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Black Bodies and the Problem of "Linked-Fate"

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The murder of George Floyd at the hands of Minneapolis police officers ignited something. People protested. Cities burned. Though seemingly sympathetic to the cause, many feared the conflagrations in the streets.

"Above everything else, I am a mother," Atlanta Mayor Keisha Lance Bottoms remarked at a press conference she called after hearing "rumors about violent protests in Atlanta." The African American politician presented her racial bona fides: "I am a mother to four black children in America, one of whom is 18 years old. And when I saw the murder of George Floyd, I hurt like a mother would hurt." The racial solidarity and black pain notwithstanding, she chastised those contemplating "violent protests." Referencing the noble struggle for equal rights to justify her admonition, she blared, "You're not honoring the legacy of Martin Luther King Jr. and the Civil Rights movement. You're not protesting anything running out with brown liquor in your hands and breaking windows in this city." The message was clear: "Go home!" [1]

Coming amidst racial revolts and from African American leaders, these pleas and denunciations caught some by some surprise. At the *Black Agenda Report*, which provides "news, commentary and analysis from the black left," a columnist observed, "The nationwide protests have forced the Black quisling class to reveal themselves as agents of the racial and economic status quo." "Atlanta mayor Keisha Lance Bottoms was among the worst."[2] This critique, like most analyses of contemporary African American politics, assumes "linked-fate"— the theory that individual blacks believe their life chances are tied to those of their racial group and, as a result, rely on group-based cues when formulating political preferences.[3] As such, this critique is shortsighted. Group-based frames do not emerge automatically or naturally from the racial order. Michael Dawson, who pioneered the framework, insists that they were reinforced and reproduced "historically by institutions developed during the forced separation of blacks from whites during the post-Reconstruction era."[4] Yet it is also possible that these cues are constructed, revised, and deployed by African Americans elites who are motivated by the concerns and constraints of their positions within local socioeconomic systems and political orders instead of their experiences with white supremacy. To appreciate the significance of Bottoms' race-based warnings, it is critical to recognize the ways in which class and age shape African American experiences with the criminal justice system and trace how Atlanta's black middle-class leadership exploited racial frames to conceal this division as it constructed the city's governing regime.

Despite the rich scholarship and advocacy that have alerted us to the racial dimensions of the modern carceral state,[5] the hurt felt by contemporary policing and punishment is not equally distributed among African Americans.[6] Becky Pettit and Bruce Western calculated the cumulative chances of imprisonment for cohorts of white, black, and Latino men. In the cohort born between 1975 and 1979, 68% of black high school dropouts had prison records, while around 20% of black men with a GED had prison records and 6.6% of black men with a college degree had prison records. Ultimately, they conclude that the "significant growth of incarceration rates among the least educated reflects increasing class inequality in incarceration through the period of the prison boom."[7]

Generational differences also matter. Pettit and Western also found that 14.7% of African American males born between 1945 and 1949 had served time in prison, a dramatic difference from the late 1970s cohort. They state, "For the younger cohort born from 1975 to 1979, the lifetime risk of imprisonment for African American men had increased to one in four."[8] For these men, "Prison time has become a normal life event." Aggressive tactics, like stop-and-frisk, expand black youth exposure to the criminal justice system.[9] For example, although black and Latino males between the ages of 14 and 24 make up 5% of New York City's population, they represented 38 percent of reported stops between 2014 and 2017.[10] It is not surprising that 38% of respondents in the 2019 Black Census survey reported having their first negative encounter with police before the age of 18.[11]

Political attitudes reflect these generational differences. In a 2019 *Pew* survey, African Americans identified racism (75%), drug addiction (74%), and health care (73%) as "very big problems" in the country. Despite worrying about "racism," 53% of African Americans ages 50 and older felt that blacks and whites get along very well or pretty well, compared with 33% of black adults younger than 50.[12] In a 2019 national survey of African Americans conducted for the Joint Center for Political and Economic Studies, respondents listed the following as their top three priorities: housing (68%), health care (67%), and (67%) racism. Although 57% mentioned criminal justice reform, it ranked 13th on the list.[13] In contrast, younger African Americans are far more focused on mass incarceration and policing. In a 2016 *GenForward Survey* of 1750 young adults, ages 18-30, black respondents listed police brutality (42%), racism (40%), and (36%) education as the most important issues facing America.[14]

Younger African Americans also approach these issues differently than older blacks, especially in the South. Based on their analysis of the 2001 Race, Crime, and Public Opinion project's survey, Lawrence Bobo and Victor R. Thompson found that "older southern blacks were less likely than younger non-southern blacks to make a structuralist argument about crime origins."[15] That hasn't changed much. In the 2019 *Black Census* survey, 53% of those over the age of 60 believed that police-community relations would be improved if parents took more responsibility for the behavior of their children. Of course, younger respondents were much less supportive of this approach.[16]

These socioeconomic and attitudinal trends, however, are only part of the story. Atlanta's contemporary policing regime is itself a product of intra-racial class and generational divisions.

“The city too busy to hate” played a pivotal role in the twentieth century struggle for black rights.[17] Staff at the Atlanta Police Department (APD) refer to the southern city as “the home of civil rights” where the “the discussion of race is always front and center.”[18] Even so, the benefits of Atlanta’s fabled revolution have not been evenly distributed among African Americans. As Clarence Stone assayed in his classic study, “skills and resources of the black middle class [enabled] its members to take advantage of opportunities” presented by the post-Civil Rights governing coalition.[19]

Nowhere is this more apparent than in the politics of policing and punishment. During the 1970s, African American leaders mobilized against white police chief John Inman. As the *New York Times* reported, “Many blacks contend that the chief…runs a racist force.”[20] Activists demanded an end to police brutality and the implementation of affirmative action programs.[21] After Maynard Jackson’s election as the city’s first black mayor, he made progress on some of these goals. He appointed Reginald Eaves Atlanta’s first black public safety commissioner, and, by 1976, Eaves had promoted more than 80 blacks within the APD, which represented 30% of entire department—much lower than the African American proportion of the city’s population, 60%.[22] By 2016, however, African Americans made up 58% of full-time sworn personnel, slightly higher than their proportion of the city’s population, 52%[23] Black power arrived, yet punishment persisted. This was not a coincidence.

By the early 1970s, many in the city’s African American middle class began to turn on the poor and the young as crime rates rose and used the language of race—versions of “linked fate”— to define certain “criminal acts” as threats to the community.[24] Historian Danielle Wiggins’s incisive study of Atlanta uncovers this tragic past. At a 1981 meeting with Jackson, Lee P. Brown, the black Public Safety Commissioner, and other city officials, businesses and property owners from Sweet Auburn—the city’s historic black business district—complained about the “criminal elements” that had been “slowing down economic development and making life miserable for many merchants.” A representative from the Martin Luther King Jr. Center described prostitution as a blight on the area. Others stressed loitering. Wiggins reports, “Several citizens pointed to the problems in the criminal justice system, particularly at the municipal court level, arguing that the courts needed to be stricter and more systematic in their sentencing of such victimless crimes.”[25]

The economic imperatives of the metropolitan area’s pro-growth regime certainly impacted policing strategies. Wiggins rightly notes that white businesses, whose views were “colored by racial animus,” worried that crime would harm Atlanta’s reputation as “a business-friendly city.” Still, it would be a mistake to charge black officials with capitulating to white economic or racial demands. Her research documents a biracial coalition “united in their demand for greater police presence to address crimes against persons, property, and order.” African Americans were not passive members of this alliance: “Black city council members were on the forefront in proposing city legislation that would restore order and decency to the streets of Atlanta.”[26] Councilmember Marvin Arrington, then a “rising star in the city’s black political class,” co-authored with a conservative white councilmember an ordinance that made it “unlawful” for “for any person to act in a violent, turbulent, boisterous, indecent, or disorderly

manner or to use profane, vulgar, or obscene language in the city, tending to disturb good order, peace, and dignity in said city." [27]

The leaders and institutions that defined post-Reconstruction black civil society used race, including the language of "black-on-black crime," to impugn black "criminals" and justify vigorous policing and prosecution of them. At its 71st annual convention in 1980, the National Association for the Advancement of Colored People (NAACP) adopted a resolution on "Black-on-Black crime." It attributed the "upsurge in crimes committed by blacks against blacks" to "high unemployment, poor academic training and inadequate housing, among other factors," but called upon "black communities, law enforcement agencies and courts of law to recognize that crimes committed by blacks against blacks are as unlawful, are as humanely devastating and are as undesirable in our black communities as crimes committed by blacks upon whites, or any group.[28] It further resolved that the criminal justice system must not "allow an indifferent reaction to crimes visited upon blacks by blacks."[29]

Over a decade later, the organization's Board of Directors echoed these sentiments. Addressing the statistic that 94% of blacks murdered were murdered by other blacks that year, the board wrote, "Blaming these tragic figures on racism alone is not enough." It added, "We must frankly discuss the lack of respect for personal life, family disintegration, the loss of long-held values and a lack of respect for institutions and principles which have long served us so well.[30] Thus, while acknowledging the structural origins of disorder, the NAACP, at a critical juncture in the history mass incarceration, viewed "black on black crime" as a particularly contemptible category of unlawful activity, one that warranted special attention by the community and law enforcement.

During the 1980s and early 1990s, many African American elites in Atlanta reinforced these ideas. In 1986, Cynthia Tucker, African American columnist for the *Atlanta-Journal Constitution*, wrapped Mayor Andrew Young, the city's second black mayor, and other leaders for not taking on "black on black crime" more vigorously. She complained that the black community "indulges in another form of denial or misconception or misunderstanding about crime that is treacherous." "The reluctance to acknowledge the black criminal," she averred, "as a grave threat to the black community is, quite literally, killing people." She concluded the column with great foreboding: "If the black community doesn't attack black-on-black crime, the number of black males will be cut in half and the black family will simply disappear. There won't be any black institutions left to battle either crime or racism."[31]

Though Tucker's reflections might seem extreme or alarmist, they were repeated by many in the city's black middle-class leadership. In 1988, the Atlanta Baptist Ministers Union, a group of 250 black clergy, met to pressure judges to increases sentences for black offenders. After citing statistics showing that 144 of 184 black murder victims had been killed by blacks in 1987, Rev. Daryll Gray, stressed that "We have to fight back in order to prevent our community from [being] killed off."[32] Even progressive voices in the community reiterated these claims. In 1994, US Representative from Atlanta John Lewis, who had been a valiant foot soldier and general in the Civil Rights movement, issued a new call to arms, declaring, "Once again, the

time has come for our communities to take a stand to protect our future. We have to galvanize forces as we did in the 1960s… We have to secure our social and economic freedom. And we must stop the drug trade and Black-on-Black violence that is plaguing our communities." Viewing urban crime as threat to the gains of the civil rights moments, Lewis observed, "There are young teenage hoodlums who are wrecking the gains made by young blacks and white students who went to jail–and-even died–for human rights. These punks (who are killing each other) are selling the legacy of the Freedom [Rides] down the river."[33] Once again black "punks" and "teenage hoodlums" were made the enemy of black people and progress.

We have come full circle. It is not surprising that young black people who bore the brunt of the city's policing apparatus might have contemplated "violent protests"—taking the city like William Tecumseh Sherman. It's also not surprising that black leaders who built that organization in defense of their middle-class norms and in pursuit of their economic interests would seek to quell this rebellion. Keisha Lance Bottoms is not a quisling. When her actions are situated within the proper historical context, her true loyalties become clear. As Atlanta's middle-class leadership was building black power for some, it was also pushing black punishment for others. It then used versions of "linked-fate" to conceal the discrepancy. This leadership depicted those who reacted to domination and deprivation in ways they deemed unsuitable as traitors to the race and its shared political project. The mayor's press conference simply followed in this long tradition.

In the end, Atlanta exposes the limits of "linked fate" as an explanatory framework and political goal. Racial solidarity can be a powerful engine of social change: a prerequisite of black power in American cities. But "linked fate" tells us very little about how that power is to be distributed and for whose benefit it is deployed. In a moment full of radical potential, the black mayor of Atlanta attempted to put out the fire burning in young African Americans who have had to endure police mistreatment and abuse. Although she exploited notions of "linked-fate" to do so, Mayor Bottoms stood as a standard bearer for a certain class, not as a race woman. As Adolph Reed constantly reminds us, what we observe as race politics just might be class politics in disguise.[34] The murder of George Floyd has unmasked much about structural racism in the United States. Perhaps it has also laid bare the systemic political and moral failings of contemporary African American politics.

Notes

[1] "FULL TEXT: Read Atlanta Mayor Keisha Lance Bottoms' plea for her city," *Atlanta Journal Constitution*, May 30, 2018.

[2] Margaret Kimberley, "Freedom Rider: Black Misleaders Seek to End Protest," *Black Agenda Report*, June 2, 2020.

[3] Claudine Gay, Jennifer Hochschild, and Ariel White. "Americans' Belief in Linked Fate: Does

the Measure Capture the Concept?." *Journal of Race, Ethnicity and Politics* 1, no. 1 (2016): 117-144.

[4] Michael C. Dawson, *Behind the Mule: Race and Class in African-American Politics* (Princeton: Princeton University Press), 1995.

[5] John F. Pfaff, *Locked In: The True Causes of Mass Incarceration — and How to Achieve Real Reform* (New York: Basic Books, 2017). Marie Gottschalk, *Caught: the Prison State and the Lockdown of American politics* (Princeton, Princeton University Press, 2016).

[6] Michael Javen Fortner, *Black Silent Majority: the Rockefeller Drug Laws and the Politics of punishment* (Cambridge: Harvard University Press, 2015). James Fortner, *Locking Up Our Own: Crime and Punishment in Black America* (New York: Farrar, Straus and Giroux, 2017).

[7] Bruce Western and Becky Pettit, "Incarceration & Social inequality," *Daedalus* 139, no. 3 (2010): 8-19.

[8] Ibid.

[9] Andrew Gelman, Jeffrey Fagan, and Alex Kiss, "An Analysis of the New York City Police Department's 'Stop-and-Frisk' Policy in the Context of Claims of Racial Bias," *Journal of the American Statistical Association* 102, no. 479 (2007): 813-823.

[10] New York Civil Liberties Union, Stop-and-frisk in the de Blasio era (New York: New York Civil Liberties Union, 2019).

[11] Black Futures Lab, *More Black than Blue: Politics and Power in the 2019 Black Census*, (Oakland: Black Futures Lab, 2019).

