the presence of the backward, present, and forward looking attitudes forming the foundation upon which self-consciousness is mounted.[32] Accordingly, a consistent application of the personhood account would confirm that cetaceans are in the number of the "others" toward whom we should systematically restrict our conduct.

While the notion of a person is philosophically deep-rooted, however, what is central to international law is rather the more recent notion of universal human rights. Human rights are a special category of moral rights that are also proposed as legal rights, and that are distinguished by some structural attributes. First, they are, fundamentally, *negative* rights, guaranteed by the prohibitions of taking life, depriving of freedom, and jeopardizing welfare; second, they are institutional in character, that is, the model of both their implementation and their violation is based on the organization and the action of the state;[33] and finally, they have the property of being unacquired, i.e. they do not arise from any special circumstances, but are possessed simply through being the sort of creature one is.

Insofar as its focus on non-interference and its institutional character make its implications direct and explicit, human rights doctrine appears better suited than the personhood account to actualize moral reform,. But what sorts of creatures are included in its scope? The most common answer is obviously "humanbeings" – after all, the phrase itself directly incorporates a reference to humankind. This answer is, however, problematic. For on the one hand, "human" cannot be construed here in the philosophical sense of possessing high cognitive skills, as this would exclude human children, the senile, or the intellectually disabled — something which means that the rights-ascribing criterion must lie at a mental level accessible to many non-human beings. And, on the other, "human" cannot refer to the biological sense of possessing a genotype *Homo sapiens*, as this would imply a contradiction with the theory's postulate of the moral irrelevance of biological characteristics, as embodied in the condemnation of racism and sexism[34] – something which means that mere species membership cannot be a ground for inclusion/exclusion.[35]

Is there a reply to the question of what sort of being one must be in order to possess "human rights" which can overcome these difficulties? Among the solutions advanced, the most theoretically sound is the philosophical one according to which the criterion for the access to the enjoyment of human rights lies only in being an *agent*, that is, an intentional being that cares about its goals and wants to achieve them. All the beings that fulfil the requisite of intentionality are characterized by the capacity to enjoy freedom and welfare, as well as life as a prerequisite for action; and, for all these beings, the intrinsic value of their enjoyment is the same. To choose as a criterion, instead of intentionality, any other characteristic would be arbitrary, since it would exclude from moral consideration interests which are relevantly

similar in that they are equally vital for their bearers.36 But if, according to an approach which has the merit of not divesting of rights just those human beings who most sorely need them, and which fully confirms the rejection of any form of biological discrimination, the criterion for inclusion in the privileged class of "Others" is intentionality, it is clear that whales and dolphins once more do qualify. For there is no doubt that cetaceans are intentional (nonhuman) agents. Indeed, the already considered stricter criterion for personhood directly subsumes the looser one for intentionality.

CETACEANS AND THE RIGHT TO LIFE

It thus seems that, ethically, the project of extending fundamental moral protection to whales and dolphins at which developments in international law point is entailed by either of the most universally accepted approaches to eligibility for basic rights. Included among such rights is, as we have seen, just that "hard" right to life which has traditionally been restricted to human beings.37 According to an authoritative source, the human right to life – primarily articulated in the International Covenant on Civil and Political Rights38 – is such a general principle as to transcend any particular statements in specific international conventions.39 However, if one temporarily sets aside the vague appeal to the "universal conscience of the world's peoples," no justification in autonomous moral terms is offered for such a claim. Indeed, it is a feature of international declarations that they pay little attention to reasons or justifications,40 so that both the general foundation of the right to life and the view of such a right as a prerogative of human beings are taken for granted. On the other hand, the widespread stress on the idea that without the right to life all of the other rights are useless, as life is the prerequisite for the enjoyment of any other goods,41 clearly points to that indirect interest approach to the value of life that, as we have seen above, departs from the higher standards of the personhood account. In view of this, it can be concluded that a right to life for cetaceans — for the mothers who are pursued into the open sea, for the babies who are slaughtered near the coasts, for the gangs of teenagers whose blood instantly reddens entire bays – should be presently incorporated in international law and implemented by global governance practices. 42

What to say, then, of the claims advanced by those who oppose this step forward? On close inspection, there is only one notion around which, explicitly or implicitly, all such claims revolve. It is the notion of cultural tradition. Quite often, the debate over global governance is contrived as a clash between a body of international laws and what is depicted as "national culture."43 Actually, when national governments want to supersede international norms, they tend to claim cultural exceptions — that is, they make reference to their "cultural heritage." This applies in our context too. All the practices whose official vindication stands in the way of cetacean legal protection — from continued whaling by Iceland, Japan and Norway and authorized "subsistence whaling" by aboriginal groups to the systematic massacres of the dolphin drive hunts – are defended by appeals to traditional cultural practices or perspectives.

But there is nothing sacred in cultural traditions. Though they are favored by the current prevalence of multicultural discourses — so much so that they are often reinvented to fuel processes of collective identity construction in a specifically "anti-colonialist" perspective44 –

cultural traditions are not a trump card. They may be important, but only prima facie, that is, absent any further considerations. If the appeal to cultural traditions can play some role when what is at issue are peripheral matters like, e.g., specific exceptions to free trade, it cannot but yield when what is involved is what we have defined as the core of moral progress – the gradual progression in ascribing fundamental protection to formerly defenceless beings.

The word "tradition", coming from a Latin term meaning "delivery", refers to what is handed down as belief or practice; and, paraphrasing from John Stuart Mill's comment on intuitions,[45] one might say that traditions, dispensing with the obligation of justifying themselves by reason, and erected into their own all-sufficient justification, can consecrate deep-seated prejudices and give support to bad institutions. In fact, they are more than often appealed to by those in power to maintain hierarchical and exploitative systems within their societies. Human slavery has been seen, and defended, as a traditional cultural practice for centuries.[46] And, at present, many Third World nations do object to the universalism of women rights by invoking traditional views of women in their communities; it even occurs that states agree to ratify conventions including women rights with the explicit reservation that they must be subject to cultural beliefs and practices,[47] while women's NGOs continue to work internationally to achieve effective equality.

The case of the current dispute about cetaceans' right to life is not different, and in this instance too cultural objections must be openly rejected. For what the appeal to cultural traditions tries here to forestall, contra both the *opinio juris* of customary international law and a consistent application of undisputed moral doctrines — and, by the way, also contra the new consciousness of the world's peoples – is a decisive step in moral and legal progress whose immediate result would be the extension of basic equality to some nonhuman beings – whales and dolphins – and whose logic and propulsive force could pave the way for further future extension.

Given this situation, it is plausible to claim that an important change is in order. When the U.N. demand for a ten-year moratorium of commercial whaling was first rejected by the IWC's Scientific Committee, questions were raised about the IWC role, and proposals were made calling for the U.N. to assume jurisdiction. This idea has become more relevant today. Arguably, an institution which was initially created with the goal of regulating the exploitation of whales can no longer be seen as the best organization to deal with cetaceans' protection. As we are on the verge of taking a further step along the path of progress, the time is ripe to remove human/cetacean relations from the hands of the former hunting nations. It would be in line with the present trend towards greater global governance in a variety of areas to create a new, *ad hoc* U.N. institution which might be up to the task of internationally declaring, and then elaborating in a series of covenants, cetaceans' right to life.

*This paper was presented at the Meeting "Cetacean Rights: Fostering Moral and Legal Change", Helsinki Collegium for Advanced Studies, University of Helsinki, Finland, 21-22 May 2010, where a Declaration was issued (https://cetaceanconservation.com.au/cetaceanrights/). I thank Franco Salanga and Harlan B. Miller for their constructive comments.

1 I'll stick here to the use of expressions like "whalers" and "whaling", though they are in themselves unpleasant terms for what should be accurately called "whale hunters" and "whale hunting."

2 For Mocha Dick, whose story clearly inspired Melville's *Moby Dick*, see the first-hand report by the explorer J. N. Reynolds at https://mysite.du.edu/~ttyler/ploughboy/mochadick.htm (originally appeared in *The Knickerbocker, or New-York Monthly Magazine,* Vol. 13, No. 5, May 1839, pp. 377-392).

3 See Owen Chase, *The Wreck of the Whaleship Essex* (New York: Barnes & Noble 1999, originally published in 1821).

4 See John S. Deblois, "Thrilling Account of the Destruction of a Whale Ship by a Sperm Whale" (from the Panama Herald, Nov 5, 1851) at https://query.nytimes.com/mem/archive-free/pdf?_r=1&res=9E00E0DD153EE13AA15756C0A9679D946092D7CF

5 The term "genocide" was created, and genocide studies were founded, by Raphael Lemkin in his *Axis Rule in Occupied Europe* (New York: Columbia University Press 1944).

6 See the classical presentation in John Docker, *The Origins of Violence: Religion, History and Genocide* (London: Pluto Press 2008), pp. 62ff.

7 See Thomas Beale, *Natural History of the Sperm Whale* (Durrington, West Sussex: Littlehampton Book Services 1973 [1839]), chap. XI; also at: https://mysite.du.edu/~ttyler/ploughboy/bealenew.htm.

8 Herman Melville, *Moby Dick*, ch. 25.

9 See Paul Watson, *Sea Shepherd* (New York: W. W. Norton and Company 1980); and David Day, *The Whale War* (Vancouver: Douglas and McIntyre 1987).

10 See Gavan Daws, "'Animal Liberation' as Crime. The Hawaii Dolphin Case," in Harlan B. Miller and William H. Williams, eds, *Ethics and Animals* (Clifton, N.J.: Humana Press 1983); and Dexter L. Cate, "The Island of the Dragon," in Peter Singer, ed., *In Defence of Animals* (Oxford: Blackwell 1985).

11 https://www.iwcoffice.org/conservation/smallcetacean.htm.

12 The concept was coined by Walter Benjamin at the beginning of the 1920's. See Walter Benjamin, "Critique of Violence", in *Selected Writings. Volume I: 1913-1926* (Cambridge, Ma: Harvard University Press 1996), p. 250.

13 See Giorgio Agamben, *Homo Sacer: Sovereign Power and Bare Life*(Stanford: Stanford University Press 1998), pp. 7, 102, 118; and Slavoj Å½iÅ¾ek, *Violence* (London: Profile Books 2008) p. 34 and passim.

14According to Agamben, "inclusive exclusion" is inclusion under the figure of exception — or, more precisely, inclusion in the form of the capacity to be killed. See G. Agamben, *Homo Sacer* cit., p. 8.

15 G. Agamben, *Homo Sacer*, p. 171.

16 On the notable incapacity to make a direct enquiry into the question of the extent to which nonhuman beings may be seen in terms of bare life see Dominick LaCapra, History *and Its Limits. Human, Animal, Violence* (Ithaca: Cornell University Press 2009), p. 172ff.

17 G. Agamben, *Homo Sacer*, p. 102.; G. Agamben, *The Open: Man and Animal* (Stanford: Stanford University Press 2004) p. 76. See also S. Å½iÅ¾ek, "Radical Evil as a Freudian Category", at https://www.lacan.com/zizlovevigilantes.html

18 https://www.iwcoffice.org/commission/iwcmain.htm.

19 G. Agamben, *Homo Sacer*, p. 114.

20 Anthony D'Amato and Sudhir K. Chopra, "Whales: Their Emerging Right to Life", *American Journal of International Law* 85 (1), 1991.

21 https://www.iwcoffice.org/commission/iwcmain.htm.

22 See e.g. Fernando R. Teson, "The Kantian Theory of International Law," *Columbia Law Review* 1 (1992), or Allen Buchanan, *Justice, Legitimacy, and Self-Determination: Moral Foundations for International Law* (Oxford: Oxford University Press, 2004), esp. chap. 1; of

course, John Rawls's thought moved in this direction too. For a discussion, see James Griffin, *On Human Rights* (Oxford: Oxford University Press 2008), 11.5.

23 Geoffrey J. Warnock, *The Object of Morality* (London: Methuen 1971), p. 148; Peter F. Strawson, "Social Morality and Individual Ideal", *Philosophy: The Journal of the Royal Institute of Philosophy* 36 (Jan. 1968).

24 See Adolf Trendelenburg, "A Contribution to the History of the Word Person", *Monist*, July 1910. See also William O. Stephens, "Masks, Androids, and Primates: The Evolution of the Concept â€˜Person'", *Etica & Animali*, Special issue: "Nonhuman Personhood" 9 (1998).

25 Paola Cavalieri, *The Animal Question. Why Nonhuman Animals Deserve Human Rights* (New York: Oxford University Press 2001), pp. 117 ff.

26 See John Locke, *An Essay Concerning Human Understanding*, book 2, chap. 9, part 29..

27 Such perspective, though grown in the English-speaking world and detailedly developed in the context of contemporary bioethical discussions, has antecedents in continental philosophy. Leibniz, for example, connects personhood with consciousness of self and recollection of a former state (Gottfried Wilhelm Leibniz, *Epistula ad Wagnerum de vi activa corporis, de anima, de anima brutorum*. 1710), and even Kant claims that it is the fact of being able to represent to themselves their own selves that elevates persons above all living beings (Immanuel Kant, *Anthropology from a Pragmatic point of View* (Carbondale, Ill.: Southern Illinois University Press, 1978), book I, part I.

28 For this classic account, see e.g. J. Feinberg, "The Rights of Animals and Unborn Generations", in William T. Blackstone, ed., *Philosophy & Environmental Crisis* (Athens: University of Georgia Press 1974).

29 See Lori Marino, Mark D. Uhen, Nicholas D. Pyenson and Bruno Frohlich, "Reconstructing cetacean brain evolution using computed tomography", *Anatomical Record (The New Anatomist)* 272B, 2003.

30 Luke Rendell and Hal Whitehead, "Culture in whales and dolphins", *Behavioral and Brain Sciences*, 24 (2), 2001. For an impressive monographic study see Hal Whitehead, *Sperm Whales: Social Evolution in the Ocean* (Chicago: University of Chicago Press 2003.)

31 Denise L. Herzing and Thomas I. White, “Dolphins and the Question of Personhood”, *Etica & Animali*, Special issue: “Nonhuman Personhood” 9 (1998); Thomas I. White, *In Defense of Dolphins: The New Moral Frontier* (Oxford: Blackwell, 2007).

32 See also more exhaustively Paola Cavalieri, “Whales as Persons”, in M. Kaiser and M. E. Lien, eds, *Ethics and the Politics of Food* (Wageningen: Wageningen Academic Publishers 2006), pp. 28-36.

33 See in particular Thomas Pogge, “How Should Human Rights Be Conceived?”, *Jahrbuch f¨r Recht und Ethik* 3 (1995).

34 The Universal Declaration of Human Rights, art. 2, at https://www.un.org/en/documents/udhr/#atop

35 For a more detailed defense of the argument see P. Cavalieri, *The Animal Question*, Chap. VI. By the way, it is plausible to hold that, if taken in its biological sense, the term has played at the outset an inclusive, rather than exclusive, role, since the acclaimed “universality” of human rights refers to the elimination of previous intra-species discriminations.

36 The basic schema of this approach can be found in Gregory Vlastos and Alan Gewirth. See G. Vlastos, “Justice and Equality”, in J. Waldron, ed., *Theories of Rights* (Oxford: Oxford University Press 1984) ; and A. Gewirth “The Basis and Content of Human Rights,” in J. Roland Pennock and John W. Chapman, *Nomos XXIII: Human Rights* (New York: New York University Press,1981).

37 On the distinction between “soft” rights and “hard” rights see ‘Full-spectrum’ human rights: Amnesty International rethinks” at https://www.opendemocracy.net/democracy-think_tank/amnesty_2569.jsp. Though since its first formulations, e.g. in Locke (John Locke, *Two Treatises of Government,* II, ii, 6), the right to life has implied some positive elements, we are here mainly interested in its negative side.

38 There is of course a cursory mention in the U.N. Declaration of Human Rights, art. III: “Everyone has the right to life, liberty and security of person”, www.un.org/en/documents/udhr/. For the Covenant on Civil and Political Rights, adopted by the U.N. General Assembly in 1966, and in force from 1976, see art. VI: “Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life”, www.hrweb.org/legal/cpr.html.

39 See Bertrand G. Ramcharan, “The Concept and Dimensions of the Right to Life”, in B. G. Ramcharan, ed., *The Right to Life in International Law* (Dordrecht: Martinus Nijhoff Publishers 1985), pp. 1-2; Ramcharan was Special Assistant to the Assistant Secretary-General for Human Rights, UN, 1976-1987.

40 See on this Griffin, *On Human Rights*, p. 190-192.

41 See e.g. a statement by the Supreme Court of Costa Rica (1997), quoted in Alicia Ely Yamin, “Not Just a Tragedy”, https://www.bu.edu/law/central/jd/organizations/journals/international/volume21n2/325-372.pdf.pdf; and ComitÃ© Juridico Interamericano, *Recommendeciones e informes, Documento oficiales, 1945-1947*, Washington Dc: Organizacion de los Estados Americanos 1948, p. 59.