[12] Pew Research Center, "Race in America 2019,"April 2019.

[13]Ryan Pougiales and Jessica Fulton, A Nuanced Picture of What Black Americans Want in 2020 (Washington, DC: Third Way and Joint Center for Political and Economic Studies, 2019)

[14]Cathy J. Cohen, Matthew D. Luttig, and Jon C. Rogowski, *Young People Speak Out about the 2016 Campaign, Policing, and Immigration: A summary of key findings from the first-of-its-kind monthly survey of racially and ethnically diverse young adult* (Chicago: Genforward Survey, University of Chicago, 2016).

[15] Victor R. Thompson and Lawrence D. Bobo. "Thinking about crime: Race and lay accounts of lawbreaking behavior." *The ANNALS of the American Academy of Political and Social Science* 634, no. 1 (2011): 16-38.

[16] Black Futures Lab, *More Black than Blue*.

[17] Kevin Kruse, *White Flight: Atlanta and the Making of Modern Conservatism* (Princeton:

Princeton University Press, 2005).

[18] Coffey Consulting, LLC and American Institutes for Research (AIR), *Promising Practices for Increasing Diversity Among First Responders* (Washington, DC: US Department of Labor, 2016).

[19] Clarence N. Stone, "Race and Regime in Atlanta," in *Racial Politics in American Cities*, eds. Rufus P. Browning, Dale Rogers Marshall, and David H. Tabb (New York: Longman), 137. Clarence N. Stone, *Regime Politics: Governing Atlanta, 1946-1988* (Lawrence, KS: University Press of Kansas, 1989).

[20] B. Drummond Ayres, Jr., "Attempt to Oust Chief of Police Perils Atlanta's Racial Harmony." *New York Times*, June 24, 1974. Michael Javen Fortner, "Straight, no chaser: Theory, history, and the Muting of the Urban State." *Urban Affairs Review* 52, no. 4 (2016): 591-621.

[21] Ronald H. Bayor, *Race and the Shaping of Twentieth Century Atlanta* (Chapel Hill: University of North Carolina Press, 2000).

[22] Wayne King, "Black Commissioner of Police Overcomes Bad Start in Atlanta," *New York Times*, May 31, 1976.

[23] Coffey Consulting, LLC and American Institutes for Research (AIR), *Promising Practices for Increasing Diversity Among First Responders.*

[24] Michael Javen Fortner, "The Carceral State and the Crucible of Black Politics: An Urban History of the Rockefeller Drug Laws," *Studies in American Political Development* 27, no. 1 (2013): 14-35.

[25] Danielle Wiggins, "'Order as well as Decency': The Development of Order Maintenance Policing in Black Atlanta." *Journal of Urban History* Vol. 46, no. 4(2020): 711–727.

[26] Ibid.

[27] Ibid.

[28] "Resolutions Adopted by the 71st Annual Convention of the NAACP at Miami Beach, Florida, June 30-July 4, 1980," *The Crisis*, November 1980, 443.

[29] "NAACP Plans to Attack Black-on-Black Crime," *Herald-Journal*, October 18, 1992.

[30] "NAACP Plans to Attack Black-on-Black Crime," *Herald-Journal*, October 18, 1992.

[31] Cynthia Tucker, "Black-on-Black Crime: A Plague Deadly for Black Males and All of Us," *Atlanta Journal-Constitution*, April 19, 1986.

[32] Duane Riner, "Clergy: Toughen Sentences in Black-on-Black Crime," *Atlanta Journal-*

Constitution, June 11, 1988.

[33] Larry Still, "Rep. Lewis Seeks United Stand on Black Violence," *Chicago Citizen,* January 5, 1992.

[34] Adolph Reed, "Antiracism: A Neoliberal Alternative to a Left." *Dialectical Anthropology* 42, no. 2 (2018): 105-115. Adolph Reed, *Stirrings in the Jug: Black Politics in the Post-Segregation Era* (Minneapolis: University of Minnesota Press, 1999).

The Road Not (Yet) Taken I: Exposing the Roots of the Contemporary Reaction

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But, if one has dreamed an empire, the empire of man, and if one dares to reflect at what a snail's pace men are advancing toward the realization of this dream, it is quite possible" that the "activities of man pale to insignificance."

–Henry Miller

> Lemmings race ahead, focused on following the one in front of them. Do they know there is a cliff ahead? Do they know what they do not know? If they did, would they step back, reassess, perhaps turn around?

With the egregious elite assault on the institutions and practices of American society and the escalating crisis in the streets producing ubiquitous (though understandable) refrains of political and cultural despair, our sense of history narrows.

What lies submerged in these exigencies, we forget at our peril, is the long-standing American promise that its unprecedented opportunities – if justly managed – would produce a distinctively modern collective featuring empowered and more fully realized individuals and greater equity for all members. By succumbing to the vilification of alternatives by these forces of reaction, in effect reading them out of the foreshortened narrative of their ascendancy, we find ourselves unable to identify and coalesce a broader dynamic of foundational structural and conceptual change.

In order to reanimate the transformative dynamic emerging less than a half-century ago, it is crucial to explain how these initiatives and indeed the very mention of basic changes were derailed in the intervening years. This investigation in turn raises complex and troubling problems of causation, for the success of the Reaction was by no means the simple result of its own – however strenuous – efforts. To the contrary, its increasing domination of the political arena and popular discourse since 1980 resulted only in part from the organized obstructionism and ideological nihilism of reactionary forces seeking control. To a greater extent, this was achieved by its reading of the vacuum of cultural legitimacy, institutional cohesion, and political coherence throughout society. Its proponents recognized the devastating impact of the fundamental challenge to liberal ideology and assumptions in the 1960s and the collapse of its aura of inviolable consensus. Seizing upon the increasing resistance to the great scope of changes being proposed from large sectors of the mainstream body politic, including among many nominally liberal constituencies and one-time supporters of

restructuring, the Reaction found it quite easy – though it moved with some stealth and much misdirection – to storm the redoubts and establish its ascendancy.

I. The Archeology of Reaction

Because these “culture wars” as they came to be called were fought out over the psychological framing of the individual and subjecthood in late industrial and post-industrial life, an analysis of the divergent premises advanced requires a psycho-political and psycho-cultural appraisal of the contesting views. At the same time, even to identify how these underlying assumptions are now shrouded in ahistorical denial, amnesia, and incontrovertibility, the psychosocial strategies and mechanisms employed to divert popular understanding must first be exposed. One of the primary – for obvious reasons as we will see – functions of Reaction is to cover over, thereby erasing, what it is a reaction to, in reaction against, thereby turning itself from a project of repression – if successful – into a new normal. In this way, the transformative impulses are isolated to fester unattended, stymied outside the city walls – drawbridge up, denied, unheard, ultimately triggering for its practitioners doubts as to their very reality. Thus a probing analysis of Reaction during its period of presumptive ascendancy must be ultimately an *archeology*.

The effort at disinterring movement origins is made decisively more difficult when the leading force of Reaction is an imperial power. When the repression of change occurs, for example, in a family situation, typically against the young, or in a particular political region, the evident solution is to pick up with one’s world-view intact and leave. When many still believed in an oasis identified as America, its many immigrants for one or more of these reasons undertook the arduous trek to relocate and resettle. But where an imperial power has extended its grasp over the available space and lines of communication, fostering the burial of contrary clues and the narratives of its opponents-cum-enemies and turning the accessible ‘reality’ (as the George W. Bush retainer gloated) into the mirror of its claims, the activist (following Che or Snowden) will need to keep one’s bags packed. For the theorist of change, there is resort to the implement in the tool-belt most necessary at the outset – archeology.

A further, perhaps the most debilitating, hurdle is when one-time proponents of change no longer wish to recall what was at stake beyond whispered regrets for past indiscretions. Where the previous confrontation centered on issues of power and institutional governance, such lapses of memory are less likely to impede inquiry. This is illustrated in the classic movie of revolution, *The Battle of Algiers*: though the Algerian insurgent leaders are all hunted down and killed by the French Occupation, the popular movement soon reemerges as a tidal wave that presses on to national independence. Or when, under similar circumstances, opposition leaders join the oppressive system, the fingerprints of imperial intimidation and bribery leave the pathway to betrayal exposed.

The situation is more delicate when the initiating movement challenges existing psychosocial priorities, the dominant values and meanings disseminated in society which people have internalized as the basis of their identity. In this case, the dreams that once moved proponents

of transformation but move them no longer are easily lost. Moreover, given the internal burden even at high tide of undertaking such deep recastings, the inevitable doubts about goals, confusions regarding direction, guilt about the magnitude of the demands, thoughts recurring of retraction, the fires of change can all too easily turn to ash with the mounting gusts of contrary winds. Because such reassessments of large-scale attitudes and priorities are rare, they can be unceremoniously jettisoned as part of the unwieldy baggage impeding the process of maturation. The invitation to return, to reintegrate upon proof of disavowal, will then be snapped up, chapters in one's autobiography excised, childish romances wisely surmounted by the evolving subject, second-order (though never completely erased) amnesia subtly merged with the first-order sleepwalking of all others, leaving hidden beneath the overlay of fresh soil the dimmest outline of previous tels, protrusions, symptoms, hidden chambers, dismantled launching pads, arrested selves. You can walk on it, no problem, says the landscaper, this land was never inhabited, too much groundwater, beware of dumpsites.

And, finally, if one is able to locate those persevering long enough to remember, those rare guardians of the spirit who have not relented, one will be chastened by their test of endurance against the severe forces of repression and pressures of self-doubt. After many decades of Reaction, they may have shifted default settings from a narrative of progressive human unfolding and collective advance to one of heartbreaking spiritual withdrawal and societal decline. In this way, the Reaction has forced even its most stalwart opponents to concede the initiative to the enemies of change, leaving the high ground, the beacon light of transformation, the inner fires of self-transvaluation, depopulated and abandoned, voiceless fantasies that visit and depart in the night.

How can one respond to this sweeping reaction, both willful and habitual, conscious and unconscious, hostile and regretful, aggressive and inadvertent? How does one penetrate the fantasy of the New Normal as the abiding operation of the everyday, of everything one sees outside the window of one's soul, to insist that Reaction has turned individuals into marionettes, scripted ventriloquists, who have learned to function without their strings? The archeological method is admittedly a hunt for traction on a vast surface of ice. A contrasting method would begin at the other end, as Rousseau in the *Second Discourse*, by positing a reimagined and restored vision of the fully human unworn and uneroded by the incessant forces of civilizational abrasion and despoliation. And yet, employing the trope of the presocial individual to in effect construct a reverse archeology merely highlights not recovery but loss: forced to watch the progressive deformation of the human as the ideal prototype is set into the flow of history, the culmination will be an irreversible dystopian present.

To the narratives of decline and dehumanization (which Rousseau fully surmounts in *Emile*), I propose beginning with the outermost symptoms of present delusion and obfuscation, the cul-de-sac of lemming-like behavior, with the goal of sequentially unearthing and interrogating the artifice of psychosocial reactivity and denial. Utilizing the surgical tools of Nietzschean genealogy, we can systematically retrace the patterns of disguised and rationalized malformations to recover the original impulses as they are first turned against their own development. Channeling the spirit of his archeology of the complex web of Judeo-Christian

repression, the resistances – fears, resentments, uncertainties, self-doubts presenting as worldly cynicism, ridicule of opponents' grandiosity and illusions, scapegoating, a sense of grievance at feeling challenged, rage at having no answers, tragic virtue, a theology of absolute limits – can be exposed. Recovering these patterns at their inception will reveal their source in the panic of being unprepared, that is, unequipped, overmatched, and undone, by novel dreams and wishes that were feared forever out of reach. Behind this giant swell of aggression, then, are those very dreams and wishes lighting the path to genuine psychosocial transformation.

II. The Dig

The most evident sign of the Reaction's success in redefining the political landscape and cultural trajectory is the fixation in an deluge of books, articles, and blog posts across the entire political spectrum – apart from Trump loyalists –– with what form of post-liberal system is emerging. Are we witnessing a coup, a putsch, or a constitutional take-over? Can the result be more accurately labeled as authoritarian, fascist, or plebiscitary dictatorship? The assumption, however unspoken or unrecognized, is that the Reaction has advanced beyond resistance against previously spurned ends to an independent historical dynamic with ends of its own. As I write this with less than two months to the general election 2020, Trump's Republican Party has put forth no proposals, no policies, no initiatives, no plan for governance, no responses whatever or even press releases regarding the escalating pandemic, economic collapse, ecological crisis, or exposure of endemic structural racism. The only signs from the campaign are the unending 24/7 barrage of micro and macroaggressions against candidates, organizations, movements, and journalists who insist that something be done. The common element behind this firestorm of negativity is refusal – "thou shalt not" – indicating no change or remediation is acceptable. The marketing brand is a Wall, call it "law and order" or racialized stimatization or 'socialism' or armed border, the last barrier protecting Us from Them, all of them approaching everywhere.

This is the quintessence of Reaction, demanding by its fervor and single-mindedness to be accorded an independent legitimacy. Yet to accede to this analysis by decibel level ignores the candor which marks the most recent stage of Reaction. In earlier stages, from Ronald Reagan to Bush II and the Tea Party, the backlash was disguised. Its motives were veiled in ever more deceptive and incongruous ideological positions that tapped into nostalgic myths of an arcadian, white, father-knows-best world that bore no relation to the rightward thrust toward corporate control, elite political dominance, and patriarchal authority. Many Americans, far more than admitted it, were beguiled by the good faith of seemingly innocent Trojan horses which (somehow? inadvertently?) formed impermeable roadblocks to change: a balanced budget, smaller government, less federal activism, states' rights, free market, judicial restraint and Constitutional originalism, lower taxes, deficit reduction, color-blindness, meritocratic rigor, educational excellence, family values, a right to 'life' (until birth).

These presumptive ends have now been plainly revealed – as each in short order has collapsed into its opposite with the right wing institutional takeover – to be merely weapons in the ideological defense of the status quo. For most analysts evaluating the new right takeover,

however, this shameless gloating at their nearly transparent deceit has paradoxically confirmed the claim of its independent dynamic. Rather than link this disinformation to the larger pattern of reactivity, which would have required asking about reaction to what, a sweeping claim is abruptly put forth that these motivations should be understood as primary, elemental, first order, nothing beyond the incessant human drive for power and control evident in the way groups make history. Yet, resort to this apparently uncontroversial truism had the chilling effect of utterly ignoring, burying, the 1960s reassessment of the psychopolitics of late modernity.

Claiming the ubiquity of domination marginalizes the psychopolitical transvaluation initiated by the early post-industrial initiative for transformation: that the motives now decoupled from reaction are precisely reactive in their intent, the very drives that form in response to, to fill the gaps from, misshapen psychodynamic development. This bundle of needs for "power over," the obsession with "domination," stems according to influential psychoanalyst Erich Fromm as one's deformed response to an early "atrophy of the generative capacity" to exercise "power to," that is, the internal "capacity" to "make productive use of his power." As Fromm explained, where genuine "potency is lacking, a man's relatedness to the world is perverted into a desire to dominate, to exert power over others as though they were things."[i]

By reinstating the drive to dominate as a core, perhaps the core, motivation, any traction to assert the derivative character of the Reaction is lost. More significant yet, since this transvaluation was originally intended to challenge the broader claim of Western and American liberalism regarding its incentives and practices, its very view of human nature, the net effect is to insulate the liberal project from fundamental critique. In this critique, the liberal psychology of motivations based on instrumental, that is, utilitarian, hyper-competitive, aggrandizing, acquisitive, and materially rather than humanistically oriented, drives, was by no means primary. To the contrary, this motivational system was narrowly constructed and adapted to advancing the early modern economic ascent.

Whatever the justifications for containing human development in furtherance of production, the emergence of late industrial and post-industrial prosperity and plenitude along with the growing resource constraints meant that these constricted incentives could be significantly relaxed and replaced by catalysts for fuller self-development. The goal was to finally address the diminished sense of self and self-motivation demanded by productive discipline and self-repression, to confront the liberal insistence on developmental arrest, on treating frustrated and unrealized potentialities for personal and collective well being as inevitable. Thus, the retreat to undiscriminating claims of domination ignores why such developmental aspirations could trigger the virulent rage and destructiveness now being unleashed that is tilting the nation to the edge of structural breakdown, moral nihilism, and social regression. Its effect is to support the reactionary claim that nothing changes and even the wish for human advancement is delusional. Values and aspirations in this view are simply the window dressing for the ubiquity of power over, rendering the initiative to support healthier developmental potentialities along with the American Dream itself merely window dressings for national expansion, group contestation, and the inevitability of elite ascendancy.

Because the rise of the Reaction has forced reconsideration not only of the current period but the entire twentieth century American idyll of growing liberal ascendancy, it was to be hoped that the longer-term causes of liberal fragmentation would be examined. But the reactionary – however inadvertent – reading of the present crisis has become the predominant and even default analysis, absent any clue about the deeper forces, regarding the contemporary period as a whole. Before Trump's election, the reigning national narrative asserted the further consolidation and global ascendancy of the American system reflecting (using the term coined in 1996) the "indispensable nation."[ii] With the collapse of the Soviet Union and the culmination of American ascendancy, the American century would be proclaimed as the "end of history."[iii] With Trump's ascension, however, the insulation of the official American story, the story of "American democracy" that was "never supposed to" lead to this dark place, was with mounting evidence of deeper divisions and systemic instabilities finally breached.[iv] As Trump's far-flung apparachiki pursued a wholesale dismantling of every aspect of the modern liberal state, domestically and internationally, together with all checks and balances and organs of oversight, in order to facilitate a strong-man rule, it was increasingly apparent that an "illiberal democracy" was emerging.[v] The hollowing out of the institutional and electoral processes could no longer be localized to recent or discrete structural malformations.

From an October 2017 conference at Yale entitled "How Do Democracies Fall Apart (And Could It Happen Here?)" to a spate of books – distinguishing between doomsday renderings and brinksmanship warnings – forecasting the collapse of American popular government, the era of self-righteous complacency had come to an ignominious end. But how was this unraveling in the era of presumed national triumph and vindication to be explained? As mainstream analysts conceded that the evident systemic infirmities could not have simply appeared in 2016, a longer-term replacement for the conventional narrative, now clearly the product of at best wishful thinking, at worst cynical ideology, capable of explaining the gradual descent into crisis and delusion had to be framed. Yet how, given that few, including the analysts themselves, had ever entertained such a possibility, could this narrative be shaped to rebut charges of myopia and even collusion? Peering gingerly beneath the evident trends, the solution chosen wove together wishful thinking *and* cynicism in a narrative of exculpability: a trusting liberal mainstream had been ambushed by the stealth drive to power always motivating the most illiberal forces in the society.

In this way, the entire contemporary era would be reframed (indicating that Trumpism is not the only conspiracy theory) as Americans settling back to enjoy the well-earned fruits of national apotheosis sandbagged by resentful outliers. At work for decades, we were told, had been Kurt Andersen's "evil geniuses," Corey Robin's "The Reactionary Mind," Michelle Goldberg's "corrupt authoritarian populists,"[vi] Ruth Ben-Ghiat's "various anti-democratic forces,"[vii] and Rick Perlstein's reactionary movement coalescing plutocratic manipulators, populist "con artists and tribunes of white rage," legions of "far-right vigilantism and outright fascism,"[viii] and teeming fellow travelers priming the broader electorate for Trump and the structural consolidation of right-wing control. Even long-time right-wing political operative Stuart Stevens in his book *It was All a Lie: How the Republican Party Became Donald Trump* explains how the core principles Republicans had always pretended to represent were

summarily dismissed once the goal of unfettered power became available, allowing them to reveal their 'true selves.'

The deeper force being beckoned as the culprit is of course the ubiquity of 'power over,' fully evident in Perlstein's linkage of recent American history with Europe in the 1930s and South America in the 1970s. The liberal historians – including in his assessment Perlstein himself – charged with overseeing the national narrative had taken their eyes off the ball, seduced as most Americans by the prospect of concord in our time. Yet Perlstein's greatest contempt is for the New Left and counterculture entrenched in their celebratory bubble of cultural release, convincing themselves on drug-induced highs that society as a whole was following just behind. Inflating a minor trend more tied to expanding consumption that serious social change, these cohorts simply discounted any attention to the realities of power, not only their own trivial impact but the surging reaction to their normlessness and licentiousness. And if pride of place had not already been accorded to 'power over,' Isabel Wilkerson's recent book *Caste* enshrines savage status disparities at the base of civilization, rendering ideals of freedom and equality even at their most genuine the tragic orphans of history.[ix]

III. The First Usable Artifacts

Clearing away the layer covering the site with the effort to define historical processes by conditional and provisional constellations of dominance, replications of the crude calculus of tyrants and hegemons (what could Jesus with eleven disciples have been thinking), excavation now offers greater visibility of the actual forces at work. Even as the radical right takeover presumably illustrates the essentialism of 'power over,' this quest for control was mobilized among diverse constituencies from the start in response to troubling trends connected with post-industrialism. In his 2004 book *What's the Matter with Kansas?*, Thomas Frank identified "cultural anger" as the primary motivation mobilizing the popular backlash against cultural liberalization.[x] Easily stoked and marshaled by the brokers of plutocratic control, this rage as Frank notes intensified even as it was being exploited to produce growing economic stress for most supporters. From the perspective of the cultural right, those committed to evangelical and Christian populism, patriarchy, local status elites, white supremacy, and American hegemony, this was a small price to pay for the fervent defense of inscribed American values in the face of assault by emerging cadres of permissiveness and amorality.

While quickly labeled as a reaction to religious and cultural changes, the movement was to partisans a defense of existing patterns and an assertion of bedrock principles. And in purely formal terms, assuming a world where nothing is ever allowed to change, this is a plausible argument.[xi] And yet, though possessors of one-time certitudes felt unjustly pressured by the need under changing circumstance to advance a more compelling explanation than having gotten there first, the assumption of a static world is in the most literal sense reactionary. At the same time, the cause of Reaction to its credit was not at base a question of first filing (who came first or deserved to thus pales) but a deeper claim regarding human psychology and selfhood. The right wing project as announced and propounded by its early advocates was grounded in the classic Protestant-liberal demand of obedience to interdictory authority which

it found under intense and nearly fatal pressure from the sixties culture encouraging the release, gratification, and expression of impulses.[xii]

Maintaining those authorities that enforce norms of disciplinary rectitude through the repression and sublimation of primary impulses – religious leaders, parents, fathers, husbands, teachers, racialized hierarchies, Americans, moneyed elites – meant defending their institutional and persuasive power over the public. For some critics, this reinscription of interdictory elites was an effort to undermine the rising expectations of less empowered groups in order to protect elite privilege regarding discretionary consumption and expression. While certainly an aspect of the campaign, to render this account of class war more dispositive requires showing that its class opponents mobilized to contest the demand for greater controls. In fact, despite both mainstream demonization and praise now accorded for the politically astute offensive waged by the plutocrats, not only the people from Kansas but liberals and progressives surrendered before a shot was fired. From Ronald Reagan's duplicitous rollout of a white picket-fence America of small business revival and patriarchal family values, authority over the young, and a godly nation of moral obedience and certainty, people from every demographic and attitude set joined in the chorus chanting about the nation's social and psychological recovery.

Demonstrably bereft of evidence, this ideology of return was swallowed in whole cloth by the Democratic Party, providing refuge for the Clinton and Obama administrations as they abandoned their core values of broader benefits and higher standards of living as well as their constituencies that had hoped for relief.[xiii] They ditched any mention of cultural or lifestyle transitions and popular demands for power and equity sweeping the nation as well as programs that challenged corporate leadership, fearing the charge of resuming support for a less repressive society with its psychosocial dislocations and identity confusions. Joining in the conventional wisdom, they too hoped that, once the picket-fences were in place, no one would thereafter look for what lay on the other side.

The cards of constraint that were played overrun the site, but people looked and they saw unmistakable signs of plenty. Barriers more compelling than a return to village morality would have to be put in place to confront the forces of post-industrial change. The Reaction would be forced to come up with an ace in the hole, which would with some key shifts in emphasis become the axiom in the sand guiding its ascendance.

IV. The Big(gest) Lie

What could actually be recovered in the nostalgic revival of self-repression (as opposed to self-mastery) that was not hopelessly tattered? That could provide systemic restraint in the face of not only emerging dreams of liberation but a society consistently propelled beyond norms of moral and psychological moderation by merchants and models of excess? The framework for the eventual underpinning of the Reaction, the foundation or floor plan if you will lying beneath the sediment upon which their artifacts rested, had actually been identified and set forth in its early, more theoretical phase. As soon as the transformative initiatives, and particularly the

new view of selfhood emerging from it, were recognized in the late sixties as a total repudiation of the liberal paradigm, it was clear that its fundamental compromises and curtailments of human possibility could no longer be claimed to be materially inevitable. The case would now have to be made that they were necessary.

If the transformative culture's operative premises – and not simply its manifestations and symptoms – were to be thoroughly gutted, the claim had to be advanced that abundance was (regardless of whatever material advantages it brought) psychologically unsupportable, a site clearing demolition of the stanchions upon which the liberal capitalist self and world rested and rose. Underlying the waves of strategic deployment designed to generate popular revulsion to cultural transformation – from early conservative psychocultural doomsaying and the evangelical preaching of divine judgment to market sacrality, bullying nationalism, and terror of insurgency at home and abroad – circulated a big lie: the claim, first announced by Reagan with stern avuncular mendacity, that America was at the time of his election campaign in 1980 in the throes of a 'productivity crisis.'

All the stops were pulled out, right wing think tanks with their cooked statistical reports, conservative policy makers, corporate leaders, political Cassandras, cautious backpeddling liberals and progressives, to warn of an eroding work ethic and entrepreneurial spirit, populist threats to profitability, merit, innovation, and reward, and at the unholy center the specter of prolonged economic decline and scarcity. Its effectiveness in deflating all aspirations for change, and in providing talking points for the great multitudes needing an argument for retreat, was soon demonstrated in energizing the many fronts of Reaction. All of a sudden abundance had become redefined as scarcity, although only an imperial culture could enforce the emperor's outlandish suit of new clothes. For the great problem with this assessment was that it was not – not even a little bit – true. But after pulling off to near universal support this big(gest) lie of all, it is easy to see how the other big lies would fall into place.

On the most evident level, the apprehension being stoked was that the widely cultivated fantasy of unlimited abundance after World War II was under threat from counterculture and reformist demands for a shift away from consumption to other personal and collective forms of well being. The claim that the only alternative to limitless consumption was recognizing some scarcities was of course true, but the assertion that limitlessness was desirable and sustainable was not the work of the opposition but the marketing mumbo-jumbo designed to maintain the wheels of production and consumption regardless of necessity. At the same time, it served to deflect reexamination of this false polarity crying for reexamination at precisely the time of rising access to expanding post-industrial production to challenge the materialist mania and to ask what was genuinely desired and needed.

Moreover, though unwelcome news, liberal thinkers had for more than a half-century foreseen and postulated this very shift. The awkward concern facing an insistence on ineradicable scarcity was the declaration by dominant mainstream thinkers beginning before the turn of the century that the material problem was being solved. With the takeoff of the industrial economy, producing the wealthiest society in human history, many important thinkers including John

Dewey and Thorstein Veblen accentuated the dramatic new prospect: the issue was no longer whether vast wealth could be created, and created more efficiently, but *how it would be used*. Lester Ward, the founder of American sociology, framed the seismic shift from production with its imperatives of functional utility to distribution and the satisfaction of societal and personal well being: "desires," Ward wrote at the end of the nineteenth century, are now the "*dynamic agent*" in society, the "universal force" behind all "social forces," reorienting as the larger societal goal to "produce and distribute the objects of desire."[xiv] This turn to a consumption-based system grounded in a gratification rationale signaled the very reframing of liberal society from a participatory, institution-building republic grounded in restraint to a dispensary of consumption with the continual opportunity for expanded gratification.

With rapidly expanding production, a situation of surplus was created as early as the 1920s, where the output from excess plant capacity and technological advances as well as of consumer, including agricultural, goods, could not be absorbed within the existing system of distribution. In a profit-driven economy, the necessary restrictions on wages limiting consumption created cascading overproduction and the collapse of prices and profits, leading in turn to the Great Depression.[xv] Scarcity thus had to be restored artificially through the curtailment of production rather than by restructuring distribution, a retreat from affluence that remained intractable until war preparations reestablished the priority of maximizing production. Even given the immense waste of resources and output from a prolonged world war, the technologically innovative, full production war economy created after World War II what was broadly recognized as the first discretionary economic system and the harbinger of the emerging post-industrial age.