42 By the way, it is worth noting that, as stated in the mentioned art. VI of Covenant on Civil and Political Rights, the only admitted institutional breach of the right is death penalty imposed for the most serious crimes. It is clear that, whatever one might think of it, this exception is not one which might apply to nonhuman beings, traditionally seen as incapable of moral agency.

43 I amply borrow here from the clear overview offered by Joel Richard Paul, “Cultural Resistance to Global Governance”, *Michigan Journal of International Law*, Fall 2000.

44 For an application of this framework to the case in question, see Anders Blok, “Contesting Global Norms: Politics of Identity In Japanese Pro-Whaling Countermobilization,” *Global Environmental Politics* 8 (2), 2008.

45 John Stuart Mill, *Autobiography*, ed. Jack Stillinger (Boston: Houghton Mifflin Co. 1969), p. 34.

46 Even recently, in Myanmar (formerly Burma), the military elite sought to justify the use of slave labor by reference to custom and cultural practice. See e.g. https://www.brelief.org/articles2.htm.

47 See e.g. the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), https://www.un.org/womenwatch/daw/cedaw/reservations-country.htm.

Interspecies Cosmopolitanism: Towards a Discourse Ethics Grounding of Animal Rights

By | 2011: Vol. 10, Issue 1

1. Introduction

There is a fundamental contradiction at the core of the notion of cosmopolitanism, one that I will argue is not idle but generative. On the one hand, there is a reference to the whole wide world, to the universe, to the boundless expanse of nature, the known and unknown 'cosmos.' On the other hand, there is a reference to an all-too human notion, to a circumscribed, limited, fragile, and at times unacknowledged institution, namely the polis as a realm in which humans rise above nature. Thomas Hobbes captured this tension wonderfully in his *Leviathan*. In the state of nature we are like rapacious and unhinged wolves, while it is only in a contingently constructed commonwealth that we acquire rights. In the state of nature there is no right. We are all equal, but only because we are all equally capable of killing each other, either by strength, cunning, or machination. We have risen above the state of nature and created an artificial automaton that wields the sword of war in order to impose a peace. Peace, which is unnatural, is the foundation of the polity within which we acknowledge each other as equals under the watchful eye of the sovereign. Even for Kant, we remained irrevocably citizens of two worlds: the phenomenal world of nature, and the noumenal world of the moral law. Kant also captured the contradiction at the heart of the "cosmopolitan" ideal in one of the most provocative versions of the categorical imperative: 'act as though the maxim of your action can become a universal law of nature.' Of course, Lucretius and Marcus Aurelius also already understood this dual "citizenship" of the human. Kant's philosophical anthropology, from a pragmatic standpoint, as well as his cosmopolitan project, are ultimately based in the Stoic notion that it is precisely as creature of nature that we all belong to the same nomos. In fact, Kant went so far as to argue that it is 'nature' that compels us to rise to the level of the self-legislating creature that we have become. It is by the cunning of nature itself that we are forced to be cosmopolitan. In this sense, then the contradiction that Hobbes, Rousseau and Kant noted at the heart of cosmopolitanism dissolves.

Cosmopolitanism, however, has been stripped of this metaphysical baggage and has been analyzed in much more abstemious philosophemes. For instance, a quick survey of the contributions to the clarification of cosmopolitanism as a desirable and possible ideal in the 21st century â€"that is to say, a survey of the works by Martha Nussbaum, Kwame Anthony Appiah, Judith Butler, and Walter Mignolo, to mention the ones that have influenced me the most–, reveals that we can analyze cosmopolitanism as both an 'epistemic' and a 'moral/ethical' principle[1]. As an epistemic attitude it challenges the monopoly of one worldview, and

advocates epistemic humility and fallibilism. As an ethical/moral principle or guiding norm, it commands the mutual respect of humans and the solicitous moral regard for those who are our others. Cosmopolitism, in short, implies a dual relationship that urges that we remain cognitively open to the other and that we be morally accountable for and to the other. Cosmopolitism is not at all like what we can call "elite" knowingness, or Davos man internationalism. Cosmopolitism is not simply an insouciant tolerance that blithely looks on with amusement at others. To put it in terms of Habermas' language, cosmopolitanism brings together the first person with the third person perspective. To put it in pedestrian terms: this person, life form, cultural configuration, etc., matters to me and I have an uncircumventable moral relationship to it, but I also can see myself as someone who is challenged to know it and to see how in knowing it, it transforms my view of the world. As an ethical/moral relationship cosmopolitanism is thus about co-existence and co-habitation â€"to use Judith Butler's recent language[2]. To act and to known the world from a cosmopolitan standpoint is to ask oneself about the conditions and duties of co-existing and cohabitating. Indeed, Kant already noted that it was the fact of the planet's finitude that forces us to seek to occupy every corner of the planet with equal claims as every other human being. The physical fact of the geography of the planet forces us to be cosmopolitan, namely to aim to co-exist and co-habit. Kant, as well as most Kantians after him, did not consider to what extent this cosmopolitan ideal of co-existence and co-habitation included non-humans[3]. We know that in his ethics lectures Kant talked about subsidiary duties to animals, that is, we do have duties to animals, but only as a proxy for duties towards other humans.

There should be no need to try to persuade you that one of the greatest challenges we face as humans, in general, and as philosophers, in particular, is the ecological crisis. This crisis has several components, or rather, victims. First and foremost, there is the moral and political challenge entailed by the fact that the poorest of the poor will suffer once again disproportionably the disastrous consequences of the warming up of the atmosphere. Second, there is the moral and political challenge of how to distribute the burdens of halting and hopefully reversing the ecological effects of too much consumption, which again is unevenly distributed throughout the planet. Third, there is the moral and political challenge of the depletion of biodiversity throughout the planet. This extinction of life, due to human agency, has been so massive that biologists and ecologists call it the "Sixth Extinction," to compare it with other similar extinctions that have taken place in the natural history of life on earth. Of course, this is not one but several moral and political challenges, for the massive planetary extermination of countless species is not just of consequence to the overall 'status' of life on the planet, but also to the unforeseen consequences for future generations. Indeed, the future of 'life' on the planet is not simply an issue about future human life, but also of both 'plant' and 'animal' life *tout court*. It is this particular cluster of problems that I want to consider, namely to what extent the already two millennia old ideal of cosmopolitanism must be re-thought in terms of not just a legal/political order of rights, of mutual rights and duties, that is extended to only human subjects, but now of right and duties that must be extended to the entire space of nature, of the cosmos, of that physical horizon in which we live, to which we belong, along with every other living being on the planet. We are truly on the threshold of a cosmopolitan order that captures the earliest intuitions of the Stoics, namely that by nature we all, as living beings,

live under a legal umbrella that grants us all rights, that is, equal protections. In the following I will argue that the combined resources of discourse ethics, deliberative democracy, dialogic or communicative cosmopolitanism can provide us with the kind of critical resources that would allow us to face some of the challenges that we face due to the ecological crisis. Most concretely, I want to argue that the universalization, discourse and democratic principles Habermas has elaborated by linguistifying Kant's moral philosophy allow us to develop a non-metaphysical and non-anthropocentric grounding of rights of nature. It is precisely Habermas' post-metaphysical turn that has allowed Frankfurt School inspired 'critical theory,' to be able to offer some theoretical tools that can help in the discussion of what rights not just other humans and cultures have, but also what other non-human being may or should have. Postmetaphyiscal critical theory has matured not simply to a postsecular stance, but also to a post-anthropocentric moral and legal consideration of life[4]. In this way, then, postmetaphysical thought is the foundation for an interspecies cosmopolitanism that offers a de-centered universalism that thinks from the standpoint of the future of life on the planet.

2. Nature in Critical Theory

Left-Hegelianism — the larger rubric under which historical materialism belongs– is a form of romanticism. This is explicit in Karl Marx's youthful and mature writings. In his *Philosophical-Economic Manuscripts* of 1844, Marx talks about the 'humanization of nature and the naturalization of man,' as a critical remark on the deforming effects of bourgeois society, on the one hand, but also as a reflection on the way in which what humans do and make, they do as creatures of nature[5]. Some almost 20 years later, in the *Grundrisse*, Marx will be more specific and will write on the social production of the human ear and the human hand through and by the invention and production of social tools[6]. For Marx, we are social creatures through and through, but our sociality is not bought at the expense of our natural, or human, nature. We are social animals that produce their social character through the making of devices and technologies that are develop for the sake of dealing with nature. Thus, the humanization of nature is mediated by technology, and in turn technology is embedded within a whole set of social relations. Technology itself is a social relation that mediates the human/nature nexus. There is thus no access to nature except through techno-social dispositifs. The naturalization of man, the other side of the dialectic, means that humans discover and produce their natural character as they produce those apparatuses that allow them to deal with nature. Just as language has what Karl-Otto Apel and Habermas have called a dual structure, one that points directly to nature and to other social agents simultaneously, technology points to nature while also networking a whole ensemble of social relations. In this way, already in Marx we find proleptically Georg Lukás' pointed formulation: "nature is a societal category."[7]

Lukás took the inchoate step already implicit in Marx's materialistic dialectic. If we produce our natural essence, our what Marx called "species being" (*Gattungswessen*) by transforming nature through technology, then what is produce is a social detritus. We never have an unmediated access to nature, and what we take to be nature, i.e. that which is untouched by humans, is itself already a social effect. What Peirce said about Kant's concept of the noumena applies as well to what Lukás said about a pre-social concept of 'nature,' namely that such a

notion is incoherent, at best, and at worst, a reification of social relations that aims to mask the constructedness of our world.

First generation critical theorists, such as Theodor W. Adorno, Max Horkheimer, and Herbert Marcuse, retained the left-Hegelian romanticism that guided Marx and Lukás, but given their specific social situation, they put the accent on the 'nature' side of the social production of nature.' If, to use the Kantian language, we are compelled by nature to rise to the social level, and society imposes itself sovereign over the natural world, nature itself can re-assert itself not just through the paroxysms of human violence, but also through the dialectic of misconstrued or misrecognized nature[8]. In other words, the death of nature, brought on by the technological reification and hyper-social alienation, is to be countered by the resurrection of nature. Against new myth of technological supremacy, Adorno and Horkheimer called for recognition of the still 'unsocialized' nature in the human. Both agreed that, for instance, Freudian psychoanalysis was a critical method that analyzed the ways in which nature re-asserted itself against pathological forms of socialization and how socialization remained incomplete. For Adorno and Horkheimer, in fact, the human being is the natural animal that is deformed by society, one that nonetheless remains insufficiently socialized. For Adorno, most concretely, we are the Nietzschean mangled animals that is not animal enough or is too socialized for its own good. The *Dialectic of Enlightenment*[9] is not just a Hegelian critique of the myth of rationalization and the reaffirmation of mythological thinking, in the form of the ideology of technoscience; it is also a reaffirmation of Marx and Lukás's analysis of the social production of human nature[10]. For Adorno and Horkheimer, we remain caught between the extremes of too much un-enlightened socialization, i.e. socialization driven by reification and alienation, and submission to too many unsocialized natural urges, i.e. again due to either their repression or economic manipulation. Thus, Adorno and Horkhemier added a new level of clarification to the Marxian left-Hegelian romantic philosophical anthropology that explored the social production of nature in and through the human. On top of this natural sociality and social naturalness there is the social production of a pathological or deforming naturalness that leads us to rattle the cage of civilization even at the risk of dismantling it to the detriment of all. For this reason, the concept, as the privileged medium of grasping nature, is always both a weapon of self-subjection, and the only means of our own emancipation.

Adorno and Horkheimer, however, were in a philosophical dialogue with, on the one hand, Marcuse and Bloch, and on the other, Walter Benjamin. Marcuse and Bloch articulated the critique of instrumental reason that affirmed the possibility of nature to be resurrected by the emergence of a non-reifying technology, a technology that would not vivisect nature and in the process also lead to the pathologies of reason. Benjamin on the other hand, called for a type of thinking that recruited the help of theology in order to reawaken dead nature. Against both tendencies, Adorno and Horkheimer affirmed the social character of both epistemology and technology, and above all their inescapability and irreversibility. There was no way that we could return behind Lukás, Marx, Hegel and Kant, with their respective critiques of metaphysical thinking. As against the affirmation of a romantic Schellingian metaphysics and a theological metaphysics, Adorno and Horkheimer affirmed the irreversible and irretrievable loss of the magic of nature for the sake of our *Mündigkeit*. We have been inconsolably expelled

from the garden of nature, and remain also still far too far from the heaven of paradise, in which all creatures would be bothers and sisters, the lion and lamb, co-existing next to each other.

3. Science as Ideology, Communicative Rationality, and the genesis of law.

Notwithstanding its neo-Hegelian character, the *Dialectic of Enlightenment* turned out to be too much of a critique of rationality *en toto* because in it Horkheimer and Adorno conceived rationalization as the reification of reason in terms of scientific, or instrumental, rationality. In other words, the *Dialectic of Enlightenment* led to a totalizing critique of reason in as much as all reason led to both reification and alienation. It became imperative to understand how the enlightenment project of the rationalization of social existence could be uncoupled from the scientific rationalization of both nature and the social world. This is where Habermas' work intervened, and becomes both immanent and a new dialectical correction of the reifying telos of Adorno and Horkheimer's totalizing critiques. There are two key points of reference for a proper understanding of how Habermas's work contributed to disentangling first generation critical theory's from its defeatist total critique of reason. The first is Habermas *Knowledge and Human Interest* from 1968[11]. In this book Habermas sought to offer a philosophical anthropological theory of knowledge interests by way of a conceptual reconstruction of the evolution of social theory and the critique of knowledge since Kant, all the way through Freud and Nietzsche. In other words, already in this early work Habermas was offering an immanent analysis of the constitution of knowledge interests that disaggregated the types of knowledge that humans acquire by virtue of how they are oriented towards specific object realms and their corresponding guiding interests. Thus, we have an interest in controlling nature so as to survive, which directs our instrumental knowledge interest, or technical interest. We have an interest in understanding others, who cannot be properly instrumentalized. This practical interest presupposes mutuality and intersubjective relations. And we have an interest in emancipation, or liberation from social relations and modes of self-understanding that have regressive and repressive consequences. This is the interest in critique. These knowledge constitutive interests take form in the media of labor, interaction and language. But it is in language that all the three cognitive interests are united, for it is through language that we can related to the world as an objective and independently standing reality, and relate to others in normed ways. Additionally, it is in and through language that we can articulate our critique of all reifications.

Habermas' will abandon this philosophical anthropological grounding of knowledge interests because they presuppose a history of the human species as the proper subject of the history of the acquisition of these particular knowledge interests. But, it is important to underscore that in *Knowledge and Human Interests*, the evolution and acquisition of certain knowledge competencies is part of our natural history. In other words, it is part of our natural history that we have evolved the capacity to instrumentalize nature by reifying it in nomothetic models that render it as something for us, as a standing reserve for our technical interest. As Henning Ottman noted in a paper from the late seventies, this very technical or instrumental interest in "managing and controlling" nature also reveals a "nature in itself" that does not challenge the

instrumental knowledge interest as such, but only specific interpretations of it â€“purely scientistic and positivist interpretations, for instance. In other words, within Habermas' own early work on the need to distinguish about certain forms of knowledge there is a place for the need to recognize the limits of instrumental rationality, even within the form of knowledge that is most instrumentalizing12.

The second key point of reference for understanding how Habermas disentangled critical theory from its defeatist total critiques of reason is the massive two volume work *Theory of Communicative Action*, whose subtitles are properly disclosive: reason and the rationalization of society, for volume one, and lifeworld and system: critique of functionalist reason13. What is relevant for our purposes is that Habermas' has transformed his philosophical anthropological theory of knowledge into a theory of rationalities, or types of rationality. As with *Knowledge and Human Interest*, the *Theory of Communicative Action* (TCA henceforth) proceeds by way of conceptual or theoretical reconstructions. What is significantly different in the new work is the claim that in order to approach a typology of rationality we must do so in terms of the rationalization of society. Thus, a theory of reason become a theory of social rationalization, which in turn becomes a theory of the ways in which different social institutions embody certain types of rationality. It is for this reason that a proper critical social theory must also be a theory of modernity, that is to say, a theory about why our modern societies embody the forms of rationality they do in the respective institutions that make those societies self-steering and self-critical.

The major theoretical gain of TCA is that it allowed us to disaggregate not just types of rationality, but also the types of discourses that correspond to different validity claims: Thus, we have theoretical, practical, and aesthetic discourses that have to do with truth, rightness and truthfulness. In this way, Habermas' has secured the autonomy of practical discourses that deal with questions of ethics and justice independently from theoretical or even aesthetic discourses, even as they may enter into dialogue. Thus, the pathologies of reason diagnosed in such powerful and evocative language by Adorno and Horkheimer have become in Habermas language pathological modes of social rationalization that can and should be criticized with the aid of counter-models of directed and transparent modes of social rationalization. The most important gain, however, is that now critical theory can contribute to a clarification of a normative theory of morality that combines the best work on developmental moral psychology with deontological moral philosophy. It is on the basis of the clarification of the validity claims of truth, rightness and truthfulness that drove the Habermasian project to develop a discourse ethics and a deliberative theory of democracy. It is at the level of practical discourse oriented to morality and democracy that we encounter the practical questions of co-existence with other forms of living entities. I like to briefly discuss Habermas' treatment of the question of animals and life in general at the level of moral theory before I turn to the question of rights, and whether there is possibility for a discourse theoretical grounding of animal rights.