This world-transforming stage was famously identified by noted economist John Kenneth Galbraith in 1958 as the "affluent society." This constituted an alteration of such magnitude that the "ordinary individual" now had access to the wide range of "amenities" previously unavailable even to the rich, and if the focus remained consumption individuals would "need[] an adman to tell them what they want[]."[xvi] Erich Fromm as early as 1947 in *Man for Himself* spoke of the unprecedented condition of a "material world" which "surpasses" even the "dreams and visions" of the past, a world in which the age-old "problem of production" has "in principle" been "solved."[xvii] In these books as well as David Riesman's 1957 essay "Abundance for What?" and a collection of essays under that title, Robert Theobald's *The Challenge of Abundance* (1961) and many others, Riesman's provocative question "abundance for what" became the overriding question.

For Riesman, the urgent task was to develop "collective aspirations" and individual "aims" and "motives appropriate to our new forms of peril and opportunity" in the "age of abundance." This was particularly pressing since society had provided little "re-education" for those "released from underprivilege by mass production and mass leisure" as well from as their "traditional culture."[xviii] Galbraith warned that those "economic attitudes" formed in the "poverty, inequality, and economic peril of the past," however "obsolete and contrived" in the present, continue to hold us in "captivity." Reconfiguring "new tasks and opportunities"[xix] would involve confronting major psychological dislocations. To overcome what Theobald called

the “old patterns of selfishness,” the inbred but now dangerous and dysfunctional pursuit of domination originating in times of survival rather than collaboration, was a major concern.[xx] Fromm identified the unprecedented issue to be faced: without the psychic anchor of economic activity and incentives, how do we comprehend “what man is, how he ought to live, and how [his] tremendous energies” can be “released and used productively.”[xxi]

V. The Flight into Scarcity

Given the exponential advance generated by post-industrial automation and rationalization in which the “level of productivity for mass-produced goods is almost independent of the input of human energy,”[xxii] in which a self-managing cornucopia previously confined to mythology was resulting in the “piling up of consumer goods,” self-identified consumption communities, discretionary and conspicuous options galore, how was the retreat from abundance to a condition identified as scarcity effected? Once we exhume the original arguments and claims of the Reaction, the paramount role accorded to scarcity becomes self-evident. On one level, abundance rendered the operation of the capitalist economy unworkable and counterproductive. Stuart Chase uses the example of air: because the earth’s atmosphere is (for the time being) abundant and freely available, it has – though precious – no market worth if offered for sale. But were it under private ownership, its price would be unlimited, though “every man, woman and child in the country would be poorer.”[xxiii]

This argument for maintaining market viability through limiting output, however, would have no attraction for those who now get their air without cost. Scarcity, then, is not a universal principle, but a weapon to be employed selectively. Thus, the task of economic and political elites, reinforced by armies of marketers and advertisers, is to insist that corporate capitalism is the goose that must remain unimpeded in order to lay its golden eggs. But this only pertains if individuals can be convinced that forthcoming innovations (including canisters of clean air) are indispensible and can be obtained in no other way. To bolster this perception, the corporate system must maintain the very artificial scarcity it claims to overcome. Its pipeline of new and improved products and indispensible, cutting-edge services inflicts ever more attenuated distractions to defer the experiences of surfeit and consumption fatigue. Despite declining income and discretionary options in the increasingly skewed economy, the fantasy of continued excess must be sustained to impose the treadmill of hyper-consumption. The arenas of surfeit must in turn be shifted to the virtual sphere with its ceaseless pandering to and marketing of boundlessness. In this way a coordinated strategy is implemented to mandate ever increasing – though ever less useful – and less remunerated levels of work in order to retain access to the fantasy.

While most Americans have some sense of this shell game, they have despite the sacrifices involved resisted serious efforts to dismantle or even question the artificial reimposition of scarcity. They remain unable to address the acute psychological dislocations generated by the post-war reduction of economic pressures and their mad race to discretionary paradise. In a society suffused with economic peril, a shifting and never secure sense of place or status, and weak interpersonal interconnections, individuals have been highly dependent on the

psychological security, grounding, identity, connection, and sense of purpose provided by participation in the economic system. This institutional setting alone provided structures of responsibility, institutional functionality, rewards, roles, relationships, and goals. Even its "metronome-like…routine"[xxiv] connected individuals on a daily basis with the larger project shaped by the Protestant work ethic and the narrative of national development, and allowed them to table or forestall the deeper questions of personal meaning, social values, and individual agency that liberation from economic necessity would generate.

In flight from this impact of the relaxation of economic compulsions and obsessions, Americans had inadvertently given lie to their vaunted national ideals with what Erich Fromm presciently called their 'fear of freedom,' the socially propagated inability to shape lives independent of external demands and structures. Having allowed themselves to experiment with goals that could not be delivered by conformist liberalism and the capitalist consumer economy, alternative forms of meaning and self-expression, vocation and engagement, new kinds of collaborative relationships, families, and communities, innovative forms of education and non-school learning, reductions of hierarchy, official designations of merit, and wage differentials, in other words, the possibility of lives less repressed and more actualized, Americans lost themselves in the tangle of unprecedented possibilities. Too disoriented to navigate the dramatic new opportunities opened by the world's first post-industrial system, Americans of every stripe retreated rapidly to the fortified port of endemic scarcity, intent upon banishing the anxiety of liberation.

While this revalidation of scarcity was later effectively moved to other less revealing framings, an archeological perspective reveals how conservative cultural critics in the first wave of attacks on shifting priorities grasped the deep anxieties involved and contentiously insisted that the fate of civilization rested on maintaining scarcity as a psychosocial imperative. Among cultural conservatives mounting this campaign, including many previous partisans of social change, were Christopher Lasch, Philip Rieff, Richard Sennett, Nathan Glazer, Allan Bloom, Daniel Bell, Norman Podhoretz, Irving Kristol, Midge Dechter, Joseph Epstein, Saul Bellow, Gertrude Himmelfarb, and Robert Boyers.

One of the most influential partisans was Daniel Bell, who had early on challenged the counterculture ethos of protean libidinal "boundlessness" unleashed in the 1960s that enticed large sectors of society "straight by day" to become "swingers by night."[xxv] Bell saw more acutely than most of the liberal center that the industrial and especially post-industrial dynamic of liberal capitalism had eroded the pressures enforcing psychosocial containment. This relentless dynamic had unleashed expanding expectations at all levels in the economy and proliferating once-marginalized groups with demands in the political arena, ultimately allowing expanding claims for opportunity, equity, and fulfillment to be released from the confinements imposed by the traditional ethos of limits. Energized by increasing abundance, the "cultural drive of modernity" and the adversarial culture of the "unrestrained self" had eroded beyond recognition the bulwarks of functional hierarchy and bureaucracy, self-discipline and delayed gratification, deference to political representatives and political elites. This view, adopted by neoconservatives like Allan Bloom, charged that this incendiary match of instinctual release

and libidinal indulgence in “self-exploration and self-gratification,” imagination and autonomy, was animating rebellion against all systems of societal order.[xxvi]

Bell quickly grasped the vital leverage to be gained by retaining a scarcity orientation. Caricaturing as utopian, absolutely unconstrained, and irrational the proposed shift from a production-based society, the delusional opposition goal in his view was to “abolish[] all competitiveness and strife,” to promote the fantasy of such a “plethora of goods” that one “would no longer need to delay his gratifications” but rather “throw prudence to the winds, indulge [one’s] prodigal appetites, and live spontaneously and joyously with one another” in a limit-free condition of “polymorphous sexuality” and a “psychedelic” abandonment to “pleasure.” As an extravagant dreamscape intended to discredit the quest for new priorities, it ironically gained traction by mirroring the very liberal capitalist marketing promise of untrammeled surfeit invoked to mobilize continuing economic sacrifice and deferral of change. This liberal ploy had once been promoted with confidence, indeed certainty, that sufficient levels of material well being would remain forever out of reach. But now that a “post-scarcity stage of full abundance” had to be acknowledged even by its opponents, Bell suddenly realized that the premise of abundance offered not a “desirable social” framing but rather a vastly disruptive view of post-industrial liberal order.[xxvii]

In a section of *The Coming of Post-Industrial Society* (1973) posed as a question “The End of Scarcity?,” Bell argued based on the absurd and excessive distortion he had drawn – advocated by no one – that post-liberal ideals of a humanized society were forever out of reach. Proponents of change just as everyone else would have to concede that scarcity was endemic, that limits rather than possibilities would always predominate. As a result, the continuing instrumental channeling of desire rather than unfolding of new potentialities would be required. As for the scarcities still lingering, aside from offering politically trivial and self-evident limits on time and information access, Bell focused on the one core privation that he believed we were incapable of moderating: the “relative deprivation” experienced from “disparities of income and status” in comparison with more outwardly successful members of one’s “reference group” as well as with others possessing higher levels of power, influence, and reward.[xxviii]

The argument was on one level ingenious: individuals wracked by the sting of competitive disadvantage would remain “enslaved” to the obsession with catching up in the liberal competition for acquisition and display.[xxix] On a more insidious level, as Bell even intuited, this universal assumption of a flagrant pursuit of limitlessness was in another guise the liberal promise that limitations on gratification merely existed to be exceeded. Despite the pervasive questioning of appetitive infinitude, Bell in effect admitted that the indispensible engine driving liberal enterprise was not material but the unfulfillable compulsion toward self-aggrandizement. Liberalism had come face to face in Philip Rieff’s terms with its own demon: the haunting, unacknowledged specter released by consumer capitalism was its fantasy, at once predatorily exploited and grimly feared, of the “endlessly developing Self, mocking, by its consumption of them, all constraints.”[xxx]

Given the sudden realization that it had prepared the way for its own dissolution, the revalidation of restraint, Bell concluded, if not necessarily limiting economic production but certainly non-marketized gratifications, would after the horse had left the barn require resort to a "transcendent ethic" that would "*sanctify*" self-repression.[xxxi] Rieff pursued the same course, advocating "a return" to "established…authority" with its primary "interdictory" function of enforcing a "science of limits" as always "complete with [its] repressions."[xxxii] For Rieff, for Sennett in his book *Authority* (1980), for Adam Seligman, as well as for the rising legions of evangelical interdiction, "establishing the necessary connection of authority to ideas of selfhood" through "community and the sacred," with its convictions about "shared moral commitments," can alone generate priorities unshakably constrained by "boundaries" and "commitments."[xxxiii]

The problem with this strategy for the broad defense of institutional barriers, however, was that from the Reagan era onward those very elites promoting the return to the previous system of controls were abandoning themselves to the display of limitless self-aggrandizement at the same time they were marketing for corporate consumer capitalism – as immortalized in "Mad Men" – the 24/7/365 messages to 'just let go' and indulge. The further dilemma for the corporate and rightwing cultural elites, given the broad shift of society toward greater instinctual release, was that to simply denounce the many forms of excess (including vilification of liberals) or even advocate moderation would jeopardize their commercial dominance and popular following. Unable to resist joining and inflaming rather than fighting the culture of release, they were compelled to shift strategies and agendas mid-stream.

Without benefit of a longitudinal analysis or archeology, it appears that the project of self-repression had been abdicated. The failure of a reinscribed authority generating resacralized boundaries, however, would spell not the end of the Reaction but its far more expansive and totalizing phase. The result – though few have admitted it and fewer have noticed – was far more devious and insidious: the embedding of scarcity through appropriation and redirection within the culture of release. The issue would no longer be whether limits could be reestablished but what kinds of post-liberal desires would prevail. For the Reaction, the realization dawned that certain forms of desire stifled self-development with their own loops of self-limitation, self-arrest, and addictive entrapment.

Establishing with its leverage in consumer culture a maze of empty temptations and palliation meant that such indulgence could be put forward to demonstrate its faux-commitment to the culture of release. For many reasons to be subsequently discussed, in this first historical encounter with more evolved forms of human possibility, this colossal misappropriation and misdirection has for the time being prevailed, leaving the manipulation of desire the primary strategy marking national politics. At the same time, the post-liberal vision of human transformation, of a new selfhood and a new history rooted in full self-development and human community, lurks as the ultimate reminder of the folly of the present flight from history. That story, including the contest over the future of human desire and human self-realization in the post-industrial age, comes next.

Notes

[i] Erich Fromm, *Man for Himself* (New York, 1947), 88-9.

[ii] See Joseph Nye, *Bound to Lead: The Changing Nature of American Power* (New York, 1990), 1-2.

[iii] See Francis Fukuyama, *The End of History and the Last Man* (New York, 1992).

[iv] E.J. Dionne, Jr., Norman Ornstein, & Thomas E. Mann, *One Nation After Trump* (New York, 2017), 3, 1.

[v] Christopher Browning, "The Suffocation of Democracy," *New York Review*, October 25, 2018, 16.

[vi] Michelle Goldberg, "Twilight of the Liberal Right," *New York Times*, July 28, 2020, A23.

[vii] Ruth Ben-Ghiat, "Interview," *NYR Daily*, August 15, 2020.

[viii] Rick Perlstein, "I Thought I Understood the American Right. Trump Proved Me Wrong," *New York Times Magazine*, April 11, 2017.P, NYTMag, 4/11/2017; URL: https://www.nytimes.com/2017/04/11/magazine/i-thought-i-understood-the-american-right-trump-proved-me-wrong.html?partner=bloomberg.

[ix] Of course, the U.S. had been from the very beginning the refuge of orphans who proclaimed from both need and hope the vision of a new dispensation. Melville, Huck, Connie.

[x] Thomas Frank, *What's the Matter with Kansas?* (New York, 2005), 5.

[xi] The problem with Arlie Hochschild's effort to piece together the narrative of the reaction as merely one story among many choices has trouble coming to terms with the way stories become – and are exercised as – instruments of domination. See Hochschild, *Strangers in Their Own Land* (New York, 2015).

[xii] See Philip Rieff, *Fellow Teachers* New York, 1972); Jonathan Haidt, *The Righteous Mind* (New York 2012).

[xiii] See Thomas Frank, *Listen, Liberal* (New York, 2016).

[xiv] Lester Ward, *Outlines of Sociology* (London, 1923 [1897]), 109, 145; "Moral and Material Progress 1885," [Transactions of the Anthropological Society of Washington, Vol. III, in *Glimpses of the Cosmos* IV], in *Lester Ward and the Welfare State*, Henry Steele Commager, ed. (Indianapolis, 1967), 95.

[xv] See Stuart Chase, *The Economy of Abundance* (New York, 1934), 139, 195-207.

[xvi] John Kenneth Galbraith, *The Affluent Society* (New York, 1958), 14.

[xvii] Fromm, *Man for Himself*, 4.

[xviii] David Riesman, "Abundance for What? (1957), in *Abundance for What? And Other Essays* (Garden City, New York, 1965), 292; "Work and Leisure: Fusion or Polarity? (with Warner Bloomberg, Jr.) (1957), *Abundance for What?*, 156-7.

[xix] Galbraith, *Affluent Society*, 14-15.

[xx] Robert Theobald, *The Challenge of Abundance* (New York, 1961), viii.

[xxi] Fromm, *Man for Himself*, 4.

[xxii] David Riesman, "Some Issues in the Future of *Leisure* (with Robert S. Weiss) (1961) *Abundance*, 174, 183.

[xxiii] Chase, *Economy*, 165.

[xxiv] Riesman "Issues,," 175

[xxv] Daniel Bell, *The Cultural Contradictions of Capitalism* (New York, 1976), xx, xxv.

[xxvi] Bell, *Contradictions*, xxxiii-iv.

[xxvii] Daniel Bell, *The Coming of Post-Industrial Society* (New York, 1973), 456, 475-6, 449.

[xxviii] Bell, *Coming*, 446.

[xxix] Bell, *Coming*, 475.

[xxx] Rieff, *Teachers*, 21.

[xxxi] Bell, *Coming*, 480.

[xxxii] Rieff, *Teachers*, 42.

[xxxiii] Adam Seligman, *Modernity's Wager: Authority, the Self, and Transcendence* (Princeton, 2000), 3, 9, 10.

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Covid 19: Why Not Start with the Wet Markets?

By | 2020: vol 19, no 2

The Covid 19 crisis that is ravaging the world, killing thousands and infecting millions, subverting democracies and exacerbating autocracies through state of emergency, and uprooting, starving or pauperizing entire populations, has a geopolitical origin – Wuhan, China – a socio-anthropological origin – the Huanan Seafood Wholesale Market – and a biological origin – the mixture of blood and bowels and excrement of wild and human bred nonhuman animals slaughtered in so-called wet markets.[i]

In traditional wet markets of tropical and subtropical areas of the planet, sentient nonhuman individuals are reduced to mere things to be tampered with. Wet markets sell, in open air stalls, live chickens, fish, amphibians, reptiles, mammals and insects, huddled together and sharing their breath, their blood and their faeces. Live fish splash in tubs of water while ice melts all over the floor. The workbenches are inundated with the blood of the fish eviscerated right in front of the customers. Live turtles, crabs and frogs scramble over each other in dirty stacked cages. The slush on the floor is scattered with fish scales. Everywhere there is water, blood, and innards of slaughtered animals.

Beyond the market, global agricultural capitalism, which has generated and is constantly spreading the modern phenomenon of factory farms, is penetrating long-established agrosystems. In booming China, where corporate giants already carry out extensive operations, capitalism also pervades traditional rural activities, broadening the customary local lines of wildlife trafficking. Much of the outcome of these undertakings converges in allegedly "primitive" wet markets, from which it circulates not only domestically but also through planetary webs of commodity exchange.

In the face of the present planetary havoc, mere decency and a simple precautionary principle would require a global and permanent ban of those extreme and fatal expressions of nonhuman commodification at the crossroad between cultural archaism and capitalistic modernity which the wet markets instantiate. Yet, WHO's food safety and animal diseases expert Peter Ben Embarek' stated that "authorities should focus on improving them rather than outlawing them — *even though they can sometimes spark epidemics in humans* [italics mine],"[ii] and, except for a few isolated voices, endeavours to analyze, and to respond to, what happened by thinkers with different backgrounds appear to be marked either by repression, or by misconstruction, of the issues at stake.

Repression

How should one interpret and face this pandemic? Many journals, for example the French *Philosophie Magazine*, have tried to offer an overview of the major intellectual reactions. From this, as from other sources, one can gather that the responses in the area of theoretical reflection show little grasp of the events. Thus, Slovenian philosopher Slavoj Zizek, after stigmatizing the *racist paranoia* now allegedly at work ("remember all the fantasies about the dirty old Chinese women in Wuhan skinning live snakes and slurping bat soup"[iii]), and after seeing quarantined Wuhan as "the image of non-consumerist world at ease with itself"[iv], foreshadows an alternate society, a society beyond nation-state, based on full unconditional solidarity and on a universally coordinated response. And since, on this view, the coronavirus will compel us "to re-invent communism"[v] in the form of some kind of global organization that can control and regulate the economy,[vi] one may infer that "even horrible events can have unpredictable positive consequences."[vii] With a caveat, however: that we resist the temptation to treat this epidemic as something that has a deeper meaning – the punishment of humanity for the ruthless exploitation of other forms of life on earth[viii]. For, though "we matter in some profound way," the epidemic is merely a result of natural contingency: it just happened and what it shows is that, in the larger order of things, "we are just a species with no special importance."[ix] Thus, with a bit of sleight of hand reinforced by some make-believe scenarios, human consumptive responsibility vanishes into thin air.

If Zizek disregards the role of humans in causing the pandemic, other authors downplay the role of the pandemic in producing the present situation. Another post-Marxist philosopher, the Italian Antonio Negri, claims that neoliberalism has now reached a point of crisis which paves the way for new struggles against ongoing forms of exploitation. And, though mentioning that the unprecedented emergency of Covid 19 has shown the limits of neoliberal policies with respect "to nature, to pollution, to all what is behind this pandemic," he hastens to add that one can find crucial codeterminants in current social fights like the Gilets Jaunes protests in France or the industrial strikes in Italy. In his conclusion, he definitely bars the way to any prospect of straying from his main storyline, stating that "the crisis is internal, and necessary, to capital."[x]

The idea of an "internality" of the crisis is shared by another voice from the philosophical galaxy – that of the Italian Giorgio Agamben, whose more pessimistic biopolitical stance focuses, rather than on capitalism, on the exercise of sovereignty. In his case, therefore, the crux of the internalist interpretation is the idea that, in a context where authorities endeavour to create panic, thereby provoking a state of exception and framing new forms of despotism,[xi] the total absence of opposition shows that "the plague was already there" – that people's living conditions had become such that an abrupt signsufficed to unveil their intolerability.[xii] A *sign* of what, one might ask? Admittedly, at one point Agamben seems to point to outer factors, when he mentions a scientist's claim that the hypertrophic growth of technological devices aimed at adapting the environment to human beings can reach a threshold where it becomes counterproductive[xiii]. Even this sensible observation, nonetheless, is soon overridden by references to the crossing, by panic-stricken citizens, of a more abstruse threshold – the one "that separates humanity from barbarism."[xiv]

If Agamben is not overly preoccupied with the possible consequences of human manipulation of the environment, German philosopher Peter Sloterdijk seems more prone to consider the threats deriving from future pandemics. "We have been existing as a giant Petri dish for microbial experiments for a while,"[xv] he states. Does this mean that he is interested in the origin of Covid 19? Not so. First, what he blames for the recent outbreaks is not the source but the medium of diffusion, namely, the explosion of world traffic, since globalization means "easier journeys for microbes."[xvi] Second, what he focuses on is not avoidance of, but mere reaction to, plagues, to the point that, though fearing that Western systems might result just as authoritarian as that of China,[xvii] he is so
appreciative of the current surveillance by scientists as to envisage a world web of researchers working together beyond borders. Dwelling on the theme of an immunological community at risk requiring planetary solidarity, he relaunches his philosophical idea of the necessity of co-immunism – a sort of basic ethics focusing on mutual protection among human beings –[xviii] while everything nonhuman fades into the background.

There exists, however, an apparently different, nonconformist view. Alain Badiou, the dean of Leftist French philosophers, does not see in the lockdown discipline anything more than a form of basic protection for the weakest, and dismisses the dream of revolutionary changes as a "dangerous reverie." Rather, expanding the perspective, he observes that, since an epidemic is a point of articulation between natural and social determinations, it is necessary to grasp the points where the determinations intersect. Thus, on the one hand he openly mentions the Chinese wet markets, well known for "the outdoor sale of all kinds of crammed live animals," ascribing the origin of the virus to that unclean popular environment. And, on the other, he stresses the access of Chinese state capitalism to an imperial rank, so that China is a place of intersection between an interface nature-society in shabby, ancient markets – the punctual cause of the appearance of the infection – and a planetary diffusion of this point of origin, due to the world capitalist market's incessant movement. But on what does his criticism focus in the face of this state of affairs? Perhaps on the terminal exploitation of defenceless members of nonhuman species and on the high riskiness of such an exploitation? No. What shocks him, again, is the diffusion of "typically racist" fables according to which everything stems from the fact that the Chinese eat "almost alive bats." And, given this lack of preoccupation with, and scrutiny of, the "point of origin," no wonder that his antidotes to the pandemics remain confined to an after-the-event approach, focusing on the defence of public health care, social services for the elderly, or egalitarian education. All this *pace* any concluding resolution to work "mentally as in writing… to new figures of politics, to the project of new political places."[xix]

All in all, then, it seems that most philosophers tend to remain locked in their theories, forcing any new unusual event into their preferred matrix. As has been observed, "The pandemic presents itself as a sort of experimentum crucis, allowing one to verify hypotheses that range from politics to the effects of globalization … up to the heights of the most rarefied metaphysical reflection."[xx] This philosophical veneer, on the other hand, easily conceals and represses an aspect of reality towards which the theories in question traditionally exhibit refractoriness, that is, the human relationship with the other-than-human world – be it a matter

of the other animals, the environment, or even viruses. As a consequence, the few critiques implicating the origins of the pandemic, redirecting any external reflection to a self-referential social world, essentially focus on the theme that one should not point at practices typical of some Eastern countries, as this implies the risk that phenomena like wet markets are "racially pathologized"[xxi] in discourses dominated by orientalist (that is, Western-biased) stereotypes.[xxii] But, apart from the fact that it might smell of orientalism to flatten Eastern societies out into a uniform conservatism, totally overlooking the existing opposition to traditional practices, and that it is clearly misleading to depict China, which aggressively propagates its state capitalism in a struggle against other capitalisms, as a possible object of discrimination and vilification, what all this in the end conjures up is the idea that nothing was wrong with, and no one is to blame for, what happened at the Huanan Market in Wuhan, China.

Misconstruction

The overall picture changes if one turns to positions more informed by science, that cannot ignore the actuality of, and the risks entailed by, forms of close promiscuity between humans and nonhumans in particular circumstances. Accordingly, many are the authors who, in dealing with the pandemic, point to the phenomenon of wet markets. They do this, however, in a sort of passing way, without fully exploring its dramatic facets – and this even when they are avowedly committed to the denunciation of the status quo, and to the building of a less dangerous and unbalanced world. Thus, the analysis of the events in Wuhan presented in a co-written work by the members of Chuǎng – a collective of communists persuaded that the 'China question' is central to capitalist contradictions – though considering the interface of the social-economic sphere with the biological, eventually merely dwell on the boost given to viruses by social conditions and on the "contradictions built into the nature of production and proletarian life under capitalism;" [xxiii] and an essay by British Marxist Joseph Choonara, after offering a survey of both the remote antecedents and the proximate causes of the crisis, devotes all its attention to the economic impact of Covid 19 and to a "socialist response" to it.[xxiv] But the most exemplary case, which is also the guiding light for most other interventions, is the position articulated by the evolutionary biologist Rob Wallace, a long time expert on the links between industrial agribusiness and novel diseases.***[xxv]*** During the coronavirus emergency, Wallace has reiterated his views, in particular in an article co-authored with three colleague scientists, tellingly entitled "COVID-19 and Circuits of Capital."[xxvi]

Wallace's position can be summarized as follows. The ever more frequent emergence of new pathogens is linked to the recent global expansion of circuits of agribusiness capital. Such an expansion, characterized by changes in company management structure, subcontracting and supply chain substitutions, and by a reconfiguration of extractivist activities into spatially discontinuous networks straddling national borders, destroys the regional environmental complexity that curbs the growth of infectious agents, thus increasing the frequency of spillover events. In turn, such events easily blossom into pandemics due to the combined effect of the expanding periurban commodity circuits that dispatch the new pathogens from the farthest hinterland to the facilities and markets of the main cities, as well as of the growing global travel and trade webs that distribute them from the cities to the rest of the planet at

record speed.

Covid 19 offers a good instance of this process. The virus appeared at one extremity of a regional supply line in wildlife, successfully triggering a human-to-human chain of transmission in Wuhan; from there, the epidemic simultaneously disseminated regionally and jumped onto planes and any other means of transport, spreading out across the planet. However, Wallace stresses, if the new coronavirus originated on the frontiers of capital production, other pathogens, like e.g. the bacteria of *Salmonella* and *Campylobacter*, emerged right out of centers of production. And this because the recent, recurrent pandemics are the combined effect of two facets of contemporary agribusiness. On the front of more traditional activities, realities like wildlife trafficking and wet markets, though customary in some countries, are growingly capitalized and driven by an expanding industrial production deeper into the primary landscape, dredging out a variety of potentially protopandemic pathogens; and, simultaneously, many smallholders are subsumed into global production by being converted intocontractors raising animals for industrial processing along the forest edge, thus opening the possibility that an animal may get a pathogen before being sent to an industrial unit. In factory farms, on the other hand, crowded conditions lower immune response, and raising animals with almost identical genomes eliminates immune firebreaks that in more varied populations abate transmission, so that pathogens can quickly evolve; and while larger animal population sizes and densities facilitate greater transmission and recurrent infection, the constant replacement of individuals affords a continually renewed supply of susceptibles and the shortening of the age of slaughter—to six weeks in chickens—may select for pathogens that can survive stronger immune systems. Given this context, it is clear that multinational agricultural enterprises privatize profits while externalizing the costs of their epidemiologically dangerous operations on everyone else.