Habermas' most extensive treatment of the question of animals others is to be found in his long essay entitled "Remarks on Discourse Ethics," which is included in *Justification and Application*: *Remarks on Discourse Ethics14*. In section 13 of the main essay, "Remarks on

Discourse Ethics," Habermas is addressing Günther Patzig's critique of discourse ethics's anthropocentrism and its putative deficit with respect to ecological moral and ethical challenges. Habermas acknowledges that the anthropocentric profile of Kantian deontological moral theories, of which discourse ethics is a variant, do seem to blind them to "questions of the moral responsibility of human beings for their nonhuman environment." (105) Even within a Kantian framework it would be possible to recognize that there are duties towards animals and nature precisely as derivative or secondary duties, which are always referred to human beings, existing or future ones. But Patzig pushes past this recognition. He asks: does nature have a claim on our duty to respect it independently of our duties to humans? Does nature have a moral status that commands our respect independent and irrespective of other human beings?15 Habermas acknowledges that we do have the moral intuition that animals do make moral claims on us precisely in their bodily integrity, which is revealed to us when they suffer some cruelty. Habermas writes: "We have an unmistakable sense that the avoidance of cruelty towards all creatures capable of suffering is a moral duty and is not simply recommended on prudential considerations or even considerations of the good life." (106). In fact, Habermas is here rejecting Kant's subordination of our duties towards animals to duties towards other human beings. "Animals confront us as vulnerable creatures whose physical integrity we must protect *for its own sake*." (106). This *for its own sake*, is what in humans we call personal dignity. Thus, animals may be said to have a unique form of dignity that commands our moral consideration. The moral considerability of non-human suffering is based on their vulnerable physical integrity. Animals are irreducibly alive and thus also vulnerable in their own way. But, taking distance from Patzig, Habermas' notes that these moral claims remain of a different character and order than the claims humans make on us. There is no way in which our moral considerability of animal suffering can be part and parcel of the deontological structure of the moral point of view. Why? Habermas makes the following distinction. When we address the physical vulnerability of an animal we are addressing the bodily integrity of a nonhuman animal. When we address the physical vulnerability, or injurability, of a human being, we address it in terms of personal integrity (of which physical integrity is only a part, even it is only a large and important part). Habermas notes, and I quote at length because it is so crucial:

The person develops an inner life and achieves a stable identity only to the extent that he also externalizes himself in communicatively generated interpersonal relations and implicates himself in an ever denser and more differentiated network of reciprocal vulnerabilities, thereby rendering himself in need of protection. From this anthropological point of view, morality can be conceived as the protective institution that compensates for a constitutional precariousness implicit in the socialcultural form of life itself. Moral institutions tell us how we should behave towards one another to counteract the extreme vulnerability of the individual through protection and considerateness. Nobody can preserve his integrity by himself alone….Morality is aimed at the chronic susceptibility of personal integrity implicit in the structure of linguistically mediated interactions, which is more deep-seated than the tangible vulnerability of bodily integrity, though connected with it." (109)

Evidently, our moral duties towards the personal integrity of other human beings does not

carry over into animals, because we cannot attribute personality to them, since they are not part of our communicative world. We don't come to an understanding with them about something in the world, even if we are in non-verbal forms of symbolic interaction with them. Habermas concludes: "Like moral obligations generally, our quasi-moral responsibility towards animals is related to and grounded in the potential harm inherent in all social relations." (109). Thus, not only does the suffering of animals command our moral considerability, on the grounds that the physical integrity of animals is an issue for their own livesâ€"it is their suffering that commands my moral response to them–they also command our moral considerability because even if we are not able to reach "understandings" with them, they are embedded within social relations within which they are vulnerable to the potential harm that is part and parcel of every social interaction16.

But how are these moral claims embodied in our social interactions? How do our moral intuitions take shape in social institutions and direct our social interactions? This is what Habermas set out to answer in his *Between Facts and Norms17* (henceforth BNF). At the heart of this treatise on law and democracy are two key ideas, which are directly relevant to the aims of the present paper. First, that "law is the medium through which communicative power is translated into administrative power" (BFN, 150) that is, the power that is generated when humans come together to act in accord guided by an opinion generated through public discussion and publicly held gets transformed into administrative action. Law is the medium that transforms this communicative power into administrative wherewithal. Second, that "law is the only medium in which it is possible reliably to establish morally obligated relationships of mutual respect even among strangers." (BFN, 460). Rights, which is the way we experience law, embody moral intuitions while also guiding our everyday interactions in a non-coercive way that nonetheless regularizes our mutual expectations. Rights stabilize our mutual behavioral expectations and serves as either dis-burdening or un-burdening mechanisms in so far as they transfer the weight of moral oughts to the positive sanction of enforceable law. In this way, law is Janus faced. One face is directed at enforceable sanction, while the other points in the direction of moral duties. In fact, in a recent paper entitled "Human Dignity and the Realistic Utopia of Human Rights" Habermas put it this way:

Because the *moral promise* is supposed to be cashed out in *legal currency*, human rights exhibit a Janus face turned simultaneously to morality and to law. Notwithstanding their exclusively moral *content*, they have the *form* of enforceable subjective rights that grant specific liberties and claims. They are designed to be *spelled out in concrete terms* through democratic legislation, to be *specified* from case to case in adjudication, and to be *enforced* in cases of violation. Thus human rights circumscribe precisely that part of morality which *can* be translated into the medium of coercive law and become political reality in the robust shape of effective civil rights18.

Evidently, this ways of thinking about law assumes that law is not just the fiat of the sovereign but instead that positive law is the materialization of rational decisions that either have or would have the assent of all those affected by those laws. Rights result from the crystallization of the abstract character of the "legal form," that is, rights are the instantiation of the general

form of law. To use Rousseau's language, we could say that "right" or "*droit*" is only that which treats the general body politic in the form of generality. The form and content of law is always general, i.e. it applies to all, and establishes a general relation among the individual members of the polity. Habermas takes this key Rousseauian idea of the general form of law, and links it with what he calls the democratic principle, namely:

…only those statues may claim legitimacy that can meet with the assent (*Zustimmung*) of all citizens in a discursive process of legislation that in turn has been legally constituted."(BFN, 110)

The interpenetration of the legal form with and by the democratic principle is the site of the genesis of rights. A polity must always deliberate on what "statues" it is willing to submit so as to deal with the contingencies of economics and politics. Rights are always being generated to deal with those contingencies, but at the basis of the legislative edifice is a set of basic rights that allow for the further specification of rights. At the same time that rights are meant to 'stabilize' our behavioral expectations, they are also, and perhaps most importantly, mean to give voice to our moral intuitions, those intuitions that could be the basis for an agreement about how we should treat each other and all kinds of members of the polity, even if we don't acknowledge directly as our equals and are merely treated as strangers or 'others'.

On the basis of this understanding of the relationship between the moral point of view and the genesis of rights within a polity, understood and clarified in terms of the logic of rational deliberation, we can develop a postmetaphysical and non-anthropocentric paradigm for animal rights that gives expression to our moral intuition that non-human suffering does command our moral considerability that also imposes upon us enforceable legislation that protects all those who are injurable and vulnerable by virtue of the fact that they are, even if unwittingly, members of our community. The issue is not whether animals are rational, and thus command the respect every rational entity commands. Nor is it whether animals can communicate, or enter into our "space of reasons," and thus hypothetically at some point assent to the consequences of the enforcement of some rights. Nor, furthermore, is the issue whether they can suffer, as Bentham objected against Kant. The issue cannot be of where and when are we willing to move the line of who or what is within the horizon of moral considerability, for if moral considerability is reduced to the locus of this line, then we are still in the grip of a circular specismâ€"we can only admit of our duties to other entities that are always defined in terms of something that we either lack or posses, and thus, cannot admit duties to a living being that is not in some way sharing our metaphysical space. It is precisely against this kind of metaphysical chauvinism that we humans invented the institution of rightsâ€"humans and non-human. Rights are one of the few human institutions we invented *not* for the sake of preserving and protecting that which is similar, familiar and can argue and talk back; on the contrary, we invented (human) rights to force ourselves to respect and protect that which is alien, different, vulnerable, indefensible and speechless. This is Habermas insight, which takes us beyond Kant, Regan and Singer –namely that we can recognize, very clearly, that we legislate rights not merely on prudential and consequentialist reasons, nor solely on the grounds of metaphysically dubious grounds of "intrinsic worth," but, on the contrary, because

we recognize the mutual vulnerability of forms of life that command from us our protection insofar as we have arrived at a moral insight that regardless of the metaphysical status of these beings, they nonetheless command our protection. Rights look simultaneously in two directions: they look to our moral intuitions and they look to how to administer our interactions when we are lost in a sea of moral uncertainties. There are plenty of cases within the history of moral philosophy that have argued that we have moral intuitions about our moral duties towards animals. Now we have the added urgency that we must force ourselves to consider animals for their sake and for our sake, and for the sake of life on the planet. We legislate rights not because we are so forced by God, nature, or history; but because we are the kind of creatures who can bring both legal and moral order to the world. Rights do not require metaphysical foundations because they are expression of our gratuitous legislating will to live in accordance with moral reason and the concomitant will to submit to its non-violent coercion (*gewaltloss Gewalt*).

ENDNOTES

1See Eduardo Mendieta, *Global Fragments: Globalizations, Latinamericanisms, and Critical Theory* (Albany: SUNY Press, 2007), the introduction; and most recently, in my article "From Imperial to Dialogical Cosmopolitanism" in *Ethics & Global Politics* Vol. 2, No. 3 (2009): 241-258.

1See Judith Butler, "Why Judaism is not Zionism: Religious Sources for the Critique of Violence" in Eduardo Mendieta and Jonathan VanAntwerpen, eds., *The Power of Religion in the Public Sphere* (New York: Columbia University Press, forthcoming)

3The notable exceptions are Ursuala Wolf, *Das Tier in der Moral* (Frankfurt: Vittorio Klostermann, 1990), and Julian H. Franklin, *Animal Rights and Moral Philosophy* (New York: Columbia University Press, 2005), and as I will argue, Habermas.

4On the notion of "postmetaphysical thought" see Jürgen Habermas, *Postmetaphysical Thinking: Philosophical Essays* (Cambridge: The MIT Press, 1992), on the relationship between postmetaphysical and postsecular, see Jürgen Habermas, *Between Naturalism and Religion* (Cambridge: Polity, 2008), as well as my recent interview with Habermas, "Philosophy's New Interest in Religion? On the Philosophical Significance of Postsecular Consciousness and the Multicultural World Society â€"An Interview by Eduardo Mendieta with Jürgen Habermas" (forthcoming in a blog by SSRC).

5The passage reads: "*Communism* is the *positive* supersession of *private property* as *human self-estrangement*, and hence the true *appropriation* of the *human* essence through and for man; it is the complete restoration of man to himself as *social*, i.e. human, being, a restoration

which has become conscious and which takes place within the entire wealth of previous periods of development. This communism, as fully developed naturalism, equals humanism, and as fully developed humanism equals naturalism; it is the *genuine* resolution of the conflict between man and nature, and between man and man, the true resolution of the conflict between existence and being, between objectification and self-affirmation, between freedom and necessity, between individual and species" in Karl Marx, *Early Writings*, ed. By Quintin Hoare (New York: Vintage Books, 1975), 348. All italics in original.

6See the still indispensable book by Alfred Schmidt, *The Concept of Nature in Marx* (London: New Left Books, 1971).

7See Georg Lukás, *History and Class Consciousness* (Cambridge: The MIT Press, 1971), 234.

8See William Leiss, *The Domination of Nature* (Boston: Beacon Press, 1974), and my essay "Globalizing Critical Theory of Science" in Max Pensky, ed., *Globalizing Critical Theory* (Lanham: Rowman and Littlefield, 2005), 187-208.

9Max Horkheimer and Theodor W. Adorno, *Dialectic of Enlightenement: Philosophical Fragments* (Stanford: Stanford University Press, 2002)

10See Steven Vogel, *Against Nature: The Concept of Nature in Critical Theory* (Albany: SUNY Press, 1996).

11 Jürgen Habermas, *Knowledge and Human Interest* (Boston: Beacon Press, 1971)

12 See Henning Ottmann, â€žCognitive Interests and Self-Reflection" in John B. Thompson and David Held, eds., *Habermas: Critical Debates* (Cambridge: The MIT Press, 1982), 79-97.

13 Jürgen Habermas, *Theory of Communicative Action*: *Reason and the Rationalization of Society, Volume 1* (Boston: Beacon Press, 1984), and *Theory of Communicative Action*: *Lifeworld and System: Critique of Functionalist Reason, Volume 2* (Boston: Beacon Press, 1987)

14 Jürgen Habermas, *Justification and Application: Remarks on Discourse Ethics* (Cambridge: The MIT Press, 1993). This book in English is an augmented translation of the German book *ErlÃ¤uterungen zur Diskursethik* published in 1991.

15 This is precisely the line of questioning that Julian H. Franklin pursues in his *Animal Rights and Moral Philosophy*, chapters 3 & 4.

16 See the important work by Bryan S. Turner, *Vulnerability and Human Rights* (University Park: The Pennsylvania State University Press, 2006), and how it develops from different sources Habermas' intuitions.

17 Jürgen Habermas, *Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy* (Cambridge: The MIT Press, 1996)

18 Jürgen Habermas, "Human Dignity and the Realistic Utopia of Human Rights" in *Metaphilosophy* (forthcoming)

Neoliberal Politics as Failed Sociality: Youth and the Crisis of Higher Education

By | 2011: Vol. 10, Issue 1

More often than not, hopes are difficult to recognize in the realities they sediment. The 'invisible hand' of the market operated by selfish individuals in search of their own wealth and pleasure seemed to be rather reluctant or impotent to save humans from the horrors of reciprocal cruelties; most certainly, it managed neither to liberate most humans from the bondage of passions, nor to make completely happy those few whom it succeeded in freeing.
Zygmunt Bauman[i]

Introduction

Within the last forty years, the United States under the reign of neoliberalism, or market fundamentalism as it has been called in some quarters, has been transformed into a society that is more about forgetting than learning, more about consuming than producing, more about asserting private interests rather than democratic rights, more about producing a culture of cruelty than a democratic polity imbued with a sense of social responsibility. Not only are all vestiges of the social state under siege, but the attack on public values that has been waged aggressively by neoliberalism since the late 1970s has now taken a very aggressive and dangerous turn, particularly with the rise of the Tea Party movement, the enactment of the corporate friendly Citizens United Supreme Court decision, the seizure of state sovereignty by corporate powers, and the expansion of the warfare state. Gross inequalities in wealth and income, bankrupt cities, rampant privatization, runaway militarism, unbridled individualism, state sanctioned use of torture, and an obsession with materialism have become normalized to the degree that it is hard to imagine what American society would look like in the absence of these structural and ideological features of the new and militant economic Darwinism that holds sway over the American public. The mantra is well known: government is now the problem, society is a fiction, sovereignty is market-driven, deregulation and commodification are props of the corporate state, and the yardstick of profit is the only viable measure of the good life and advanced society. Public values are now viewed as a liability, if not a pathology. Democratic commitments, social relations, and public spheres are no longer valorized as a symbol of hope. They have become disposable like young people and the expanding populations of the dispossessed, disparaged as a drain on the economy and a threat to neoliberal regimes of truth. In a society obsessed with customer satisfaction and the rapid disposability of both consumer goods and long-term attachments, politics has become not just dystopian but dysfunctional and deeply authoritarian.[ii] The American public is no longer offered the opportunities, guidance, and modes of education that cultivate the capacities for critical thinking and engaged citizenship. The formative cultures that provide the preconditions for critical thought and agency and are crucial to any viable notion of the social are being dismantled. Under such circumstances, thought cannot sustain itself and becomes short-lived,

fickle, and ephemeral. If Americans, especially young people, do not display a strong commitment to democratic politics and collective struggle, it is because they have lived through thirty years of what I have elsewhere called "a debilitating and humiliating disinvestment in their future," especially if they are marginalized by class, ethnicity, and race.[iii] What is new about this historical moment for a generation of young people is that they have experienced first-hand the relentless spread of a neoliberal pedagogical apparatus with its celebration of an unbridled individualism and its near pathological disdain for community, public values, and the public good. They have been inundated by a market-driven value system that encourages a culture of competitiveness and produces a theater of cruelty. If labor unions, students, workers, and others are not protesting in large numbers the ongoing intense attack on bargaining rights, labor, higher education, and the welfare state, it may be because they have been born into a society that is tantamount to what Alex Honneth describes as "an abyss of failed sociality [one in which] their perceived suffering has still not found resonance in the public space of articulation."[iv] Democracy no longer leaves open the importance of and experience of the common good. As a mode of failed sociality, the current version of market fundamentalism turned the principles of democracy against itself, deforming both the language of freedom and justice that made equality a viable idea and political goal. Parading as a species of democracy, neoliberal economics and ideology cancels\ out democracy as a "as the incommensurable sharing of existence that makes the political possible."[v] Symptoms of ethical, political, and economic impoverishment are all around us.