After dealing with idiosyncratic or vague approaches that try to cope with the crisis eschewing its systemic causes, to turn to the diagnosis offered by Rob Wallace is intellectually sobering. Concurring as it does in the construction of a powerful reply to the question that, though mostly overlooked, is absolutely pressing, “why did all this happen?”, such a diagnosis deserves not only more attention, but also a more circumstantial analysis. Is such an approach satisfying? Certainly, its descriptive component is enlightening. But Wallace’s discourse contains evaluative and prescriptive components as well. Clearly, the basic evaluative judgment is that a system which, like contemporary industrial agribusiness, exploits and imperils people and brutally appropriates nature, is unacceptable.[xxvii] The main prescriptive indication is equally clear: what we must pursue is an ecosocialism which mends the metabolic rift between ecology and economy, braiding together “a new world-system, indigenous liberation, farmer autonomy, strategic rewilding, and place-specific agroecologies.”[xxviii] Is there any place for the liberation of nonhuman beings in such a scheme? Apparently not. Indeed, in “thecreaturely communism far from the Soviet model” we must realize as a response to practices that endanger humanity,[xxix] nonhumans, fully objectified in the form of *food animals*, will continue to be grown and slaughtered – though possibly by smallholders and on-site.[xxx]

The premise to this stance – that is, that while human beings cannot be exploited and commodified, nonhuman beings, having inferior moral status, can be lightheartedly used as means to human ends – being part of the *doxa,* or of what "goes without saying because it comes without saying,"[xxxi] is not articulated, but clearly emerges not only from the prospects of the future society, but also from Wallace's global attitude. Indeed, amid repeated preoccupations with human vulnerability to pathogens and exploitation, Wallace does not recoil from regarding the billions of nonhumans butchered along the circuits of capital merely as the "throughput" of the agricultural industry. Of course, this not a scientific stance – it's a moral stance, which cannot simply be smuggled in, but must be justified ethically. And one may doubt that Wallace can do it. If seen from the perspective of rational ethics, the discrimination against other animals is unsustainable for a intra-human egalitarian like Wallace. For it is of course inconsistent to reject racism as a discrimination based on a morally irrelevant biological characteristic without rejecting the equally grounded discrimination of speciesism, just as it is inconsistent to reject discrimination based on cognitive endowment in the case of impaired human beings without rejecting the same perfectionist discrimination in the case of animals.[xxxii]

There is, however, a more pointed objection to Wallace's stance concerning animals which appeals not to his generic egalitarianism, but rather to his specific ideological framework – to his criticism of "reifying finance," and to his revulsion for global capitalism's universal commodification.[xxxiii] For it is just the most radical attack launched by Western Marxism on instrumental reason and on capitalism as its most dramatic expression, fruit of the Frankfurt School reflection, which forthrightly counts nonhumans among the subjects which the global system of domination turns into objects and apprehends in terms of manipulation and administration, converting all Being into a "repeatable, replaceable process."[xxxiv] Within this framework, moreover, the critique of the "perfected exploitation of the animal world"[xxxv] is made even sharper by the fact that animal subjugation appears as what antecedes and upholds any other form of abuse – as the "the animal hell" which occupies the basement of human society – and, therefore, as an unavoidable target of any critique of any oppressive system.[xxxvi] The breath of such an approach to the architectonics of power, that, not being arbitrarily constrained by a humanistic frame, can really encompass all the "multifold hierarchies of oppression"[xxxvii] involved in the emergence of Covid 19 in Wuhan intimates that any critique of dominion that disregards nonhuman beings might be not only ethically misguided but also politically misconstrued.

Why not start with the wet markets?

"As five hundred years of war and pestilence demonstrate, the sources of capital… are more than willing to scale mountains made of body bags."[xxxviii] Thus Wallace. What he – not to mention the other "critical" intellectuals – doesn't see, however, is that the sources of capital have long been, and are actually, scaling mountains of dismembered animal corpses. And in the face of the erasure of this larger picture, one can wonder whether a Left which not only doesn't dare to challenge the global meat eating habits of those who are now ravaged by Covid 19, but impassively witnesses even the further evils which the pandemic inflicts on the other animals –

terrific mass “culling” of unwanted nonhumans in farms and laboratories, new experiments for the vaccine, abandonment of once exploited beings[xxxix] – might not be itself just the fruit of that elite’s “impositions in Gramscian hegemony”[xl] to which Wallace refers.

True, it is not easy to develop forms of counter hegemony that might enable the dominated to question the prevailing grids. But first, as any transformative movement knows, at the cultural level, unlike at the structural level, where the disparity of forces is overwhelming, political dissenters are not unarmed.[xli] And second, counter-culture is only one among various political routes – another is a politics of confronting, and challenging, laws and institutions.[xlii] And, if one wants to start eroding the present system of universal reification with its cortege of global risks, there is no sounder place to start from than wet markets. For reforms should focus on the weak links in the chain to be broken. And, while a direct attack on giant agribusiness is now hardly conceivable, it is not unthinkable to obtain a global ban of that peripheral but crucial junction in the exploitative and pathogenic chain which is the unconscionable practice of wet markets. International law has a panoply of instruments which might regulate this question[xliii] and, though there would certainly be strong opposition from the affected economic sectors, and possibly from their protector governments, the planetary economic impact of the contemporary pandemic, let alone of the likely future ones, should reasonably clear the way for such a move.[xliv]

Actually, there already is a trend in this direction. Many animal organizations have launched international campaigns to shut down wet markers,[xlv] several leading figures have publicly intervened in this sense,[xlvi] and some legislative attempts are in the works,[xlvii] while Chinese government itself is wavering.[xlviii] Such a trend could be nurtured and empowered.

Undoubtedly, in case it were obtained, the outright ban of the practice of wet markets would not be the end of the story. The animal movement would have made only a small, though significant, step towards the emancipation of the billions of nonhumans exploited and killed on this planet, and “everyday people”[xlix] in the world would simply partially avert one of the risks inflicted by global capitalism, otherwise remaining locked in all the problems they had before the pandemic. However, a possible victory would not be only a victory – is would be also a source of experience, and a stepping stone for future progress.

Notes

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[i] See Peter Singer and Paola Cavalieri, “The Two Dark Faces of Covid 19,” Project Syndicate, March 2, 2020, at https://www.project-syndicate.org/commentary/wet-markets-breeding-ground-for-new-coronavirus-by-peter-singer-and-paola-cavalieri-2020-03?barrier=accesspaylog.. See also https://www.bbc.com/news/world-asia-china-51364382; https://www.internationalsos.com/pandemic-sites/pandemic/home/2019-ncov?sc_lang=en&page=7

[ii] https://abcnews.go.com/Health/wireStory/market-virus-started-closed-70574034

[iii] Slavoj Zizek, "My dream of Wuhan," *Welt*, January 22, 2020, at https://www.welt.de/kultur/article205630967/Slavoj-Zizek-My-Dream-of-Wuhan.html

[iv] Ibid.

[v] Slavoj Zizek, "Welcome to the Viral Desert," *InDepthNews*, April 12, 2020, at https://www.indepthnews.net/index.php/opinion/3454-welcome-to-the-viral-desert-coronavirus-and-the-reinvention-of-communism

[vi] According to Zizek, a model for this new institution might be the World Health Organization: Slavoj Zizek, "Coronavirus is 'Kill Bill'-esque blow to capitalism and could lead to reinvention of communism," *RT.COM,* February 27, 2020, athttps://www.rt.com/op-ed/481831-coronavirus-kill-bill-capitalism-communism/

[vii] S. Zizek, "My dream of Wuhan," cit.

[viii] Slavoj Zizek, *Pandemic!: Covid-19 Shakes the World, OR Books, New York 2020, p. 14.*

[ix] Slavoj Zizek, "Dans l'ordre supérieus des choses, nous sommes une espèce qui ne compte pas," *Philosophie Magazine* n. 58, avril 2020, p. 18.

[x] All the quotations come from the transcription of Antonio Negri's radio interview *Coronavirus, la fase attuale ed il futuro*, March 21, 2020, Radio Onda d'Urto, at https://www.radiondadurto.org/2020/03/21/coronavirus-la-fase-attuale-ed-il-futuro-lintervista-a-toni-negri/

[xi] Giorgio Agamben, "Un réel besoin d'états de panique collective," *Philosophie Magazine* n. 58, avril 2020, p. 20. Original version at: https://ilmanifesto.it/lo-stato-deccezione-provocato-da-unemergenza-immotivata/; https://www.quodlibet.it/giorgio-agamben-nuove-riflessioni

[xii] Giorgio Agamben, "Riflessioni sulla peste," *Quodlibet*, March 27, 2020, at https://www.quodlibet.it/giorgio-agamben-riflessioni-sulla-peste

[xiii] Giorgio Agamben, "Nuove rifessioni," *Quodlibet*, March 27, 2020, at https://www.quodlibet.it/giorgio-agamben-nuove-riflessioni. The scientist is the Dutch anatomist Louis Bolk.

[xiv] Giorgio Agamben, "Una domanda," *Quodlibet*, April 13, 2020, at https://www.quodlibet.it/giorgio-agamben-una-domanda

[xv] See Peter Sloterdijk's interview "Non c'è più spazio per le esagerazioni," *Sovrapposizioni*, May 9, 2020, at: https://www.sovrapposizioni.com/blog/non-c-pi-spazio-per-le-esagerazioni. (Original version at

https://www.zeit.de/2020/16/peter-sloterdijk-corona-krise-gesundheitspolitik)

[xvi] Ibid.

[xvii] See Peter Sloterdijk, "Le système occidental va se révéler aussi autoritaire que celui de la Chine," *Le Point*, March 18, 2020, at https://www.lepoint.fr/politique/sloterdijk-le-systeme-occidental-va-se-reveler-aussi-autoritaire-que-celui-de-la- chine-18-03-2020-2367624_20.php

[xviii] P. Sloterdijk, "Non c'è più spazio," cit.

[xix] All the quotations come from Alain Badiou, "Sur la situation épidemique," *Quartier Général*, March 26, 2020, at https://qg.media/2020/03/26/sur-la-situation-epidemique-par-alain-badiou/

[xx] See Rocco Ronchi, "Le virtù del virus," *Doppiozero*, March 8, 2020, at https://www.doppiozero.com/materiali/le-virtu-del-virus

[xxi] The phrase comes from Nicole Shukin, *Animal Capital: Rendering Life in Biopolitical Times*, University of Minnesota Press, Minneapolis 2009, p. 209.

[xxii] On this problem see also Paola Cavalieri, "La campagne contre les marches humides et l'accusation d'orientalisme," *L'Amorce*, April 28, 2020. at https://lamorce.co/la-campagne-contre-les-marches-humides-et-laccusation-dorientalisme/

[xxiii] Chuang, "Social contagion. Microbiological Class War in China," at https://chuangcn.org/2020/02/social-contagion/

[xxiv] Joseph Choonara, "Socialism in a time of pandemics," *International Socialism*, Issue 166, March 22, 2020, at https://isj.org.uk/socialism-in-a-time-of-pandemics/

[xxv] See in particular Rob Wallace, *BIg Farms Make Big Flu: Dispatches on Infectious Disease, Agribusiness, and the Nature of Science*, Monthly Review Pr, New York 2016.

[xxvi] Rob Wallace, Alex Liebman, Luis Fernando Chaves and Rodrick Wallace, "COVID 19 and Circuits of Capital," *The Monthly Review*, May 1, 2020, at https://monthlyreview.org/2020/05/01/covid-19-and-circuits-of-capital/

[xxvii] Ibid. See also Rob Wallace, "Capitalist agriculture and Covid-19: A deadly combination," *Climate & Capitalism*, March 11, 2020, at https://climateandcapitalism.com/2020/03/11/capitalist-agriculture-and-covid-19-a-deadly-combination/

[xxviii] Rob Wallace, "Notes on a novel coronavirus," *MRonline*, January 29, 2020, at https://mronline.org/2020/01/29/notes-on-a-novel-coronavirus/

[xxix] Ibid.

[xxx] R. Wallace et al., “COVID 19 and Circuits of Capital,” cit.

[xxxi] See Pierre Bourdieu, *Outline of a Theory of Practice*, Cambridge University Press, Cambridge 1977, pp. 167-168.

[xxxii] For a more detailed presentation of the arguments, see Paola Cavalieri, *The Animal Questio*n, Oxford University Press, New York 2001.

[xxxiii] R. Wallace et al., “COVID 19 and Circuits of Capital,” cit.

[xxxiv] Max Horkheimer and Theodor W. Adorno. *Dialectic of Enlightenment*, Stanford University Press, Palo Alto, CA 2002, pp. 65 ff. See also pp. 206 ff.

[xxxv] Ibid. p. 204.

[xxxvi] Max Horkheimer, “Wolkenkratzer,” in *Dämmerung Notizen in Deutschland*, Fischer, Frankfurt 1974 (first published in Zurich in 1934 under the alias of Heinrich Regius), quoted in Renate Brucker. Animal Rights and Human Progress. Paper read at the conference on Animals in History, May 18-21, 2005, at the Literatur House, Cologne, p.11. Theodor Adorno, on his part, observes that the “possibility of pogrom is decided in the moment when the gaze of a fatally wounded animal falls on a human being: see T. Adorno, *Minima Moralia*. *Reflections from Damaged Life,* Verso, London 1978, p. 68. Against this background, another member of the School, Herbert Marcuse, suggests that no free society is imaginable which does not make the concerted effort to reduce consistently the suffering which human beings impose on the animal world: see H. Marcuse, “Nature and Revolution,” in H. Marcuse, *Counterrevolution and Revolt,* Beacon Press, Boston 1972, p. 68.

[xxxvii] R. Wallace et al., “COVID 19 and Circuits of Capital,” cit.

[xxxviii] R. Wallace, “Notes on a novel coronavirus,” cit.

[xxxix] See e.g. https://www.theguardian.com/environment/2020/may/19/millions-of-us-farm-animals-to-be-culled-by- suffocation-drowning-and-shooting-coronavirus; https://today.rtl.lu/news/world/a/1530159.html; https://sentientmedia.org/hidden-video-reveals-gruesome-mass-extermination-method-for-iowa-pigs-amid-pandemic/

[xl] R. Wallace, “Notes on a novel coronavirus,” cit.

[xli] See e.g, Pierre Bourdieu, “For a Scholarship with Commitment,” in P. Bourdieu, *Sociology is a Martial Art*,ed. Gisele Sapiro, The New Press, New York 2010.

[xlii] On the importance of this strategy see Gregory Smulewicz-Zucker, “Bringing the State

into Animal Rights Politics," in Paola Cavalieri, ed., Philosophy and the politics of animal liberation, New York: Palgrave Macmillan, New York 2016).

[xliii] On the animal front see e.g. Anne Peters, ed., *Studies in Global Animal Law*, Max-Planck-Institut für ausländisches öffentliches Recht und Völkerrecht, Springer Nature, Berlin 2020. As for the health front see the picture presented in Brigit Toebes, "International health law: an emerging field of public international law," *Indian Journal of International Law*. Vol. 55, 2016, pp. 299–328, also at https://link.springer.com/article/10.1007/s40901-016-0020-9

[xliv] Nor does it make sense to object, as it has been done (see e.g, https://theconversation.com/coronavirus-why-a-blanket-ban-on-wildlife-trade-would-not-be-the-right-response-135746) that an outright ban would favor, or leave room for, illegal wildlife trade, as this is what always happens when a practice is forbidden, and has never prevented in itself the enactment of a planned law.

[xlv] See e.g, the campaigns by PETA, https://headlines.peta.org/take-action-coronavirus-covid-19-live-animal-meat-close-wet-markets/ and Animal Equality, https://animalequality.org/news/animal-equality-launches-global-campaign-to-ban-wet-markets/, See also https://theecologist.org/2020/apr/07/ban-live-wild-animal-meat-markets and https://www.pcrm.org/news/news-releases/doctors-urge-surgeon-general-shut-down-us-live-animal-markets. https://theirturn.net/2020/03/30/inside-nycs-wet-markets-a-ticking-time-bomb/

[xlvi] See e.g. https://www.countable.us/articles/43629-dr-fauci-boggles-mind-china-allows-wet-markets-linked-viral-outbreaks-close-permanently; https://www.dailymail.co.uk/news/article-8215627/Scott-Morrison-criticism-World-Health-Organisation-support-Chinas-wet-markets.html

[xlvii] https://newyork.cbslocal.com/2020/05/14/new-york-wet-markets-linda-rosenthal-bill/, https://vegnews.com/2020/5/lawmakers-officially-introduce-bill-to-ban-new-york-s-wet-animal-markets, https://yubanet.com/usa/lawmakers-in-california-and-new-york-to-introduce-legislation-to-ban-wet-markets-and-exotic-wildlife-trafficking-to-reduce-future-pandemic-risk-and-prevent-mass-extinction/, https://www.pcrm.org/news/news-releases/new-york-legislation-would-ban-live-animal-markets-control-spread-disease

[xlviii] https://www.aljazeera.com/news/2020/03/illegal-wildlife-trade-online-china-shuts-markets-200324040543868.html

[xlix] Rob Wallace's definition in his interview "Capitalism is a disease hotspot," *MRonline*, March 12,, 2020, at https://mronline.org/2020/03/12/capitalism-is-a-disease-hotspot/

Critical Constructivism: An Exposition and Defense

By | 2020: vol 19, no 2

Since publishing *Critical Theory of Technology* (Feenberg 1991), I have gone on to develop a specifically *political* philosophy of technology which I now call "critical constructivism."

That approach is based on a number of intellectual traditions, including the Frankfurt School, Heideggerian phenomenology, Marxist labor process theory, and Science and Technology Studies (STS).

This eclectic combination of sources recognizes both the empirical specificity of technology and the general crisis of our technological civilization exemplified by such issues as climate change. Critical constructivism thus addresses the study of specific designs and the public controversies they provoke, while at the same time reconstructing aspects of the Heideggerian and Frankfurt School critiques of instrumental reason. The early Frankfurt School is the major influence. It contrasts a "one-dimensional" scientism with the potentialities revealed in everyday experience on the basis of which resistances arise. Critical constructivism "de-ontologizes" these philosophies of technology, capturing their critique of rationality while affirming nevertheless the value of modern science and technology. The task is to conserve their valid insights, made evident by the crisis, without losing modernity itself. Social constructivism plays an essential role in my appropriation of this tradition, but I endeavor to overcome its underestimation of structural features of modern society.

I have presented my approach in many books and articles (see bibliography). Several books and special sections of journals have been devoted to the analysis and critique of my work.[1] Various misunderstandings recur in these commentaries. I will respond here to some of these criticisms in a new way in the hope that a more fruitful discussion can result. In order to achieve maximum clarity, I have refrained from directly addressing criticisms, kept references to a minimum, and reduced my principal positions to schematic arguments. Since I am often accused of favoring one side of a dilemma I attempt to transcend, I have formulated some of the supposedly contradictory propositions explicitly to show how I reconcile them. My goal in this paper is not so much to convince as to clarify my positions on the key issues I have discussed in my work.[2]

Why Marx?

A Marxist scholar once told me that "Everyone believes 90% of Marxism; the Marxists are those who also believe the other 10%." Who can doubt Marx's most important discovery, the

central role of the economy in history and social life? But the other 10%, socialism as democratic control of the economy, is still highly controversial. Two principal arguments challenge it: the inefficiency of planning, and the "imperatives" of modern technology. The latter argument holds that the management of technology is fundamentally incompatible with democracy.

This claim has itself been challenged in recent years. The constructivist notion of "actors" has liberated the study of technology from technological determinism and its vaunted imperatives. (Pinch and Bijker 1987). No longer is it acceptable to deduce social consequences from a reified notion of technology, presumed to follow a unique track based on strict scientific principles. We now believe that there exist alternative technological choices and designs, and that they may have different social impacts. And we also believe that many different social actors pursue an interest or ideology by attempting to influence those choices and designs. No technological imperatives exclude a more democratic organization of the economy bringing additional actors into the design process.

This is an important methodological advance, but differences in power between actors are not easily explained within the constructivist framework. Foucault challenged the role of power as an explanandum by reducing it to the play of disciplinary techniques. Actor Network Theory attempts to reduce power to an ever receding list of networked actors. Power would explain nothing but instead would be explained by the number of effective associations actors are able to mobilize in the networks they organize (Latour 1984).

These strategies aim to avoid positing a substance of power separate from its manifestations. That is convincing as far as it goes but it fails to solve the problem in the most important case. That case is the influence of capitalism on the design and development of technology. Capitalism is a social structure that conditions actors' access to power. As such it is not reducible to techniques or associations. While I cannot argue the case for a structural account of capitalism here, that is the conclusion of most social science since Smith, Ricardo, and Marx, down to Piketty. Can structure be incorporated into social theory without reifying power once again?

The reaction against Marxism lies in the background of the constructivist rejection of power as an explanatory factor. This has less to do with Marx's own work than with the dominant interpretation of Marxism which emphasizes political economy and class struggle. Given the extent of government intervention in the market and the disinterest in revolution among workers, that version of Marxism has lost much of the support it once enjoyed.

The "post-Marxists," Ernesto Laclau and Chantal Mouffe, rejected the centrality of class domination (Laclau and Mouffe 1985). They retained the idea of antagonism but in the context of symbolic differences rather than economic interests. That new approach was congruent with an increasingly diverse radical politics.

But it is becoming increasingly clear that an account of capitalist power is still necessary to

address its role in three of the great crises of our time: the climate crisis, the issues surrounding the threats to liberty of current applications of information technology, and the declining faith in science which disarms society in the face of the other two crises. Each of these crises is rooted in the exorbitant exercise of capitalist power over the evolution of the technical system.

* The fossil fuel industry exercises such overwhelming power that so far no amount of scientific evidence of climate change is able to overrule its continuing domination of the energy system.

* The Internet, which once enhanced public debate, has come under the control of a few large corporations and is increasingly incorporated into the propaganda apparatus of corporations and governments.

* Neo-liberal deregulation and tax policies, and the extension of simulacra of market rationality into every corner of social life have generated inequalities of wealth and power that have provoked a dangerous reaction against rationality as such. The post-modern decline of the "Grand narratives" of freedom and progress in the face of total rationalization has given way to a return of narrative in the form of dystopian conspiracy theories (Feenberg 1995: chap. 6).

Despite changes in the economy and much criticism, Marx's Capital is still relevant to the understanding of these crises, but it takes some work to extract the useful insight without falling back into class essentialism. Although Marxists often denounce the personal power of capitalists, Marx himself viewed the capitalist as a mere agent of anonymous structures. He situated the capitalist as a dominant technological actor in relation to two determining structures: the irresistible pressures of the market and the resistance of the labor force. Given the relatively untrammeled power of the capitalists of Marx's day, this theory was sufficient to explain the rapid progress of technology accompanied by such negative phenomena as the deskilling of labor and the exhaustion of the soil.

Marx did not need to attribute a particular ideological bias to the capitalist, or personality defects such as greed, nor even a personal economic interest to explain the outcome because these structural factors compelled capitalists to perform in a specific manner or disappear from the scene. In sum, the structures determine *the conditions of possibility of effective action* under capitalism regardless of the motives of an actor situated in the dominant economic position. Hence Marx called capitalism a system of "impersonal" domination. Only other structures would make possible different and more humane forms of effective action associated with what Marx called "socialism."

Despite many changes in the organization of capitalist societies, Marx's idea that technology is shaped by the distribution of power can still form the basis of a structural approach to current crises. The role of leadership, the split between conception and execution, the control and incentive systems, the forms of psychological manipulation designed to keep subordinates on task, and other similar features of the division of labor have substantive impacts on technological choices and designs. These considerations can be generalized to take account of

the harms caused by technologies affecting any social group that, like workers, has no direct access to decisions that affect them.

Marx's contribution for us today is thus his discovery of the political *in* the technology rather than opposing politics and technology as value and fact, ideology and rationality, or any of the other binary oppositions that flow from a discredited technological determinism. In what follows I will show how the Marxian politics of technology plays out in the various aspects of critical constructivism.

Technology and Political Theory

In the 19th and early 20th centuries bodies of experts were constituted, serving within the administrative structures of modern institutions. Close association with management insured the congruence of technical systems and disciplines and the priorities of capitalist enterprise. Business had the freedom to dismiss hazards suffered by workers and communities, and this dismissive attitude was echoed all too often in science and technical disciplines. Technical disciplines evolved in which the hazards were ignored or minimized. Many scientifically undecidable matters were routinely biased in favor of business (Fressoz 2012; Bensaude-Vincent 2013). Government agencies that relied on the science and deployed the technology were little better.

Thus in addition to the unequal access to the wealth of enterprise, subordinates under capitalism suffered an excessive exposure to the discommodities of the technology that produced that wealth. This situation persisted so long as the mass of the population was silenced and in any case too uneducated to engage in a democratic dialogue with experts. That is no longer the case. The heritage of industrialism is now challenged in the public sphere. In this situation political conflict over technology is inevitable.

Political theory has not shown much interest in technology even as the world around us is ever more technified. Surely it is past time to end this state of affairs and to integrate technology into political theory. But the task is not easy. It is necessary to navigate between three apparently contradictory propositions:

* *First*, *Non-Determinism.* Technological development is not deterministic, characterized by essentialist "imperatives" that inevitably prevail everywhere at every stage, but is socially constructed.

* *Second*, *System Convergence.* The actual development of technology under both capitalism and (really existing) communism reproduces the power of capitalists and managers.

* *Third*, *Rationality.* Technical choices are generally, if not always, made on "rational" grounds, that is to say, in response to criteria of efficiency and knowledge held in technical disciplines.

The first and second propositions appear to be incompatible. The convergence between capitalism and communism seems to imply that technological development imperatively

requires authoritarian control, otherwise why would such control characterize most development in different social systems over long periods? A whole literature in social science has been based on the notion that technology is responsible for system convergence. In that case, the first anti-deterministic proposition must be false. If, on the contrary, the first proposition is true, if technological development is not deterministic, why do successive waves of technological innovation in different societies yield similar structures of control?

The third proposition holds that most technological decision-making has a rational basis in one or another technical discipline. These disciplines are properly called “rational” because they are evidence based and logically elaborated, in contradistinction to tradition, prejudice, and personal or literal authority. Rationality on these common sense terms has nothing to do with “pure reason.” This needs emphasizing since the notion of rationality is confounded in some academic circles with an idealized form that is an easy straw man for relativistic arguments. Critical constructivism is not embroiled in that contentious debate which concerns the truth of natural science rather than the design of technical systems and artifacts.

The third proposition appears to contradict the first since rational technical disciplines are everywhere similar. Perhaps the rationality of technical decisions explains why convergence is observed, as the second proposition claims. To resist this conclusion, Marxists usually condemn the irrationality of capitalism and promises freedom in a future rational society. Not rationality but irrationality–the intrusion of particular capitalist interests–would be responsible for domination. Other Marxists, critical of Soviet communism, attribute convergence to different forms of irrationality, capitalist and bureaucratic, leading to the same result.

Critical constructivism proposes an explanation that preserves the non-deterministic thesis of the first proposition despite system convergence and the rationality of management choices. The similarity between capitalist and communist management methods can be explained by the fact that the Soviets did not elaborate an independent technology and corresponding management methods but simply adopted technologies and methods developed under capitalism in the West. The technology then functioned as a vector of cultural diffusion (Fleron 1977). The fact that the disciplines and artifacts travel so successfully from one social environment to another is not due to the absence of social influences on design but rather to their transmission *through* the disciplines and artifacts themselves.

This explanation pushes the question back a step to the origins of capitalism and the invention of its systems of control. Labor process theory proposes a convincing explanation for the authoritarian outcome: the deskilling of the workforce. Deskilling is embodied in technology which, as Marx argued, materializes the intellectual content of production formerly held in the minds of craftsmen. The new technologies introduced by the capitalist owners cheapen, pace and control the work. This insures that the work gets done even by an unmotivated labor force with no stake in the success of the firm. It also deprives workers of the cultural capacity to contest for power (Noble 1984).

Technological development would thus be contingent on a social cause as proposition one

holds, while also following a convergent trajectory wherever capitalist technology is employed, in conformity with proposition two.

According to my third proposition, this social cause is neither ideology nor interest but technical considerations that are rational but also biased by the conditions of capitalist competition and control. This is suggested by the Weberian "rationalization" thesis, in the form in which it was taken up by Lukács in the theory of reification and developed further by the Frankfurt School in the critique of instrumental reason.

Weber describes the "disenchantment" of modern societies. Whereas anthropology finds an indiscriminate blending of symbolic associations and technically valid insights in the artifacts of premodern societies, capitalism relies on formal technical disciplines that eschew all symbolic reference. Industrial machinery is stripped of symbolic associations, unlike the technical means employed in those earlier social formations. Here truly, "form follows function." The only social norm that appears to survive the disenchantment is efficiency, ruthlessly pursued by capitalism under the pressure of competitive markets. Weber extends his thesis to bureaucracy which helps to explain what happened in the Soviet Union. But this approach risks collapsing back into determinism as it seems to have for Weber himself.

The problem now is to explain convergence while recognizing the insights of rationalization theory without contradicting proposition one, non-determinism. A political theory which met these requirements would have to find the cause of convergence in a structural feature of rational technical systems. For that a new concept of power is required.