In spite of being discredited by the economic recession of 2008, a hyper market fundamentalism has once again returned with a vengeance. The Gilded Age has come back with big profits for the rich and increasing impoverishment and misery for the middle and working class. Political illiteracy has cornered the market on populist rage, providing a political bonus for those who are responsible for massive levels of inequality, poverty, and sundry other hardships. As social protections are dismantled, public servants are denigrated, and public goods such as schools, bridges, health care services, and public transportation deteriorate, withe few exceptions, governments across the globe embraces the values of economic Darwinism and rewards its chief beneficiaries: mega banks and big business. Neoliberalism proceeds once again in zombie-like fashion to impose its values, social relations, and forms of social death upon all aspects of civic life. As memories of the achievements of the social state are eviscerated, politics becomes an extension of war and the welfare is largely replaced by the warfare and punishing state.[vi] Nowhere is the dismantling of the social state and the transformation of the state into a punishing machine resembling Hobbes's war of all against all more evident than in the current attacks on youth, labor rights, and higher education being waged by Republican governors in a number of key states such as Michigan, Wisconsin, Florida, and Ohio. What is often missed in these attacks is that the war on the social state and the war on education represent part of the same fabric of destruction and violence. The first war is being waged for the complete control by the rich and powerful of all modes of wealth and income while the second is conducted on the ideological front and represents a battle over the very capacity of young people to imagine a different and more critical mode of subjectivity and alternative mode of politics. If the first war is on the diverse and myriad terrain of political economy the second is being waged though what C. Wright Mills once called the major cultural

apparatuses, including public and higher education. In what follows, I first want to delineate the contours of both of these wars as part of a larger effort to destroy any vestige of a democratic imaginary and to relegate the value of the social question to the wasteland political thought.

Waging War on the Social State

There can be little doubt that the America has become a permanent warfare state.[vii] Not only is it waging a war in three countries, but its investment in military power is nearly as much as all of the military budgets of every other country in the world combined. The Stockholm International Peace Research Institute states that "The USA's military spending accounted for 43 per cent of the world total in 2009, followed by China with 6.6 per cent; France with 4.3 per cent, and the UK with 3.8 per cent."[viii] We have squandered over a trillion dollars fighting useless wars in Iraq and Afghanistan and Pentagon spending for 2011 will be more than $700 billion. To make matters worse, as Tom Englehardt points out "We dominate the global arms trade, monopolizing almost 70% of the arms business in 2008, with Italy coming in a vanishingly distant second. We put more money into the funding of war, our armed forces, and the weaponry of war than the next 25 countries combined (and that's without even including Iraq and Afghan war costs)."[ix] Moreover, the United States maintains a massive ring of military bases and global presence around the world, occupying "over 560 bases and other sites abroad"[x] and deploying over 300,000 troops abroad, "even as our country finds itself incapable of paying for basic services."[xi] In spite of how much military expenditures drain much needed funds from social programs, the military budget is rarely debated in Congress or a serious object of discussion among the public.

War is now normalized even as the United States moves closer to a national security state at home and is perceived as an imperial power abroad. Military historian Andrew Bacevich is right in arguing that "The misleadingly named Department of Defense serves in fact as a Ministry of Global Policing."[xii] War has become a central feature of the American character, yet, what is often unacknowledged is that its perpetual wars abroad are increasingly matched by a number of wars being waged on the domestic front. Such a disconnect becomes clear in the refusal of politicians, anti-public intellectuals, and the general public to acknowledge how the federal deficit has been run up by our military adventures. As Frank Rich argues, "The cultural synergy between the heedless irresponsibility we practiced in Iraq and our economic collapse at home could not be more naked. The housing bubble, inflated by no-money-down mortgage holders on Main Street and high-risk gamblers on Wall Street, was fueled by the same greedy disregard for the laws of fiscal gravity that governed the fight-now-play later war[s]" in Iraq and Afghanistan and more recently in Libya.[xiii] Similarly, as the spirit of militarism bleeds into every facet of American life and politics increasingly becomes an extension of war, and right-wing, liberal, and conservative politicians embrace a militaristic approach to policy and the need to cleanse the social order of any institution, mode of dissent, individuals, groups, and public sphere at odds with its state of permanent war and its militarized and unchecked embrace of economic Darwinism. These foreign and domestic wars are not unrelated, given that they are waged in the interests of right-wing militarists, neo-

conservatives, liberals, and corporate moguls–all of whom have a political and economic stake in such military incursions abroad and wars at home. Moreover the costs of armed conflict are directly related to an economic crisis that has produced a wave of political extremism in the United States while furthering the rise of a punishing state that places the burdens of the current economic crisis on the backs of the poor.

War is not merely the outgrowth of polices designed to protect the security and well-being of the United States. It is also, as C. Wright Mills pointed out, part of a "military metaphysics"[xiv]–a complex of forces that includes corporations, defense industries, politicians, financial institutions, and universities. War provides jobs, profits, political payoffs, research funds, and forms of political and economic power that reach into every aspect of society. As a mode of public pedagogy, a state of permanent war needs willing subjects to abide by its values, ideology, and narratives of fear and violence. Such legitimation is largely provided through a culture addicted to the production of organized violence and is largely circulated through various registers of popular culture that extend from high fashion and Hollywood movies to the production of violent video games and music concerts sponsored by the Pentagon. The spectacle of war demands a culture of conformity, quiet intellectuals, and a largely passive republic of consumers. It also necessitates two forms of military intervention that take the form of a corporate war on the social state and a war on any mode of critical education.

The war on the social state is in high gear and is most evident in a range of polices designed to punish unions, abrogate the bargaining rights of workers, cut social protections, and disinvest in higher education as a site of critical learning while reorganizing it according to the interests and values of a market-driven culture. The mean-spirited and ideologically dogmatic nature of the assault on labor can be seen in Maine's Republican Governor Paul LePage's call to remove a 36-foot, 11-panel mural by Judy Taylor from the foyer in the state's Department of Labor building in Augusta.[xv] LePage claims that a number of business officials complained about the mural echoing a sentiment he received in a fax that claimed that the mural "was reminiscent of "communist North Korea where they use these murals to brainwash the masses."[xvi] But LePage's contempt for workers, unions, teachers, and their struggles did not end with the removal of the mural; he also ordered seven conference rooms to be renamed, given that few of them were named after notable labor organizers, including Cesar Chavez, a heroic figure who "led the United Farm Workers union in the sixties and seventies.[xvii] LePage's actions mirror the same disdain for democracy and the social state that is being exhibited by Republican governors in Wisconsin and a number of other states in which draconian measures are being imposed on the unemployed, working poor, middle-class, students, and others who are outside of the radar of politicians in the service of the corporate rich.

The second war, inextricably connected to the war on the social state and democracy itself, is the current assault taking place on higher education. Under the regime of market fundamentalism, institutions that were meant to both critique and limit human suffering and address major social problems have been either weakened or abolished, as are many of those

public spheres where private troubles could be understood as social problems and addressed as such.[xviii]. This shift from the basic tenets of the social contract to savage forms of corporate sovereignty is part of a broader process of "reducing state support of social goods [and] means that states—the institutions best placed to defend the gains workers and other popular forces have made in previous struggles—are instead abandoning them."[xix] Faced with massive deficits, states are refusing to raise taxes on the rich or corporations while enacting massive cuts in everything from Medicaid programs, food banks, and worker retirement funds to higher education and health care programs for children. For example, Florida Governor Rick Scott "[has] proposed slashing corporate income and property taxes, laying off 6,700 state employees, cutting education funding by $4.8 billion, and cutting Medicaid by almost $4 billion. Scott's ultimate plan is to phase the Sunshine state's corporate income tax out entirely. He [wants] to gut Florida's unemployment insurance system, leaving unemployed workers 'with much less economic protection than unemployed workers in any other state in the country.'"[xx] As social problems are privatized and public spaces commodified, there has been an increased emphasis on individual solutions to socially produced problems, while at the same time market relations and the commanding institutions of capital are divorced from matters of politics, ethics, and responsibility. How else to explain the lack of massive protests over the recent revelations that massive corporations such as General Electric and the Bank of America paid no taxes in spite of accruing massive financial profits. The commodification of thought and the depoliticization of everyday life has created both a culture of illiteracy and cruelty in which notions of the public good, community, and the obligations of citizenship are replaced by the overburdened demands of individual responsibility and an utterly privatized ideal of freedom.

In the current market-driven society, with its ongoing uncertainties and collectively induced anxieties, core public values regarding compassion for the common good and especially the poor have been abandoned under the regime of a market society that promotes a survival of the fittest economic doctrine. As Jeffrey Sachs points out, "Income inequality is at historic highs, but the rich claim they have no responsibility to the rest of society. They refuse to come to the aid of the destitute, and defend tax cuts at every opportunity. Almost everybody complains, almost everybody aggressively defends their own narrow, short-term interests, and almost everybody abandons any pretense of looking ahead or addressing the needs of others."[xxi] Shared sacrifice and shared responsibilities now give way to shared fears and a disdain for investing in the common good. Conservatives and liberals alike seem to view public values, public spheres, and the notion of the common good as either a hindrance to the profit-seeking goals of a market-driven society or a drain on the market-driven social order, treated as a sign of weakness, if not pathology, or even worse, dangerous.[xxii]

The War Against Higher Education

Public spheres that once offered at least the glimmer of progressive ideas, enlightened social policies, non-commodified values, and critical exchange have been increasingly commercialized or replaced by private spaces and corporate settings whose ultimate fidelity is to expanding profit margins. For example, higher education is increasingly defined as another core element

of corporate power and culture and as such has to be stripped of its role as democratic public sphere vital to the ideals of democratization. In the current climate, what has become clear is that the neoliberal attack on the social state, workers, and unions is now being matched by a full-fledged assault on higher education. Such attacks are not happening just in the United States but in many other parts of the globe where neoliberalism is waging a savage battle to eliminate all of those public spheres which might offer a glimmer of opposition to market-driven policies, institutions, ideology, and values. Higher Education is being targeted by conservative politicians and governments because it embodies, at least ideally, a sphere in which students learn that democracy as Jacques Rancière suggests a rupture, a relentless critique and dialogue about official power, its institutions, and its never ending attempts to silent dissent.[xxiii]

As Ellen Schrecker points out, "Today the entire enterprise of higher education, not just its dissident professors, is under attack, both internally and externally."[xxiv] Both in the United States, England and a number of other European countries, universities and businesses are forming stronger ties, the humanities are being underfunded, student tuition is rising at astronomical rates, knowledge is being commodified, and research is valued through the lens of an audit culture. The reach and influence of corporate-based models of education can be seen in their boldest forms in the United Kingdom. Imported and slavishly adopted, the neoliberal educational play book now shapes higher education policy in England, specifically through what has been called the Browne Report. This government sponsored report has established modes of governance, financing, and evaluation that for all intent and purposes makes higher education an adjunct of corporate values and interests.[xxv] Delivering improved employability has reshaped the connection between knowledge and power while rendering faculty and students as professional entrepreneurs and budding customers. The notion of the university as a center of critique and democratic public sphere vitally necessary in providing the knowledge, skills, and values necessary for the production of a democratic polity is giving way to a view of the university as a marketing machine essential to the production of neoliberal subjects.[xxvi]

The Browne Report's guiding assumptions, which mimic the logic driving educational reform in the United States, suggest that student choice, a consumer model of pedagogy, an instrumental culture of auditing practices, and market-driven values are at the heart of the neoliberal university. Like most neoliberal models of education, higher education matters to the extent that it drives economic growth, innovation, transformation, and promotes national prosperity.[xxvii] Even though tuition will be tripled in some cases, numerous schools closed, and higher education effectively remade according to the dictates of a corporate culture, the conservative-liberal government appears indifferent to the devastating consequences its policies will produce. Simon Head has suggested that the Browne policies represent a severe threat to academic freedom. In actuality, the neoliberal policies it embodies represents a threat to one of the few remaining institutions left in which dissent, critical dialogue, and social problems can be critically engaged.[xxviii] What is often lost in such criticisms is that democracy demands a critical formative culture and set of institutions in which complicated ideas can be engaged, authority challenged, power held accountable, and public intellectuals

produced. All of this is now threatened in the United States, England, France, and other countries pushing neoliberal reforms. Under this economic model, there is no talk of social justice, addressing social problems, promoting critical thinking, addressing matters of social responsibility, or engaging critically non-commodified values that might challenge the neoliberal world view.

In the United States, this neoliberal model takes a somewhat different form than in its counterparts abroad since states control the budgets for higher education. Under the call for austerity, states have begun the process of massively defunding public universities while they simultaneously provide massive tax breaks for corporations and the rich. At the same time, higher education in its search for funding has "adopted the organizational trappings of medium-sized or large corporations."[xxix] University presidents are now viewed as C.E.O.s, faculty as entrepreneurs, and students as consumer. It gets worse. In some universities, new college deans are shifting their focus outside of the campus in order to take "on some of the fund-raising, strategic planning, and partner-seeking duties that were once the bailiwick of the university president."[xxx] Academic leadership is now defined in part through one's ability to raise funds, engage in strategic planning, and partner up with corporate donors. In fact, deans are increasingly viewed as the head of complex businesses and their job performance ratings are dependent on their fund-raising performances.

As business culture permeate higher education all manner of school practices from food service and specific modes of instruction to hiring temporary faculty are now outsourced to private contractors. Moreover, the most important value of higher education is now tied to the need for credentials. Disciplines and subjects that do not fall within the purview of mathematical utility and economic rationality are now seen as dispensable.[xxxi] In the search for adopting market values and cutting costs, classes have ballooned in size, there is an increased emphasis on rote learning and standardized testing, and tuition fees have skyrocketed, making it impossible for thousands of working class youth to gain access to higher education. One of the most serious consequences facing higher education in the United States under the reign of neoliberal austerity and disciplinary measures is the increased casualization of academic labor and the ongoing attacks on tenure and academic freedom.

College presidents not only now align themselves with business values, they willingly and openly associate themselves with corporate interests. Moreover, as universities adopt models of corporate governance, they are aggressively eliminating tenure positions, increasing part-time and full-time positions without the guarantee of tenure, and attacking faculty unions. In a number of states such as Ohio and Utah, legislatures have passed bill outlawing tenure while in Wisconsin, the governor has abrogated the bargaining rights of state university faculty.[xxxii] At a time when higher education is becoming increasingly vocationalized, the ranks of tenure track faculty are being drastically depleted in the United States furthering the loss of faculty as stakeholders. Currently, only 27 percent of faculty are either on a tenure track of have a full-time tenure position. As faculty are demoted to contingency forms of labor, they not only lose their power to influence the conditions of their work, they are seeing their workloads increase, paid poorly, deprived of office space and supplies, refused travel money, and subject to policies

that allow them to be fired at will.[xxxiii] The latter is particularly egregious because when coupled with an ongoing series of attacks by right wing ideologues against left oriented and progressive academics, many non-tenured faculty censor themselves in their classes. At a time when critics within the academy are often fired for their political beliefs, have their names posted on right- wing web sites, are forced to turn over their email correspondence to right wing groups,[xxxiv] and are harassed in the conservative press, it is all more crucial that protections be put in place that safeguard faculty positions and academics to exercise the rights of academic freedom.[xxxv]

What is clear is that the United States is in a state of permanent war and that the casualties are not just on foreign soil. The war at home is being conducted by the same people who benefit from the wars abroad. Right-wing conservatives, politicians, and corporate billionaires who engage in a full-fledged attack to destroy higher education as a democratic public sphere exhibit not only a contempt for the social state, trade unions, and workers, but also any institution capable of producing "an educated population [willing] to sustain a vibrant democracy and culture that provides a key component of the good life."[xxxvi] Viewed as simply a training ground for the corporate order and the national security state, higher education has defaulted on its promise of democratic future for young people and its investment in a social state. This anti-public social formation has no interest in fostering the educational conditions in which it becomes possible for young people to imagine another world outside of the economic Darwinism that now bears down on every aspect of their lives. While the complexity of such struggles cannot be exaggerated, it is time to develop a new political language that not only connects the dots between the war at home and abroad, but also makes clear that central to the success of such an egregious assault is the destruction of any vestige of higher education as a public good and democratic public sphere. There is more at stake here than simply the abrogation of worker's bargaining rights and a gratuitous increase in university tuition rates. There is also the question of what kind of society we want to become and what is going to have to be done to stop the arrogant and formidable assault on all vestiges of democratic life now being waged by the financial elite, corporations, conservatives, reactionary think tanks, authoritarian politicians, and a right-wing media that eschews any vestige of honor, decency, and the truth. At the heart of this struggle is not only a need to reclaim the social as part of a struggle for an engaged and critical populace, but also what it means to make pedagogy central to any viable notion of politics, and youth the crucial category in imagining a future in which the social becomes the sphere and foundation for a new understanding of the future.

Youth in Dark Times

The way society conceptualizes youth has changed from viewing youth as a symbol of hope and promise into a sign of trouble and threat. What is clear as a result of this "failed sociality" is that if democracy is going to deliver on its promises not only do young people need to have a passion for public values, social responsibility, and participation in society, but they also need access to those public spaces that guarantee the rights of free speech, dissent, a quality education, and critical dialogue.

Young people need to be educated both as a condition of autonomy and for the sustainability of democratization as an ongoing movement. Not only does a substantive democracy demand citizens capable of self- and social criticism, but it also requires a critical formative culture in which people are provided with the knowledge and skills to be able to participate in such a society. What we see in the struggle for educational reforms in Europe and the Middle East is a larger struggle for the economic, political, and social conditions that give meaning and substance to what it means to make democracy possible. When we see 15 year-olds battle the established oppressive orders in the streets of Paris, Cairo, London, and Athens for a more just society, they offer a glimpse of the true potential of youth as a constructive force for trouble making. But this expression of trouble exceeds the dominant society's eagerness to view youth as a pathology, as monsters, and as a drain on the market-driven order. Instead, trouble in this sense speaks to something more suggestive of what John and Jean Comaroff call the "productive unsettling of dominant epistemic regimes under the heat of desire, frustration, or anger."[xxxvii] The expectations that frame market-driven societies are losing their grip on young people who can no longer be completely seduced or controlled by the tawdry promises and failed returns of either corporate dominated or politically authoritarian regimes.

These youth movements tell us that the social visions embedded in casino capitalism and deeply authoritarian regimes have lost both their utopian thrust and their ability to persuade and intimidate through threats, coercion, and state violence. Rejecting the terrors of the present and the modernist dreams of progress at any cost, young people have become, at least for the moment, harbingers of democracy fashioned through the desires, dreams, and hopes of a world based on the principles of equality, justice, and freedom. In doing so, they are pointing to a world order in which the future will certainly not mimic the present. Most importantly, they are gesturing towards a mode of collective politics in which solidarity is matched by a recovery of a notion of the social in which a market-driven society is not synonymous with democracy and private rights are not more important than the social good. Thus the process of democratization itself, never complete and becoming, constitutes the preeminent space of the social for keeping justice alive and the incommensurable spirit of political possibility open.

Notes

---

[i]. Zygmunt Bauman, *The Art of Life*, (Polity Press, 2008), pp. 1-49-50.

[ii]. See, especially, Sheldon S. Wolin, *Democracy Incorporated: Managed Democracy and the Specter of Inverted Totalitarianism*, (Princeton University Press, 2008). See also my Henry A. Giroux, *Against the Terror of Neoliberalism* (Boulder: Paradigm Publishers, 2008).

[iii]. Ibid., p. 235. I have also taken up this theme in great detail in Henry A. Giroux, *Youth in a Suspect Society* (New York: Palgrave Macmillan, 2010).

[iv]. Alex Honneth, *Pathologies of Reason* (New York: Columbia University Press, 2009), p. 188.

[v]. Pascale-Anne Brault and Micheal Naas, "Translators Note," in Jean-Luc Nancy, *The Truth of Democracy*, (New York, NY: Fordham University Press, 2010), pp. ix

[vi]. This issue is take up in great detail in Loic Wacquant , *Punishing the Poor: The Neoliberal Government of Social Insecurity*, (Durham, NC: Duke University Press, 2009); Angela Y. Davis, *Abolition Democracy: Beyond Empire, Prisons, and Torture*, (Seven Stories Press, 2005). See also, Michelle Brown, *The Culture of Punishment: Prison, Society and Spectacle*, (NY: New York Univesity Press, 2009). On the evisceration of the social state, see Tony Judt, *Ill Fares the Land*, (New York, N.Y.: The Penguin Press, 2010) and John Clarke, *Changing Welfare, Changing States* (London: Sage, 2004).

[vii].Some of the more important literature on this transformation includes: Catherine Lutz, "Making War at Home in the United States: Militarization and the Current Crisis," *American Anthropologist*, (104:3, 2002), pp. 723-735; **.**Andrew J. Bacevich, The New American Militarism, (Oxford University Press, 2005); Sheldon S. Wolin, *Democracy Incorporated: Managed Democracy and the Specter of Inverted Totalitarianism*, (Princeton University Press, 2008); Nick Turse, *The Complex: How the Military Invades our Everyday Lives* (New York: Metropolitan books, 2008); Chalmers Johnson, *Nemesis: The Last Days of the American Republic* (New York: Metropolitan books, 2008); Andrew J. Bacevich, *Washington Rules: America's Path To Permanent War*, (New York, NY: Metropolitan Books, Henry Hold and Company, 2010).

[viii].Home Research Database, "Recent Trends in Military Expenditure," *Stockholm International Peace Institute* (November 23, 2010). Online: https://www.sipri.org/research/armaments/milex/resultoutput/trends

[ix].Tom Engelhardt, "An American World War: What to Watch for in 2010," *TruthOut*, (January 03, 2010). Online at: https://www.truth-out.org/topstories/10410vh4

[x].Nicholas D. Kristof, "The Big (Military) Taboo," The New York Times (December 25, 2010), p. WK16.

[xi]. Chalmers Johnson, "The Guns of August: Lowering the Flag on the American Century" *TruthOut*, August 17, 2010. online: https://www.truth-out.org/the-guns-august-lowering-flag-american-century62384

[xii]. Andrew J. Bacevich, *Washington Rules: America's Path To Permanent War*, (New York, N.Y.: Metropolitan Books, Henry Hold and Company, 2010) p. 22.

[xiii]. Frank Rich, "Freedom is Just Another Word," *The New York Times* (September 4, 2010), p. WK8.

[xiv]. C. Wright Mills, *The Power Elite* (New York: Oxford University Press, 2000), p. 222.

[xv].. Steven Greenhouse, "Mural of Maine's Workers Becomes Political Target," The New York Times, (March 23, 2011), p. A18.

[xvi].. Ibid. P. 18

[xvii]. Peter Dreier, "Battle Over Censorship of Maine Murals Part of a Larger Struggle for Basic Rights and Justice," *Common Dreams* (March 31, 2010). Online: https://www.commondreams.org/view/2011/03/31-13?print

[xviii]. This theme is take up powerfully by a number of theorists. See C. Wright Mills, *The Sociological Imagination* (New York: Oxford University Press, 2000); Richard Sennett, *The Fall of Public Man* (New York: Norton, 1974); Zygmunt Bauman, *In Search of Politics* (Stanford: Stanford University Press, 1999); and Henry A. Giroux, *Public Spaces, Private Lives* (Lanham: Rowman and Littlefield, 2001).

[xix]. Craig Calhoun, "Information Technology and the International Public Sphere," in *Shaping the Network Society: The New Role of Society in Cyberspace*, ed. Douglas Schuler and Peter Day (Cambridge: MIT Press, 2004), p. 241.

[xx]. Zaid Jilani, Faiz Shakir, Benjamin Armbruster, George Zornick, Alex Seitz-Wald, and Tanya Somanader, "Rewarding Corporations While Punishing Workers," *The Progress Report*, (March 18, 2011). Online at: https://pr.thinkprogress.org/2011/03/pr20110318/index.html

[xxi]. Jeffrey Sachs, "America's Deepening Moral Crisis," *The Guardian*, (October 4, 2010)

online at:
https://www.guardian.co.uk/commentisfree/belief/2010/oct/04/americas-deepening-moral-crisis

[xxii]. Classic examples of this can be found in the work of Milton Friedman and the fictional

accounts of Ayn Rand. It is a position endlessly reproduced in conservative foundations and institutes such as the American Enterprise Institute, Heritage Foundation, Hudson Institute, Manhattan Institute for Policy Research, and the Hoover Institute. One particularly influential book that shaped social policy along these lines is Charles Murray, *Losing Ground* (New York: Basic, 1994).

[xxiii]. Jacques Rancière, *Hatred of Democracy* (Verso 2006).

[xxiv]. Ellen Schrecker, *The Lost Soul of Higher Education*, (New York, N.Y.: The New Press, 2010), p. 3.

[xxv]. A number of important critiques of the Browne Report and the conservative-liberal attack on higher education include: Simon Head, "The Grim Threat to British Universities," *The New York Review of Books*, (January 13, 2011). Online at: https://www.nybooks.com/articles/archives/2011/jan/13/grim-threat-british-universities/; Anthony T. Grafton, "Britain: The Disgrace of the Universities," *The New York Review of Books*, (March 10, 2010), p. 32; Nick Couldry, "Fighting for the Life of the English University in 2010," unpublished manuscript; Stefan Collini, "Browne's Gamble", *London Review of Books*, Vol. 32 No. 21, (4 November 2010) pp. 23-25; Stanley Fish, "The Value of Higher Education Made Literal," *The New York Times*, (December 13, 2010). Online at: https://opinionator.blogs.nytimes.com/2010/12/13/the-value-of-higher-education-made-literal/;Aisha Labi, "British Universities and Businesses Are Forming Stronger Research Ties", *The Chronicle of Higher Education*, (October 4, 2010)

online at: https://chronicle.com/article/British-Universities-and/124814; Terry Eagleton, "The Death of Universities" *Guardian*, (December 17, 2010)

online at: https://www.guardian.co.uk/commentisfree/2010/dec/17/death-universities-malaise-tuition-fees

[xxvi]. Michael Collins, "Universities need reform – but the market is not the answer", *openDemocracy*, (November 23, 2010). online at: https://www.opendemocracy.net/ourkingdom/michael-collins/universities-need-reform-but-market-is-not-answer

[xxvii]. Stefan Collini, "Browne's Gamble", *London Review of Books*, Vol. 32 No. 21, (4 November 2010). Online at: https://www.lrb.co.uk/v32/n21/stefan-collini/brownes-gamble

[xxviii]. Simon Head, "The Grim Threat to British Universities," *The New York Review of Books*, (January 13, 2011). Online at:

https://www.nybooks.com/articles/archives/2011/jan/13/grim-threat-british-universities/

[xxix].Stanley Aronowitz, "Introduction", *Against Schooling: For an Education That Matters*, (Boulder, CO: Paradigm Publishers, 2008), p. xv.

[xxx].. Kathryn Masterson, "Off Campus Is Now the Place to Be for Deans," *The Chronicle of Higher Education,* (March 6, 2011) – accessed March 10, 2011online at: https://chronicle.com/article/For-Deans-Off-Campus-Is-Now/126607/

[xxxi]. There are a number of books that address these issues. See, for example, Henry A. Giroux and Susan Searls Giroux, *Take Back Higher Education* (New York: Palgrave-Macmillan, 2004) and Stanley Aronowitz, *Against Schooling: For an Education That Matters*, (Boulder, CO: Paradigm Publishers, 2008).

[xxxii]. Scott Jaschik, "New Tactic to Kill Faculty Unions," *Inside Higher Ed*, (March 3, 2011) online at: https://www.insidehighered.com/news/2011/03/03/ohio_bill_would_kill_faculty_unions_in_unexpected_way

[xxxiii]. Ellen Schrecker, *The Lost Soul of Higher Education*, (New York, N.Y.: The New Press, 2010), p. 206-215.

[xxxiv].Evan McMorris-Santoro, "Conservative Think Tank Seeks Michigan Profs' Emails About Wisconsin Union battle…and Maddow," Talking Points Memo (March 29, 2010). Paul Krugman, "American Thought Police," *The New York Times*, (March 27, 2011), p. A27

[xxxv]. I take up these attacks in great detail in Henry A. Giroux, *The University in Chains: Confronting the Military-Industrial-Academic Complex* (Boulder: Paradigm, 2008).

[xxxvi]. Stanley Aronowitz, "The Knowledge Factory," *The Indypendent*, (March 16, 2011) online at: https://www.indypendent.org/2011/03/17/the-knowledge-factory/

[xxxvii]. Ibid., p. 268.

Henry A. Giroux *currently holds the Global TV Network Chair Professorship at McMaster University in the English and Cultural Studies Department. His most recent books include: Youth in a Suspect Society: Democracy or Disposability?((Palgrave macmillan, 2009), Politics*

After Hope: Obama and the Crisis of Youth, Race, and Democracy (Paradigm 2010); Hearts of Darkness: Torturing Children in the War on Terror (Paradigm 2010), and On Critical Pedagogy (Continuum, 2011). His website can be found

Amnesia and the Laugh Track – Mike Thomas, The Second City Unscripted

By | 2011: Vol. 10, Issue 1

It now seems indecent, given the almost total amnesia enveloping this celebrated enterprise, to pose any tart questions about what actually happened at Second City; something that might stumble beyond the booster reviews, cozy nostalgia, and promo brochures. When amnesia corrodes to official memory it seems downright unpatriotic to suggest that the place now reeks of failed vision and a media-driven, Star-powered consumerism so blatant and ingrained that it seems genetic. To suggest that there is a sad chronicle underneath such a corporate Show Business success tale counters the tide of media wisdom.

The early Sixties brought about a satirical Renaissance which propelled Beyond the Fringe, Barry Humphries and the Goons in England; and Lenny Bruce, Mort Sahl, and Nichols and May to the fore in the United States. The grim gray Cold War Nowhere of the McCarthy period was suddenly swept away with a full frontal Brainiac attack engineered by, among others, the U. of C. renegades who formed Compass and later, Second City. Second City's is a complicated, and meticulously forgotten story overseen by that shimmering rectangle dubbed corporate TV, where the Defense Contractor Network meets the laugh track. Author Mike Thomas' *Second City Unscripted* roils with tales of infighting and solidarity, affection and vendetta, in tracing the apparently irresistible rise of Chicago's Second City to the comedy colossus where 30 Rock wannabees now implore sacred career advice and life-enhancing experience.

> *"Whether your goals include being on 30 Rock, or you just want to get through your next job interview … your experience here will be life changing." (Second City 2010 Course Catalogue)*

The author is a journalist, a designation that used to imply research ability. Instead *Unscripted* embodies that boisterous commercialist hackery we've come to expect from the chronic boosterism posing as information that now passes for journalism. But should we step beyond the glossy media massage … there's another more complicated story at work. The book affords some anecdotal evidence into what happened at the theater; but, without a context, this fragmentary approach makes for a good read that never jells. Rather than add *Unscripted* to an already lamentable series of Second City paint-by-numbers memoirs, lets make an attempt at a partial history of the place that veers from the acceptable path

For those interested in the unreported side of Compass and Second City there are a series of video interviews with ex-Compass/Second City people on youtube. There is no evidence that unscripted author Davis took a look.

The founding fathers of Second City were a mixed bag: director/teacher Paul Sills; entrepreneur Bernard Sahlins and filmmaker Howard Alk. Sills' mother was the First Lady of Improvisation, Viola Spolin, and her book on theater games put theatrical improvisation on the map. Spolin's efforts grew out of group work, play theory, and the ideas of an extraordinary teacher, Neva Boyd. Spolin blazed the thorny way to Improvisational Theater and gave it a theoretical and practical basis. (I'm using 'Improvisational' to distinguish Spolin's work from Improv – which has rusted into a brand name.) She is slowly coming to be seen as one of the great theatrical thinkers. As the years have wound on at The Second City, her method has been forgotten while generations of Second City disciples have gone on to teach their version of what they never themselves experienced: the fabled Sills/Spolins influence.

Carol Bleackley Sills and some dedicated folk keep the original method alive in Door County, Wisconsin, (www.paulsills.com) and at New Actors Workshop in New York. They have no connection with Second City. It may come as a distinct surprise that a founder of Second City was one of the first major American Brechtians. The broad, external acting style Sills developed comes directly out of Brecht and infused both Second City and Story Theater. Second City may have begun as a "satirical cabaret" â€"but "satirical," with its vaguely political implications has now faded to the more marketable "comedy" category, as the theaters Promo brochure makes all too clear.

Sills directed Brecht's Caucasian Chalk Circle (1953) and Three Penny Opera (1954) – with Chicago's Playwrights Theater, and was among the first Americans daring enough to stage these works. Shortly after Playwrights folded, Sills' Fulbright scholarship took him to Brecht's theater in Berlin. Sills' later watched his Second City labors and his mother's ideas reworked to suit "comedy" tactics and he came to resent this diminution. Today the theater openly recruits writers, and teaches comedy writing: evidence of its tenuous claim to mounting improvised shows. The inevitable necessity to write a Second City show while paying a well-worn homage to Improv's tattered banner is a fixed feature contradiction of Second City PR.

One of the central tenets of Sills' approach was that the players 'not work for laughs.' Here's immediate evidence of how far his method diverged from what became of it at Second City. The early Second City shows were a mix of both satirical and "character" pieces. The Alan Arkin, Barbara Harris "Beatnik at the Art Gallery" scene was a good example of Sills' character approach. Sills' insisted on a balancing his shows, maintaining that a purely comedic approach merely dumbed audiences down. His balanced approach â€" the tragic mask beside (and inside) the comic one – disappeared at the theater with his departure, and never resurfaced.

The consequent shift in methods at the Second City is nowhere clearer than in the careers of Sills and comic guru Del Close. Close had an on-again off-again relationship with the theater, marred by drug episodes, suicide attempts, and street cred-seeking devotees who often emulated the Master's lesser moments. I wrote three shows for Close and another Second City alum in the Eighties (at Cross Currents Cabaret) and recall with dismay Close's biographer assuming that the writing there was a collective effort; so ingrained was the Improv mystique. Sills and Close were polar opposites in method, vision, and praxis, and Thomas' book doesn't

try to understand why, or what the implications are.

Here's Paul Sand, one of the best of the early improvisers: "There's nobody else. Everybody else elbowed their way in. And Paul (Sills) was sort of cheated out of money and things by a lot of people. He didn't strive for fame because something else was on his mindâ€¦He is the only one. He is Second City."

Bernie Sahlins, brother of the legendary radical anthropologist Marshall Sahlins, was owner/fixture at the place for years until he sold the business to Canadian entrepreneur Andrew Alexander who promptly turned what had been a semi-vanity operation into a theatrical phenomenon generating mega-bucks. Alexander was quick to see that the Second City approach, based on Sills/Spolin's legacy, would prove a marketing bonanza. The theater's Training Center blends its educational programs seamlessly with self-help and personal actualization pitches coupled with Show Biz career teasers.

Alexander's trek through the minute pecking orders, careerist minefields, and ossified back-stage politic he inherited at the theater provide superb anecdotage, lessons in survival and pointers about carefully calibrated deference midst the banshee wail of Banzai ambition and Thespian scramble. The Second City brought many a measure (even overdoses) of fame; a result that first touched and then irritated Sills. It kept Sahlins at center stage long enough to enjoy the financial fruits of Alexander's buyout. (Alk, having left early on, went on to create a significant body of film work.)

The Second City myth, has three parts:

1: In the Beginning there was University theater, first Playwrights, and then the Compass and finally Second City: a hard-pressed band of actors who labored long and survived to see their effort and Sill's mother's method thrive and go on to kindle the careers of Alan Arkin, Barbara Harris, Shelley Berman and Nichols and May. Sills' oversaw this period of experimentation, chaos, and edgy inspired work: it remains the Periclean Age at the theater.

2. Sills, prompted by a growing interest in community and in extending his Mother's method, moves on to found The Game Theater. Sahlins is the only one left standing, and within a few years he inherits a TV-driven publicity bonanza propelled by the success of Saturday Night Live, which spurred a tsunami of hyperbole. The TV show is a launch pad for film careers in what is now a media success formula. The theater at this point makes a quantum jump away from the artistic entity Sills envisioned. That there ever initially was at the Compass and Second City an attempt at fostering an egalitarian vision now seems absurd, but Sills and David Shepherd (Compass) passionately shared a desire to use theater as a way of creating community bonds and for advancing a Progressive politics. Both Sills and Shepherd, incensed by America's Cold War climate, sought theatrical alternatives.

3. The final phase is Andrew Alexander's franchising which staggers financially fora moment before generating steady millions. The Canadian is a marketing virtuoso who had an impeccable sense of just where the "Improv" scene bleeds into America's media- driven TV

culture. “Improv” since has spawned a universe of groups, contests, personalities, schools, theaters, and TV, but it remains monochromatic despite Sill’s attempts to push the method beyond the lame laugh mill patterns.

Sadly, but for Janet Coleman’s excellent book *The Compass* and Jeffrey Sweet’s oral history *Something Wonderful Right Away,* Second City literature remains mostly embarrassing nostalgia. No one else has gotten remotely close to the real story. Bob Woodward’s book on the late John Belushi took the academy award for clueless exposition. Belushi’s meteoric rise, tenure at the theater, and lurid death still cap the Star stories which obsessed some of the theater’s performers, and generated a world of tabloid dreck.

> *John Kapelos: “I remember meeting Chris (Farley) and he wanted to have the same fate as John (Belushi.) … Thats how badly the Second City thing had morphed in my opinion.”*

Kapelos comment is typical of anecdotes that demand and then generate no questions on the author’s part. Sills left the theater he founded and directed, embittered about the acting profession, show business, and Second City’s embrace of all that he found fatuous and inconsequential. He described debasing his mother’s method to a comedic formula as “stopping a Coke bottle with a diamond.” He went on to found the Game Theater, Free Theater, and finally Story Theater. All were attempts at disassociating his method from the comedy logo and moving onto something befitting what he saw as his Mother’s legacy.

> *Dennis Cunningham: “ He (Sills) hated the actor mentality that would get in the way a lot.”*

Sills’ Cross? His method was fated to be tied to the very show business banalities he most loathed. While Sills labored to deepen and extend his mother’s method, the Second City marched on, overseen by a management so obdurate and implacable that it suggests opera buffo. Superb pianist Fred Kaz is left with nothing after decades of dedication and, but for Andrew Alexander and Jim Belushi’s intervention, penury. In the wake of Sill’s departure in the mid-Sixties come waves of Borscht Belt shtick, befuddlement, directorial schizophrenia, casts force-marched through desperate material, and the degradation of a visionary legacy. It made for terrible and unnoticed ironies. The rhetoric of Improvisation remained: “you’re in your head,” “stay in the space,” “share your â€¦etc.,” but the actuality had become a joke-driven quip scramble.

> *Murphy Dunne: “ I remember one time Bernie (Sahlins) came in and said to all of us, (nasal voice),”Tomorrow I want everybody to bring in some jokes. We’ll add the satire later.”*

Sheldon Patinkin: "Paul (Sills) did this LSD trip (Sills' last show at the theater) … which was way beyond the knowledge of (names three cast members.) It went back to Oedipus, which they didn't know anything about. It traveled history, none of which they were cognizant of … So they hated it."

Joe Flaherty: "And Bernie (Sahlins) wanted to direct. And those guys knew Bernie is basically an accountant, so they were having problems with him directing."

The wide range of literary references wielded expertly by early casts soon disappear and the shows fade to whiner angst, toilet jokes, and media mist, as literacy blanches into banal TV lore. During Sahlins' tenure the theater makes an attempt at conquering television. Second City TV (SCTV), shot in Canada on no budget, became an instant underground hit. John Belushi ruefully noted that SCTV outdid what was going on simultaneously at the deep-pocketed Saturday Night Live. Actor Dave Thomas recounts a Zen moment with Sahlins, who had been "editing" an SCTV segment without bothering to view the footage. Thomas, who saw his work demeaned, went ballistic. Sahlins retreated, responding: "I don't need to put up with this shit. I'm rich."

Sills remained a prophet in the wilderness after Second City, and endured a long penurious struggle to sustain Story Theater and to disseminate Spolin's method. He remained acerbic toward celebrity speculation, eight figure film deals featuring food fights, and self-limiting appeals to the upper reaches of Frat boy consciousness. The demoralizing triumph of theater without content was not just a product of corporate TV. Community theater became increasingly desensitized politically, with the advent of the theater board – management/fund raising teams at the top of many formerly independent organizations who dictate arts agendas and policies in a manner consistent with the values of well-heeled Board members.

The actors interviewed for *Unscripted* are largely, if not all, management-friendly, but this capitulatory attitude has to be weighed against the performer's life of serial ingratiation. One of the later cast member's, amazed at the cliques that formed backstage, remarks:" It was high school all over again."

Rose Abdoo: "Andrew (Alexander) was taking Second City into the 21st Century … T shirt sales, drink sales … it was going to be McSecond City, and that's what I didn't want to be a part of."

The television landscape is so barren, so void of content that only the documentary film and satire remain media sectors where even an enfeebled criticism is tolerated: hence, the lionization of Jon Stewart and Michael Moore. For those of us interested in how the Improvisational saga migrates from Playwrights and the first American attempts at Brecht to

the Borscht Belt insipidity of a celebrity culture bent on mass success, Mr. Thomas book poses no questions and offers no answers. Satire, in its Jon Stewart and Stephen Colbert forms has inverted the media: there is nothing else out there that attempts a critique of a society in meltdown. In actuality: Jon Stewart does News: Fox does comedy. The media remains the Empire of the Blind promoting toxic, rampant consumerism. The Second City hardly could be immune.

> *Second City director Bruce Pirrie: "And I realized its because its commerce … in ten words or less tell us what its about. Because then you can market it … I'd done a show in Toronto… Financial hit … called Facebook of Revelations … The take away from the success was: get a brand name in the title."*

Does it matter that Second City became a franchised brand name: a corporate logo selling "Improv" comedy as sit-com career booster while boasting a method that veered so far from the vision of its originators that it contradicted what they intended? This question is evidence that the theater's history remains unwritten. "Second City Unscripted" is a vast confused mirage, but there may come a time when someone is interested and able enough to look at the theater's history without one eye on Variety and the other on the bottom line. Then watch out. Until then, don't drink the comedic Kool-Aid, and listen for that faint orchestrated cackle. The laugh track is beginning to fade.

Warren Leming is a writer and former actor/musical director with Paul Sill's Free and first Story Theater Company. He formed the Post-Rational Players with Del Close, and wrote three shows for the group at Cross Currents Cabaret. He produced (with Chicago Filmmakers) and directed the first Brecht on Film festival in the United States. His latest work is a feature documentary 'American Road,' (www.americanroad.viviti.com), forthcoming in 2011.

Cary Nelson, No University is an Island: Saving Academic Freedom

By | 2011: Vol. 10, Issue 1

Had President Dwight D. Eisenhower not initially used it, I would have recommended the title *Mandate for Change*. Instead, Cary Nelson, president of the American Association of University Professors (A.A.U.P.) and Professor of Liberal Arts and Sciences at the University of Illinois at Urbana-Champaign, has a Kingian title for his recent volume on academic freedom *No University is an Island: Saving Academic Freedom*. The title evokes Dr. Martin Luther King's, "Letter from Birmingham Jail," when the incarcerated civil rights leader wrote: "Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality, tied in a single garment of destiny." The book's forays into academic-freedom practices in Canada, Latin America, the Middle East and Europe is a refreshing change from an American exceptionalism that eschews comparison.

Another parallel to Eisenhower is it being a memoir. It is highly unusual for a leader of a major organization to publish a critical analysis of that entity while still holding office. Reformers of organizations usually are not its leaders but the rank and file or external critics. Nelson writes with a passion that is moving and fearless. The reader becomes immersed in the flow as page after page unreels its humanism, courage and captivating prose. The author clearly prefers a rhetoric that is pungent. He refers to university presidents with million-dollar salaries as, simply, "criminals." (159) Governing boards and administrations that eviscerate faculty rights are "jackbooted university managers." (127) Ivy-league presidents are referred to with the somewhat insensitive term of "Mafiosi." (156)

The social sciences and humanities, where critical thinking begins and quite possibly ends, have been under siege from the Right at least since the 1950s McCarthy Era. They are the finger in the dike, a key barrier preventing American culture from hardening into "fascist stone." (103) Yet the author also peppers his own house with bursts of friendly fire: A.A.U.P. is transmogrified into a "factory" ignorant how its "sausage" is made. (197) He describes the association's capacity to pursue its mission and organizational priorities as "wanton incompetence" (211) and its resistance to transparency as a "cult of secrecy" (260-261) Its recalcitrant, staff-driven, turf-protecting national office is like " a terrorist cell within a kindergarten." (199) Words may wound but a change agent that can move from such rhetorical flourishes to clear prescriptive analysis is no mere ideologue but a leader with a vision.

The author examines two paths. One is the path of organizing collective bargaining units at public universities and colleges as an antidote to persecutorial treatment by governing boards, state legislatures and intolerant senior faculty. This is the growth strategy A.A.U.P. pursued, with 75% of members in collective bargaining units. The other path is the classic individualized

approach of advocacy chapters that dominate private institutions. These institutions cannot be a growth industry since they are barred from collective bargaining due to NLRB *v*. *Yeshiva* University (1980). This obtuse Supreme Court decision categorized faculty at private universities as “management” and, therefore, not subject to NLRB protection. While the collective bargaining component of A.A.U.P. grows, its core purpose remains the protection of members fired for their views, suspended for questioning administrative authority, silenced for extramural utterances that defy conventional wisdom or seeking radical change.

Nelson chafes at A.A.U.P.s secretiveness and staff-centered universe. A.A.U.P. is taken to task for being too plodding in its approach to injustice. It discourages its leaders from protecting the innocent academic Â because doing so supposedly is a possible preemption of a position prior to investigation. A.A.U.P. would not, prior to Nelson, allow its elected president to write a regular column on Academe. Its pusillanimity in protecting controversial faculty, dating at least from the McCarthy era, has continued: witness Ward Churchill and Norman Finkelstein. A.A.U.P. walked away from the Churchill case as it always does after a faculty committee renders judgment, even if one manifestly at variance with A.A.U.P. policies and a transgression of a professor’s rights. Process is treasured but the content is ignored whenever the faculty committee engages in discriminatory treatment.

Nelson is critical of A.A.U.P.s lack of staying power in such cases. Faculty committees should not be given the benefit of the doubt in determining facts of an aggrieved colleague because faculty are frequently the problem, not the solution. A.A.U.P. needs to intervene directly when its core values and mission are violated on any campus. Â In the case of Norman Finkelstein, theÂ A.A.U.P. closed shop once the popular political science professor settled with DePaul University in 2007. John Wilson and others argued that a settlement should not preclude a Committee A investigation. It is silly to suggest that a settlement amounts to justice when tenure is denied, health care terminated, pension plans eliminated and occupational uncertainty afflict the individual. Money, although important,Â is not the measure of resolution when so much else is lost. Though Finkelstein was denied tenure for a â€˜tonality’ deemed less than collegial, he clearly was fired for his anti-Zionist criticism of Palestinian suffering under the occupation of Israel. His call for the end of oppression of Palestinians, and the intervention of Alan Dershowitz, is why he is no longer employed at DePaul. A.A.U.P. abandoned interest in the case after a settlement was reached.

Nelson asks how we can induce the staff-bureaucracy to embrace change and elevate the role of the president to something other than a figurehead. Ironically there is an academic parallel here to the civil service. Staffers, in classic bureaucratic mode, see themselves as outlasting a president who must seek reelection. Nelson demands more energy in protecting the workers’ rights of contingent faculty. He wishes to smash the labyrinthine maze of Committee A deliberations. He wants A.A.U.P. to become more activist when injustice requires a swift response such as the Katrina-related tenure dismissals.

The aggrieved president sees academia in crisis whereas the A.A.U.P does not. Hence, the clash of wills. With a more than 50% decline in membership between 1970 (100,000)Â and

now (44,000), Nelson has statistical wind at his back and an emerging mandate to alter the typically staid approach to challenges to tenure, academic freedom and shared governance in higher education. Dr. King's work, Why We Can't Wait is apropos here as the civil rights leader demanded change in Birmingham "now" and not in the never-arriving future.

Yet Nelson believes too many academicians compare "unfavorably" the measured, quasi-judicial character of A.A.U.P. with the vigorous activism of the Foundation for Individual Rights in Education (F.I.R.E.). Such comparison, however,Â is apt. In my suspension case of 2002, it was F.I.R.E.s founder, University of Pennsylvania Professor *Alan Charles* Kors, who contacted me by phone and e-mail; it was F.I.R.E. that took to the airwaves on board member's Milt Rosenberg's WGN radio program to defend me; it was F.I.R.E. that wrote a letter to university president, Richard Yanikoski, explicitly threatening legal action if sanctions escalated toward dismissal or if a risible post-tenure review were used to assess my fitness for tenure. At the time I was president of the St. Xavier University A.A.U.P. chapter. While the national office was somewhat helpful in counseling me in negotiating some aspects, it refused to investigate.

F.I.R.E., known for its conservative advocacy, was there for me, protected me, cared for me and saved me. Even the conservative National Association of Scholars Stephen H. Balch, who gets considerable coverage in *No University* for his Horowitzian advocacy of value-free "balanced" pedagogy, spoke to me by phone and published a letter in the Wall Street Journal denouncing their editorial fulminations against my right to teach in academia. Hence, it is not the ideology of organizations that most impresses me but their actions. The moderately liberal A.A.U.P. is sometimes laggard in comparison to conservative organizations in defending its own principles; so what matters is praxis, not ideology.

Nelson lauds A.A.U.P.s careful case studies of individual persecutions. Yet academic freedom and the protection of tenure require more than a half dozen or so Committee A reports and quasi-judicial case law that appear in Academe and the A.A.U.P. Policy Documents and Reports. A.A.U.P. needs to broaden the scope of its concerns and its approach to those concerns: above all, to promote a public advocacy that shares the stage with the slower judicial investigations of cases of academic transgressions.

Contingent non-tenure faculty verge on proletarian misery in twenty-first century America and must be protected. Faculty are fired who dare oppose the Israel lobby. The assault on the academy â€“ whether from Stanley Fish or David Horowitz or American Council of Trustees and Alumni or Students for Academic Freedom – cannot be repelled merely via polite reports but rather through challenges by first responders with press releases, press conferences, public legal advocacy and websites with attitude. Overreliance on dispassionate style generates too little substance within our culture of decorum, deliberative sophistication and Ivy-esque calm. Such a culture should not be abandoned for reckless analysis but needs to be modified to suit the occasion.

The volume contains a few minor spelling errors. The index is too limited with its exclusion of newspapers and Supreme Court cases that are rendered spacious treatment in the text

â€”although a few appear in the bibliography. I would also prefer extensive footnoting that should be de rigueur in a university-press publication.

From its passionate defense of academic freedom to its call for contingent faculty liberation; from its recognition that great injustices were wrought on the academy in the Finkelstein inquisition to its defense of faculty denied tenure or dismissed without cause; from its sense of urgency that academic freedom and the tenure system that buttresses it are in peril, *No University Is An Island* is a brilliant analysis from a gifted writer. The book is perhaps the best single work in the field of academic-freedom advocacy. While others may be more judicious and "scholarly," they do not match this work's wisdom, sweep of experience and demands for change during a time of great pressure to abandon critical thinking.

Nelson urges a Gandhian civil disobedience campaign against nefarious administrators, one which encompasses sit-ins, blocking cars, preventing access to buildings and even picketing homes. Nelson proclaims: "You have nothing to lose but your colleagues' chains." Since the author assesses academia with an internationalist perspective that transcends America, I would add: "They have a world to win."

Peter N. Kirstein, Ph.D. is vice president of the American Association of University Professors, Illinois Conference and chair of its Committee A on Academic Freedom and Tenure. He is professor of history at St. Xavier University in Chicago.

The Invention of the Jewish People

By | 2011: Vol. 10, Issue 1

I. Thesis

Israel seems to be a good laboratory for the study of mass delusion. Not just the delusional nature of Israeli ideas and feelings about other people's behavior, say that of the Palestinians, Lebanese Shiites, or Iranians. Not just the delusional nature of their understanding of their own behavior as perennial victims. Israel's potential for mass delusion turns out to be much broader and deeper. With Israel one can study an entire population and its network of worldwide supporters in terms of their delusional understanding of who they historically are.

Shlomo Sand's recent book *The Invention of the Jewish People* is just such a study. The book's thesis is that the obsessively held Zionist/Israeli notion of the Jews as an ethnically identifiable people existing since biblical times and having their origins in the ancient land of ancient Israel is unsupportable. It is a myth, an invention. The book makes Sand one of the very few contemporary Israeli historians claiming that all of Zionist historiography is wrong, and insisting that (following the lead of French historian Marcel Detienne) we all must find a way to "de-nationalize national histories….[and] stop trudging along roads paved mainly with materials forged in national fantasies" (p. 22). And so, predictably, this book, which came out originally in Hebrew in 2008, was greeted with "academic fury" (p. ix). The author, a professor of history at Tel Aviv University, was, again predictably, labeled "an enemy of the people" (p. ix). Only time will tell what professor ultimate Sand's fate will be. The loss of friends is probable. However, unless he moves from academia into the realm of activism (as say, in the case of Ilan Pappe who use to teach history at the Haifa University), he should keep his job.

II. National Identity

Sand begins by explaining that national identities are most often established in the mind of citizens "well before a person has acquired the tools for thinking critically about it" (p. 14). This is accomplished through "history lessons, civics classes…national holidays…[and] state ceremonies [until] various spheres of memory coalesce into an imagined universe representing the past"(p. 14). Some processes of national indoctrination integrate *the myth of national ethnicity — an "ethnos"* — into this mix.

He points out that in those countries where a firm public belief in ethnicity underlies nationalism most scholars of nationality are themselves true believers. The few who are not insist that since ethnicity carries such a " powerful sense of origin, "it is unwise to even investigate the claim" (p. 28).

Such is the case with the vast majority of Israeli scholars. It is clear from Sand's review of the work of Zionist historians, anthropologists, sociologists and archeologists, those he refers to as

“the authoritative priesthood of memory” (p. 14), that they see their job as reinforcing the myth of ethnos and not challenging it. According to Sand it is, after all, just such a “priesthood” who usually evolve the myth of ethnos in the first place, and then pass it on to the population in general. He quotes Carlton Hayes to the effect that the “nationalist theology of the intellectuals becomes a nationalist mythology for the masses” (p. 54). Thus, over time, the citizenry (be they the professors or the plumbers) became steadfastly loyal to their mythological culture and, in the case of Israel, wholly identified with an a priori belief in the ethnic/genetic bases of the Jewish people.

As a consequence, Israelis “know for a certainty that a Jewish nation has been in existence since Moses…and that they are its direct and exclusive descendants.” Their “nation” then “wandered in exile for two thousand years” all the time managing to “avoid integration with or assimilation into” the gentile sea around them (p.16). There is a tragic irony in this belief when, as Sand explains, one remembers that “there were times in Europe when anyone who argued that all the Jews belonged to a nation of alien origin would have been classified at once as an anti-Semite. Nowadays, anyone who dares to suggest that the…Jews have never been, and are still not, a people or a nation is immediately denounced as a Jew-hater” (p. 21).

III. The Claims of the Zionist Ethnos

However, in order for this ethnos of the Jewish people to become the sole “imagined community” of the Jews, the Zionists had to rewrite the history of the entire religious group. Sand takes up two main claims of the Zionist version of Jewish history. The first claim is that the Jews are all descended from an ancient biblical people with their origins in ancient Israel. Or, as Sand poetically puts it, the Zionist version of Jewry depicts an immortal “people-race originating in the distance past, whose weight determines and outlines collective identities in the present” (p. 83).

This initial claim rests on the Zionist assertion that the Bible is an historically accurate account of the origins of the Jewish people, and so offers incontrovertible evidence not only of the Jewish people’s origin, but also their claim to the land of Israel. In such a way the Zionists have “nationalized” the Bible (pp. 101 and 107). David Ben Gurion pushed this process hard. He realized that the Bible could serve as a “central repository of ancient collective imagery, [and] help forge…new immigrants into a unified people, and tie the younger generation to the land” (p. 108). And, consistently, this how the Israeli state has used the Old Testament.

In opposition to this Sand asserts that the original Jewish monotheists were not a product of some mythical list of biblical “begats” (Abraham, Isaac, Jacob, et al), but rather began to evolve as a core group through the 6th century BCE interaction of an exiled Judean intellectual elite with “abstract Persian religions.” This ancestral sect did not really solidify until Judaism’s encounter with Hellenistic polytheism three hundred or so years later (pp. 125 and 161). During that time the multiple authors of the Old Testament (6th to early 2nd century BCE) were concerned to create a stable conceptual storyline for monotheistic Judiasm. To do so they “invented the category of Israel as a sacred, chosen people whose origins lay elsewhere…”

That is outside of Judea. Why so? This was done to distance Judaism from the agricultural population of ancient Judea which was as yet unreliable in their monotheism (p. 126). In other words, at this early time the bulk of the common "Jews" were heathens. It was not until the time of the Hasmonean dynasty of 140 BCE that one gets "the first Jewish kingdom that unquestionably deserved to be described as monotheistic…." (p. 156).

In the process the authors of the Old Testament were not concerned with fine historical details and so you get many inconsistencies in their now sacred storyline. One that Sand calls particular attention to concerns Moses and the escape from Egypt. "In the 13th century BCE, the purported time of the Exodus, Canaan was ruled by still powerful pharaohs. This means that Moses led the freed slaves out of Egypt…to Egypt?" (p. 118).

The Second Claim Sand takes up has to do with the status of Jewry as an exiled people. As Sand explains, "The ultra-paradigm of deportation was essential for the construction of a long-term memory wherein an exiled people-race could be described as the direct descendants of the former 'people of the Bible.'"(p. 130). In other words, the ancestors of *all modern Jews* had to have been forcibly displaced from ancient Israel and caused "to wander over lands and seas to the far corners of the earth until the advent of Zionism prompted them to turn around and return en masse to their orphaned homeland"(p.188). And indeed, according to the Israeli Declaration of Independence "the whole [Jewish] people was forcibly uprooted" from ancient Israel (p. 186).

Sand proceeds to show that this claim makes no historical sense. First of all, the Assyrians and Babylonian policy of exile concentrated on local administrative and cultural elites while leaving the majority of the population in place, and the Romans were probably laxer than that. Sand points out that "nowhere in the abundant Roman documentation is there any mention of a deportation from Judea" (p. 131) and concludes that "the Judean masses were not exiled in 135 CE" (though the Romans probably did remove circumcised men from Jerusalem and deport enemy soldiers).

The author, quotes research by Israel Belkind (which was later "erased from national historiography)" to the effect that "the land was abandoned by the upper strata….Perhaps too, so did many of the mobile urban people. But the tillers of the soil remained attached to their land" (p. 184). Even the young David Ben Gurion, writing in New York City in 1918 recognized that the Jewish peasantry was never uprooted and exiled by the Romans from what was by this time Palestine (p. 185). If the agricultural population was not exiled en masse, what happened to them? Here is Sand's conclusion, "in 324 CE the province of Palestine became a Christian protectorate, and a large part of its population became Christian" (p .179). However, a reduced Jewish presence remained. When, in the 7th century CE, there came the Arab conquest of Palestine there was no renewed exiling of the Jewish population and no initial drastic reduction in its numbers. Jews welcomed the Muslim conquerors and aided them. However, there was a slow but sure process of conversion to Islam and "it is reasonable to assume" that many Jews were among those who became Muslim (pp. 180 and 182).

In addition, there is the fact that “long before 70 CE there were large Jewish communities outside Judea” (p. 143). Given the relatively small number of those who did voluntarily or involuntarily abandon Judea over the ages, where did all these Jews come from? Sand asserts that between 150 BCE and 70 CE” Judaism possessed a ” strong proselytizing zeal” and this, along with the population movements that characterized the period during and after the Hellenistic wars, contributed to something of a Jewish ” population explosion” throughout the Mediterranean world. Most of these additional Jews were converts (pp. 135 and 146). Sand estimates that “at the height of Judaism’s expansion, in the early 3rd century CE” the Jewish population constituted “7 to 8% of all the [Roman] empire’s inhabitants” (p. 167). Finally, Sand spends time examining the claims for the Jewish Kingdom of Himyar in southern Arabia and the Jewish kingdom of Khazaria along the Volga river. He suggests that “a large part of Eastern European Jewry originated in the territories of the Khazar empire” (p. 241).

IV. The Necessary Historical Rewrite

Sand asserts that this rich and varied Jewish history had to be erased if Zionism was to triumph. In its place the movement created an identity politics that was characteristic of the “last wave of nationalist awakening in Europe” (p. 252). That being the case, it “included traces of German Volkism, while Polish romantic nationalist features characterized much of its rhetoric” (p. 255). To these elements was eventually merged “traditional religion, where the religion becomes an instrument serving the leaders of the imaginary ethnos” (pp. 285-6).

Sand spends a lot of time toward the end of the book showing how just about every Zionist intellectual of the Israeli founding generation supported the myth of ethnos. Not even the Nazi legacy could wipe out the Zionist affinity for proving a “blood community” of Jews. And, in addition, he shows how Zionist contemporaries have tried to prove the myth is fact by using “Jewish” genetics â€“ an effort that “cannot be entirely free from crude and dangerous racism” (p. 279). In his estimation all of this has failed to actually prove that the Jews are one big ethnic group, though the Israeli intellectual and political community, to say nothing of Israel’s “race-hungry public” would never admit it (p. 297ff).

The consequence of the myth of ethnos has been uniformly bad for Israel. It meant that, upon its creation, “the first important mission to be undertaken by the new state was the removal, as best it could, of those who definitely did not regard themselves as Jews” (p. 281). In other words, Israel inaugurated its creation with a process of ethnic cleansing. Subsequently, Israel turned itself into what Sand describes (here using the terminology of the Israeli sociologist Sammy Smooha) as an “ethnic-democracy” which makes it “incomplete” and a “low-grade democracy” (p. 295). As he conclusively demonstrates, Israel is certainly not the Western style liberal democracy its Jewish population fancies it to be. The country simply refuses to institutionalize the qualities of civil and political equality necessary to such a democracy. And, its Basic Law forbidding any political party that denies the existence of Israel as a Jewish state, makes it impossible to “transform the Jewish state into an Israeli democracy by a liberal-democratic process” (p. 295).

In a harshly critical conclusion Sand shows that Israel and its Zionist infrastructure is "exclusive and discriminatory in its political manifestation" and its main purpose is to serve "a biological-religious ethnos that is wholly fictitious historically (p. 307). As a consequence, he laments, Israel is "committed to isolating its chosen ethnos through ideological, pedagogical and legislative means, not only from those of its own citizens who are not classified as Jews, not only from the Israeli-born children of foreign workers, but from the rest of humanity (p. 307).

V. The Fatal Wall

All nation states have their myths. And, it is usually the case that the public at large buys into these myths to one degree or another. However, this process exists along a continuum at the extremes of which lie inevitable racism, chauvinism, ethnocentrism and a sort of ethnic/national megalomania that can be nothing but self-destructive. Sand's book is a demonstration that Israel has always existed at an extreme end of the continuum. So indoctrinated are most of its citizens that, according to Sand, they would isolate themselves from "the rest of humanity" to preserve their ethnic myth and its accompanying territorial claims. But we know from real history, history that is no myth, that such peoples and nations do not survive in the long run. Extreme isolation means eventual national death in the modern world. Even now, as Sand points out, Israel is connected to its Western lifeline only by way of the political influence of pro-Zionist lobbies in the diaspora (p. 309). Yet that influence is eroding largely due to the racist behavior of successive Israeli governments. It is a no win game for the Zionists, but they cannot see it through their myth inspired blinkers. As it turns out, the most potent wall the Zionists have built is that which holds up the myth of who they are suppose to be. That wall may appear to the Zionists to keep the non-Jews out. However, its real purpose is to shut the Israeli Jews in.

Lawrence Davidson is Professor of History at West Chester University and a contributing editor at Logos.

Studious Deceptions – Ralph Lerner, Playing the Fool: Subversive Laughter in Troubled Times

By | 2011: Vol. 10, Issue 1

George Orwell's conviction that prose should be as clear as a window pane would have made no sense to many earlier political writers. So Ralph Lerner suggests in *Playing the Fool: Subversive Laughter in Troubled Times.* Several prominent authors of the sixteenth to the eighteenth centuries intentionally opted for opacity and complexity instead of clarity and ready accessibility. They did this because not all readers share Orwell's formidable power of facing life's unpleasantness, and some might want to smash the glass or else the wordsmiths responsible for making unwanted revelations. If not everyone can follow these writers who chose to "show and not show, tell and not tell," then that's as it should be, Lerner intimates. And if wry writers deliberately mislead, well, they have their reasons.

Despite his title, Lerner does not really examine writers playing the fool and countering pomposity, complacency and certainty with derisive laughter, corrosive wit and blatant mockery. Instead, he describes several he envisions slyly practicing studious deception and cunningly eschewing clear prose in favor of "dispersal by design." He calls his chapter on Edward Gibbon "The Smile of the Philosophic Historian," which better conveys his thesis than his book's title. "For the most part," Lerner says of the author of *The History of the Decline and Fall of the Roman Empire,* "he keeps his sardonic and nasty side in check; he avoids letting any grating laughter carry across the room." The same could be said for his other five subjects: Thomas More, Francis Bacon, Robert Burton, Pierre Bayle and Benjamin Franklin. Lerner believes this sneaky sextet encourages close reading, critical thinking and, paradoxically, moderation — not characteristics usually associated with clowns.

The trickery Lerner ascribes to Gibbon and the others is not that of characters from Chaucer, Rabelais or Shakespeare. He doesn't write about wise fools puncturing the pomposity of the powerful. "Pretending to know little or nothing, the fool deploys his irony in shaming us worldly-wise people to recognize how little we understand," Lerner writes. While his band of thinkers may pursue the same goal, this is not their method, as Lerner recognizes. Gibbon, for instance, "is uncommonly clever and not at all shy about making a show of that." Bayle is also a "master — of erudition." Indeed, none of the writers Lerner discusses pretend to know nothing, even if they all do, in their own ways, challenge orthodoxies or absolute certainty because of a shared perception that such certainty is dangerous. "Once an individual or sect or party or government is confident that it knows, *absolutely,* that such and such is the case, entry is effectively barred to any further evidence or reasoning." Franklin, Burton, More and the others seek to shake such confidence, Lerner contends. They do this through insinuation and "games

of verbal hide-and-seek" for reasons including self-preservation, a desire to reach certain readers but not others, and because all-out attacks might be unappealing to their audience: "efforts to make another see are of no avail unless there is a willingness to look." Lerner doesn't explicitly mention Orwell when untangling their artful indirection and when he alludes to him by calling Franklin "a master of newspeak," he actually intends a compliment.

If Lerner focuses on smiling philosophers rather than literary jokers, he does address their writerly techniques. He identifies digressions as one key tactic. "A signature, perhaps *the* signature of Burton's art, is his indulgence of digressions," according to Lerner, who also finds them crucial for the "overall design" of Bayle's *Historical and Critical Dictionary.* Digressions contribute to the distance writers put between themselves and assertions of certainty; they indicate a willingness to consider and reconsider ideas from various angles as opposed to stabbing straight to a definite object. Lerner prefers rambling inventiveness that undermines certainty to open debate with zealots. He advocates irony, but irony of a subtle sort.

Repetition is another mode used by the writers Lerner analyzes in *Playing the Fool,* and it's one he uses himself in order to stress key points. "Rather than settle matters involving religion, philosophy, and public policy," he observes of More's *Utopia,* "it invites us to rethink them." Further, "More's text repeatedly invites us to distance ourselves from every argument and alleged fact that it contains." Similarly, in *Anatomy of Melancholy,* "Burton means to give us pause, not to settle us comfortably into the torpor of certitude." He would have his readers "develop a capacity to step back for a moment from their preoccupations and to challenge their firm convictions from another perspective." Bayle urges a "campaign against passive acceptance" and "devotes himself to habituating his readers to a more active and penetrating scrutiny of the world." Lerner spies these same attitudes and intentions in works by Bacon, Franklin, and Gibbon.

Lerner comes closest to drawing explicit connections to these rhetorical strategies and early twenty-first century "troubled times" when considering Sir Francis Bacon's *Advertisements Touching a Holy War.* "Standing apart and afar," Lerner says, "a philosopher might be struck by the observation that each of the monotheistic religions finds room in its beliefs and practices for fighting the battles of the Lord." One needn't be a philosopher standing afar to notice this, of course, but having done so Bacon decided not to counter bloody-minded zeal with aggressive argumentation but by way of dissimulation in a dialogue that "flaunts it disproportions and abrupt turns" and might even seem unfinished. As his characters ponder justifications for waging war against infidels, they expose the zeal that "arises out of doctrine and sinks back into doctrine" and voice "the certainty that kills with a clear conscience." Precisely because believers kill as a result of religious certainty, writing that encourages careful readers to follow hints and draw the implied conclusions has an advantage that more overt subversion lacks.

The elitist aspect to learned deception does not diminish its appeal for Lerner or his high-culture cadre. "The truth is not to all men welcome," Lerner notices when explaining why historians tread especially carefully when entering the "vexatious field" of religious faith. "There are times that will not endure having the truth spoken; or, perhaps better said, there

are always time that will not endure having *some* truth spoken." In such situations, "a low profile is best." Bayle "does not blame those who deceive the public for its own good." Lerner sees Gibbon finding a model figure in Theodoric, who refrained from challenging cherished beliefs and follows a code that requires hypocrisy because "in some matters the public has to be deceived for the sake of its own good."

In efforts to navigate divisive matters, Lerner counsels moderation, something he sees his serious fools as exemplifying. "The philosophic historian teaches moderation to a world all too prone to believe it knows not why or, failing that, knows not what to believe," Lerner concludes. "[T]he wild, ungainly assemblage that constitutes the *Dictionary* is Bayle's soberly meditated means of teaching moderation and good judgment to a broad public" … or at least the members of it able to follow his slight of hand.

The legerdemain Lerner lauds amounts to purposeful lack of candor that prompts readers to pay close attention. "While Bayle did not wear his heart on his sleeve, he wrote and argued in a manner that would draw at least some to ponder what might indeed lie in his heart of hearts," Lerner explains. "This was a point not lost on competent readers of yesteryear," he continues. Along the same lines, "Franklin's peculiar strategies of presentation serve to cloak his fullest and deepest intentions." He too encourages readers "to detect the message or messages that he may be conveying both by his assertions and by his silences." For his part, Gibbon would teach his audience "to adopt a healthy skepticism toward the certainties of their own age and a wariness of political and religions panaceas of every kind."

Lerner knows not all readers will accept these writers' invitations and learn their lessons. The writers themselves expected as much and wrote in order to simultaneously attract and repel readers. Some will appreciate what they do (and why they do it the way they do), but "simpleminded literalists" will not. So be it. If people insensible to irony cannot grasp what the cleverly covert critics are up to, at least they won't persecute these writers. Lerner's so-call fools do not strive to replace one orthodoxy with another but to unsettle the sort of thinking that results in doctrines.Â The zeal and certainty of religious believers especially bothers writers like Bacon and Gibbon, but Lerner implies it is best to keep a low profile when wandering in this minefield. Better to be crafty and permit those smart enough to do so to comprehend the implications hinted at than to enflame the real fools who lack self-awareness and skepticism.

While Lerner convincingly elucidates what the dissemblers at his staid carnival do and offers plausible reasons for their artful manipulations, he does not persuasively demonstrate the effectiveness of their elaborate efforts. If writers seek to weed out certain ill-equipped readers or to baffle the determinedly ignorant then it is not evident that their inexplicitness really upends dangerous certainty. Lerner describes writers who address a select few who already possess the outlook and intellectual abilities they (and he) prize. He implies that their approach has contemporary relevance, but how it would have greater subversive impact than the plain speaking that Orwell endorses remains ambiguous at best.

Nicholas Thompson, The Hawk and the Dove: Paul Nitze, George Kenan, and The History of the Cold War

By | 2011: Vol. 10, Issue 1

In 2005, Nicholas Thompson published an op-ed in the Boston Globe in which he compared the rivalry between George Kennan and Paul Nitze in the Cold War to that between Thomas Jefferson and John Adams in the early days of the American republic. The piece became the basis of his new book, *The Hawk and the Dove: Paul Nitze, George Kennan, and the History of the Cold War*, which has garnered attention and praise from the most prominent historians of the Cold War. In his gloss on the book's back cover, John Lewis Gaddis—the resident Cold War expert at Yale—echoes the analogy to the founding fathers, declaring that Kennan and Nitze were indeed "the Adams and Jeffersons of the Cold War." The antagonism between Jefferson and Adams is, of course, the meat-and-potatoes of early American history, as taught in thousands of high school American history classes across the country. Jefferson, we are all taught, played the role of the government-fearing, liberty-loving yeoman farmer to Hamilton's urban, government-is-good central planner. And we come to understand that, with some qualifications, the entire history of American politics could be traced through this divide.

In the same vein, Thompson tells the story of the Cold War through the decades-long intellectual battle between Nitze and Kennan. There are important differences, of course, between the two sets of rivals. Many college-educated Americans, not to mention high-school graduates, have never heard of either Kennan or Nitze. In addition to never being president, neither of these men ever even held elected office. They were instead behind-the-scenes figures. And while they aspired to the highest echelons of the official foreign policy establishment, neither ever held a cabinet post. Amongst the many positions Nitze held in the Defense and State Departments, as well the White House, the highest was Deputy Secretary of Defense during the Johnson administration. Kennan, a career Foreign Service officer by training, never climbed higher than Director of the State Department's Policy Planning Staff in the Truman administration. The rivalry between Nitze and Kennan was thus one between two policy wonks who struggled to shape the way presidents, policymakers, and other policy wonks understood and approached the Cold War.

In the titular conceit of the book, the rivalry between Nitze and Kennan is one between hawk and dove. Nitze is the hawk. Entering government service in the Roosevelt administration, Nitze spent five decades advocating on behalf of a well-planned and well-managed buildup of America's nuclear arsenal. As a member of Truman's Policy Planning Staff, he authored National Security Council (NSC) Document 68, which recommended a vast increase in the country's military budget and effectively militarized the Cold War. In the Kennedy and Johnson

years, he held the posts of Assistant Secretary of Defense for International Security Affairs in the Kennedy administration, Secretary of the Navy and Deputy Secretary of Defense. He was a U.S. delegate to the Strategic Arms Limitation Treaty (SALT) talks in the Nixon and Ford years, although he opposed the ratification of the treaty in 1979. As key advisor to Reagan on arms control, he continued to emphasize the importance of America's military capacity in the Cold War. Nitze's hawkishness extended beyond the idea of military escalation to encompass a more general desire to broaden America's presence and ability to do good in the world.

Kennan is the dove who spent the same five decades advocating on behalf of nuclear disarmament. A career Foreign Service officer and Soviet expert by training, Kennan spent the first two decades of his career in relative obscurity. Upon writing the Long Telegram in 1946 and the X-article in 1947, which warned again mollycoddling the Soviet Union, he established himself as a sought-after voice in inner policy circles. In 1950, just as Nitze was rising in the inner policy circles, Kennan dissented against the militarization of the Cold War and resigned his post as Director of Policy Planning. Although he would go on to hold two ambassadorships (to Moscow in the Truman administration and Belgrade under Kennedy), Kennan exerted his influence mostly from outside of the government. During the Eisenhower administration, he became the emblematic critic of the nuclear buildup that was so central to Nitze's foreign policy vision. He argued against escalation in Vietnam and during the Reagan years, he challenged the logic of military readiness that formed the core of Nitze's advice to the White House. Kennan's dovishness extended beyond the idea of military de-escalation to encompass a more general desire to see America limit its international commitments and a deep skepticism about America's ability to do good in the world.

Historical distance tends to mute our ability to perceive the depth, passion, and implications of political debates that appear to belong more to the past than the present. Even in the example of the founding fathers, it can be difficult to really understand the intensity of the disagreement between Hamilton and Jefferson. From our vantage point, the two men had so much in common, much more than anyone who wasn't in government at the time, and much more than anyone living in the twenty-first century. Indeed, their differences constantly collapse under the proverbial label of Founding Fathers. The Cold War may be much closer to us in time, but, as someone who teaches college freshmen, I can tell you that it is in many respects even more distant than the days of the founding fathers. Typically, if it gets covered at all, the second half of the twentieth century is glossed over for about two weeks in June in high-school history class, when students' thoughts have already turned to summer vacation. This is just one of many possible explanations for the fact that, outside of superficial knowledge about Reagan, Gorbachev, and Sputnik, our general knowledge of the Cold War is poor. How much more difficult, then, is the task of making readers appreciate the stakes of the rivalry between two behind-the-scenes figures in this period, who tried to shape foreign policy from outside of the inner sanctum of the White House. Indeed, part of the accomplishment of this book is the extent to which it does just that.

As Thompson deftly demonstrates, the most profound differences between Kennan and Nitze did not exist solely at the level of policy. They were also differences of temperament and style.

Nitze was an extrovert, a socialite, and a doer. He had a rational mind, and liked to work with numbers, charts, and graphs. He carried physical models of ballistic missile stockpiles in his briefcase to use in presentations. Nitze was also an optimist. Kennan, on the other hand, was a brooding introvert. Skeptical of scientific rationalism, he was an extremely skilled and poetic writer. His most characteristic official communiquÃ©s were Dantesque explorations into the underworld of Soviet and American foreign policy. Kennan was in many ways a pessimist. As Thompson insightfully explains, his best writing tended to emerge from the darkest recesses of his mind. In Thompson's account, these differences in style and temperament are not mere accoutrements to the story of the two men's policy differences. Instead, they are in many ways the source and explanation for these differences. Nitze believed in nuclear escalation, in large part because he believed in the science of managing it. Kennan recoiled against nuclear escalation, in large part because he distrusted that science, as well as the very idea of a rational world. Nitze believed in America as a beacon of freedom in the world because he believed in Americans. Kennan recoiled against America as a beacon in the world because he did not have such a faith. Indeed, the central debates of the Cold War can be seen as battles between these two temperaments and styles. Thompson's book thus gives a certain cerebral twist to the idea that the personal is the political.

The centrality of the personal in Thompson's narrative stems partly from his personal relationship to one of the rivals. Nitze was his grandfather. He thus knew Nitze first as a family member and only later as a subject of scholarly research, which no doubt contributed to his focus on the human and biographical dimension of Cold War policy. Being Nitze's grandson also meant that Thompson had access to colleagues, friends, and family of Nitze, Kennan, and other important people in the book, as well as early access to previously private materials in Kennan's personal archive. The material from these sources is extremely vivid and engaging. In some cases, Thompson uses it to revise or complicate our understanding of Kennan or Nitze, as in his explanation of Nitze's frustration at the idea that he was an advocate of nuclear war rather than a strategic buildup of military capacity to prevent such a war. But mostly, the new details are used to thicken the narrative, to make both of his subjects more human and more real. In the process, Thompson not only gives life to the rivalry between Kennan and Nitze, but also to the world of the Cold War.

At the same time, as with the founding fathers, the similarities between Nitze and Kennan constantly push up against the premise that Nitze and Kennan existed on two different sides of an ideological divide. Thompson himself considers this fact as he traces the intellectual tensions between Nitze and Kennan across the arc of the Cold War. The intellectual divide between Kennan and Nitze was especially sharp in 1950, he explains, faded somewhat over the next two decades, especially in the 1960s, when both dissented against the Vietnam War, then sharpened again in the Reagan years, and finally faded in the final years of their long lives, when both concluded that complete nuclear disarmament was the only real way of avoiding global catastrophe.

To speak of similarities between Kennan and Nitze's views, however, is not only to observe the ebbs and flows of their rivalry. It is also to acknowledge some key respects in which their

perspectives were always comparable. One of these is class and social status. Thompson points out that Kennan came from a middle, class midwestern family—he was born in Milwaukee—and, at least early on, didn't entertain real hopes of ever being rich. One of the most poignant moments in Kennan's memoirs is when he details the alienation he felt as an undergraduate at Princeton and compares himself to a character in a Fitzgerald novel. In contrast, Nitze hailed from the northeast establishment elite that, as a young man, Kennan felt scorned by. As Thompson writes, Nitze was "born to money, and he married more of it." Without ignoring these differences, it is hard to overlook the fact that both men were WASPs and, well, men. To read Thompson's book is to realize the extent to which this demographic shaped American foreign policy well into the Cold War, with Henry Kissinger as the notable exception.

Another important reference point from which Kennan and Nitze can easily appear more alike than different is that of the Cold War consensus. The overall spectrum on which the differences between Nitze and Kennan can be plotted is relatively narrow. Generally speaking, both ascribed to the ideology that the Soviet Union was a totalitarian state, in the sense that Hannah Arendt characterized it in 1951. And both ascribed to the ideology that the Soviet Union was an expansionist power, in a way that qualitatively differed from American expansionism in Europe and elsewhere after World War Two. Kennan did more than Nitze to drift away from the Cold War consensus and from his X-article, which contributed to it. But, even his most dovish of moments, the author of the X-article occupied a very different position from the more radical critics of the Cold War, especially those outside government circles. Thompson describes the fan mail Kennan received from antiwar activists after his testimony before Senator Fulbright's committee in 1966. But, unlike the antiwar demonstrators who would march on the Pentagon just months later, Kennan did not support the immediate removal of troops in Vietnam, nor, as a self-ascribed realist, who believed in diplomacy only because he also believed in the struggle between states, did he advocate anything akin to pacifism. At times, especially toward the end of the book, Thompson himself participates in the Cold War consensus by suggesting that Kennan was right in his prediction that the Soviet Union would self-implode and Nitze was right in figuring out how to handle the Soviet Union in the meantime. The Cold War was a victory, he suggests, insofar as global catastrophe was avoided. As many historians have pointed out, this claim only makes sense when you ignore the proxy hot wars of the period, which resulted in the deaths of 25 million people … not to mention the nuclear war near-miss of the Cuban Missile crisis.

The question of whether Nitze and Kennan were more alike than different has implications for The Hawk and the Dove beyond the Cold War. For many readers, the Cold War has meaning primarily for its potential analogies to the current War on Terror. Thompson's ability to bring readers into the Cold War does not only make the past more understandable, but also more relatable to the present.

At several moments in Thompson's narrative, it is easy and perhaps even tempting to see Nitze as a founding father of the neoconservative movement. Indeed, as young men in the late sixties and seventies, some of the most influential neoconservatives, including Richard Perle and Paul

Wolfowitz, worked under Nitze on various think tanks, such as Safeguard and the Committee on the Present Danger. But if we understand the entire Cold War and the consensus on which it was built as a predecessor to the War on Terror, then Nitze and Kennan would both be founding fathers. In their final years, both men moved closer and closer to nuclear renunciation, and in 2003, shortly before his death, Kennan spoke out against the invasion of Iraq. One way to interpret this ending is to see it as Nitze did—a testament to the fundamental difference between the Cold War and the War on Terror. What worked in the former can't work in the latter. Another way to interpret it is to see it through Kennan's eyes—as a testament to the lessons learned by the mistakes of the Cold War. In either case, the United States remains wedded to a foreign policy that was ultimately abandoned by the very people that helped to shape it in the first place.