Operational Autonomy

Marx's discussion of cooperative labor in the early chapters of *Capital* offers a suggestive starting point. Marx points out that cooperation increases productivity. On the large scales favored by capitalist enterprise, those gains can only be achieved through formal leadership, conscious coordination. Management must now be included in the division of labor and it acquires not only the technical function of coordination but also the power to confiscate the value added by cooperation and to impose machine designs that enhance and perpetuate its control (Marx 1906, chap XIII).

Thus Marx does not attribute authoritarian management to technology but rather the reverse. He divides the workforce into a cooperating mass, eventually assembled around machinery, and a directing center, able to exploit its unique position in the division of labor.

Generalizing from Marx's comments, we can conclude that there are different ways of organizing the cooperative activities which characterize modern societies. I distinguish three such ways as ideal types, that is, as distinct theoretical models which clarify the ambiguous realities of actual social life in which mixed modes are more common than pure forms.

* *Control from above* imposes coordination without reciprocal responsibility to subordinates.

* Those subordinates exercise d*emocratic control,* or *control from below* where they select the coordinator of their activity.

* And finally, one must add a third form not discussed by Marx: *collegial control,* in which subordinates in possession of complex skills retain considerable autonomy and the formal right to advise those who coordinate their activities.

These ideal types can be explained in terms of the standard distinction made in organizational theory between policy, operations and control. Policy is the overriding purpose of the organization, while operations involve deployment of the means of action serving that purpose; control consists in the procedures which bring operations into conformity with policy.

In the capitalist enterprise, the operational level, control from above, is exercised under a policy that simply reproduces the operational norm of efficiency in a specific context. This is possible because capitalist property has no obligations, for example to workers or the community, on the basis of which a policy might be formulated other than financial success. In a sense, then, policy is irrelevant, cancels out. The managers need only attend to the tasks associated with the smooth functioning of the means at the disposal of the enterprise to achieve its policy goal. In practical terms this results in shareholders and boards of directors routinely abdicating authority to management, so long as the firm meets financial targets. I call this the "operational autonomy" of management. It is a *formal* characteristic of enterprise in the sense that it specifies procedures without also specifying a separate substantive goal.

In Marxian terms, the point would be that the task of the enterprise is the production of exchange value; the use values it also produces are a byproduct of that activity. The production of exchange value stands under the norm of efficiency as understood under capitalist conditions. It appears neutral insofar as it presupposes no substantive value. The substantive values served by the enterprise are what matters to consumers, not producers. Nevertheless, the neutrality of capitalism is not absolute but is relative to the division of labor. This has consequences for machine design as we will see.

In the case of public institutions a substantive policy must legitimate the activities of the organization. This differs from business which is ruled by the conditions of the market rather than a policy. By "substantive," in contrast, is meant a goal embodying a specific value or effect defined by or for management and realized through the means at its disposal. The substantive policy goal of schools, for example, is education, as defined by standards of some sort, and the school administration and teachers are responsible for achieving that goal to the satisfaction of the government that funds them.

In such cases, a technical discipline or system of rules provides the procedures under which the policy is implemented. The organization is based on explicit values, but it carries out its mission through apparently neutral means. The split between values and means resembles the similar split between use value and exchange value insofar as a certain indifference often characterizes the implementation of the mission of the organization by its agents. Just as the

capitalist need not care about the value realized by the product, so bureaucrats, teachers and others working in public institutions may follow the standard procedures while indifferent to the nominal value presiding over their work. The extent of this indifference varies with the system of control.

Where professionals carry out the policy of the institution, collegial forms of control have traditionally prevailed. Schools, for example, used to rely on teachers' expertise. As professionals, teachers were considered competent to judge student outcomes in conformity with the educational mission of the institution. To a greater or lesser extent, periodic consultations between the administration and the leaders of the teaching staff insured consensus around specific policy goals and personnel decisions. A general commitment to the value of education is presupposed by these arrangements.

However, under neo-liberalism, the policy goal of education is redefined in terms of quantitative measures such as test scores and rankings that imitate financial objectives in form. Once such measures are in place, collegial administration can be replaced by the operational autonomy of an empowered bureaucracy. Then the work of the institutions exhibits the effects of the division of labor, much like a business enterprise. The consequent demoralization is well known. This is increasingly the pattern not only in schools but throughout the society. Its effect is to submit individuals in nearly every aspect of their lives to the impersonal power of rational systems, against which they rebel in a variety of ways, some constructive, others destructive or even self-destructive where resistance is tainted with irrationality.

The concept of operational autonomy focuses attention on the reproduction of management power through technical choices, and the substantive consequences of control from above. That situation determines choices that affect all members of the organization and the community in which it is situated. It is not just unfair from a democratic perspective for managers to act without consulting those whose lives are affected by their decisions, it is also detrimental to concrete concerns of those individuals. From the standpoint of those in control, a limited number of rational technical solutions will appear viable. The excluded solutions might include desirable ones from the standpoint of subordinates that would be viable under the different condition of control from below.

It could be objected that machine design in the post-Fordist economy is no longer based primarily on deskilling. But this does not alter the logic of the argument, which is concerned not only with specific designs such as the assembly line but with an overall pattern of development that centralizes power in a managerial elite.

The case for operational autonomy having substantive consequences is obvious with the Internet. Centralization of power in a few large corporations has stimulated a sequence of technical innovations designed to harvest personal data. The prevalence of surveillance and targeted advertising is directly attributable to corporate control. The design of the major sharing platforms is organized around and reinforces operational autonomy despite the

democratic potential of the Internet. Where once the free expression of opinion on the Internet counter-balanced the mass media, its successful colonization by these corporations has made much of it into just another propaganda apparatus. Privacy advocates call for a return to the decentralized structure that characterized the system before it was dominated by Google, Amazon and Facebook (Feenberg 2019).

The substantive impact of the locus of control is also clear in the relations of business to the surrounding community. Where management is free to ignore externalities suffered by the community, efficient technical solutions may have dire consequences for the larger social unit within which the enterprise is situated. If consulted, the community would likely choose different solutions, for example, less polluting ones. Indeed, communities routinely go to court to oblige local businesses to respect the environment.

In sum, decision-making based on criteria of rationality and efficiency is not truly neutral. Furthermore, democratization is not a merely procedural desideratum but is bound up with substantive ends.

Democratization

The rapid technological change characteristic of modern societies since the 19th century has a wide variety of causes and consequences. Because critical constructivism focuses specifically on the role of operational autonomy, it is concerned with those aspects of change related to the power dynamics in the technosystem. The issues involved, for example, environmentalism and privacy, are certainly not the only important ones, but they have had an increasing impact and therefore deserve attention and study.

Struggles over technology have impacts at both the level of substance and procedure. On the one hand, negative experience with technologies and technical systems is articulated critically in the public sphere. The publics excluded in the past seek now to undo the substantive harms of inherited designs. This is most visible today with respect to pollution which business ignored throughout most of its modern history. Today business is constrained by public opinion and regulation to take account of the health of communities affected by its wastes.

On the other hand, each new constraint on business diminishes its operational autonomy to some degree. Extrapolated to the limit, this procedural consequence would yield a truly democratic technical system. Short of that goal, the business system is constrained to better serve substantive public interests in one or another domain.

The question of democratization of technology is contentious. Technical disciplines promise universal benefits and the very notion of rationality includes an appeal to the reason of all members of the human species, without differentiation or qualification. The claims of expertise cannot be ignored but experts, like all human beings, make mistakes and overlook harms and desirable potentials of the artifacts and systems they design and operate. In principle they serve the public in performing their duties in accordance with rational principles, but experts act in a specific context. Where they are employed by capitalist firms, their application of

technical knowledge is governed by criteria determined by their employer. The firm itself bears no responsibility not imposed by law and regulation beyond the making of a profit. The exclusion of workers and communities from participation in technical decisions means that some considerations relevant to human wellbeing will be overlooked. As I will argue in the next section, that exclusion also biases technical designs and the technical disciplines themselves. This is why an exclusive emphasis on the ethical responsibilities and opportunities of technical designers is no solution to contemporary problems.

Technical democratization in capitalist societies involves the recovery of the overlooked considerations under pressure from the public. The demand for democratization is a claim for the extension and formal recognition of these contributions of non-experts, not a rejection of the role of expertise. The widened range of actors consulted in democratic decision-making has the *potential* to introduce considerations overlooked by capitalism, but this is not inevitable. History reveals the many useful interventions of users and victims in the redesign and regulation of technology, but democratic publics have also been known to make bad decisions. Nevertheless, historical experience with dictatorship and democracy inclines one to prefer the latter. The notion of technical democratization simply extends this preference to the technosystem.

Public demands may be articulated in a variety of forms, but almost always a posteriori, after a technology is released into the public domain. For example, consumers may complain about the danger of a product or boycott it. Workers may demand protection from the hazards of technology at the workplace. Hackers may modify a technical system. Communities may hold firms or government agencies legally responsible for pollution. Demonstrators may advocate new technical policies around issues such as energy.

In any case, the interventions have several salient characteristics:

* *First*, *Punctuality.* They are punctual and occasioned by a specific technical issue which co-constructs a concerned public.

* *Second*, *Discursivity.* They are formulated discursively in a complex hybrid language.

* *Third*, *Innovative Dialogue*. They appeal to experts to make design changes in accordance with the relevant technical knowledge.

In sum, technical democratization involves a dialectic of social struggle culminating in an *Aufhebung*, a new technical design that incorporates a wider range of interests.I call this a change in the “technical code,” the ideal type that describes the intersection of social and technical requirements.

The first point, registering the punctual nature of public action, indicates an important distinction between the usual democratic procedures and public interventions in technical decisions. Since electoral politics rarely addresses technical issues, discontented citizens often act through other means. Furthermore, electoral politics is organized by local jurisdictions that

often do not correspond with the technical networks in which citizens are enrolled. These networks create latent publics that may be activated and become manifest as a result of a scandal, breakdown or change in attitude or opinion in society at large. Once manifest, the new public will exist for a time in the public sphere through punctual actions such as a demonstration, boycott, lawsuit or messaging campaign aimed at political representatives.

The discursive form of these public interventions has a peculiar character that is without precedent in other domains. Typically, technical issues are addressed in a hybrid discourse which combines elements of scientific and technical language with ordinary language. What we might call the “Aristotelian” quality of ordinary language is superimposed on objects properly described in scientific or technical terms.

In Aristotle’s world, things have stable essential properties which resist change and those properties include potentialities that are normally realized in the course of development. Modern common sense remains largely Aristotelian in this sense. Values and facts coexist in everyday discourse in a way that is usually inadmissible in scientific and technical languages. That discourse is teleological and so alien to modern natural science and the technical languages of expertise, but useful for articulating everyday experience, including experience with technical artifacts.

The public perception of environmental harm is based on unscientific but intuitively obvious notions such as the “health” of a river or forest, preferred to a fish kill or dead trees. Never mind that from a purely scientific standpoint there is no reason to prefer the one to the other, such indifference is irrelevant in the world of lived experience which operates according to other principles. Those principles include an aesthetic appreciation of the beauty of nature, sympathy for creatures that resemble us humans, prudence when it comes to intervening in natural processes, and concern for the long term future in which our children will live.

In practice, respect for potentialities is translated into scientific-technical language in order to engage the technical systems of a modern society in preservation and repair. The operational significance of the popular notion of harmony with nature is revealed as traditional appeals are de-ontologized and reformulated in terms of scientific-technical solutions. There is no need to defend the idea of harmony on metaphysical grounds; it is an experiential norm that has scientific-technical correlates. Indeed, there is no natural condition to be restored. The way lies forward to nature, not back to it. The ideal of harmony is now based not on return to a pristine past, but on the imagination of a livable world science and technology can help to create.

The third point, which concerns the interaction of lay and expert, shows that the barrier between that common sense and modern science is not absolute. Consider the example of the water crisis in Flint, Michigan. The presence of lead in the municipal water supply became known through a combination of direct observation of color and smell and through testing by a scientist who aided the community. The scientist was able to give the residents a cause and a name for their foul water: “lead.” But lead as he tested for it, if not in his personal understanding, was simply an element on the periodic chart with a specific atomic weight,

valence, etc. To the members of the community, lead was a threatening invader and a symptom of racial discrimination.

The same object, “lead,” crossed the boundary between science and everyday understanding. It had two different lives, a scientific life as an element and an “Aristotelian” life in which it played the role of threat to “normal” human development, that is, to the realization of human potential, specifically the potential of the growing brains of the city’s children. This is an extension of the concept of “boundary object” in a new direction (Star and Griesemer 1989). It has a corresponding formulation in Critical Theory. As Marcuse put it, there are not only “mathematical truths,” but also “existential truths” of nature (Marcuse 1972, 69).

The movement for a response to climate change illustrates these conclusions. It depends to an unprecedented extent on science and technology. Individuals do not interpret their experience of the weather in common sense terms alone, but also by reference to scientific studies. This is happening despite the prevalence of industry propaganda that contradicts the science.

Bridges can be built between lay and expert around concepts such as “health” and “security.” The effect of those bridges is to translate values into facts, discursively formulated demands into technical specifications. In this way what may appear “irrational” from the narrow standpoint of the prevailing scientific-technical rationality, enters the design of its applications and shapes a rational future.

Bridging concepts enable communication across the boundary between discourses. This is the significance of the third point in the description of public interventions into technology. These interventions aim to communicate the existence and seriousness of a problem by showing it to be a matter of public concern. They are incomplete halves of a dialogue that must proceed between the public and the experts who represent its interests in technical fields.

The concept of “translation” describes this situation. The public translates scientific and technical concepts into everyday language in order to articulate a discontent, and bridging concepts make that discontent comprehensible to technical experts who then translate it into specifications of a modified technical system or artifact. The complete circuit drives technical development forward from one iteration to the next.

The picture drawn here of technical democratization may seem overly optimistic. It is often said that the public lacks the qualifications to make judgments about technology. There are in fact cases in which truly dangerous ideas prevail, as for example, the anti-vaccination movement. Rejection of science threatens the very idea of democracy which cannot function in a modern society without a public capable of interacting productively with the experts who operate the systems on which the society depends. For democracy to function, the public need not submit unquestioningly to expertise, but its challenges must uncover actual problems capable of solution, rather than rejecting rationality in favor of wild conspiratorial tales.

While the anti-vaccination movement and similar attacks on science suggest reasons for caution, the story of Flint’s drinking water resonates with far more extensive and significant

public interventions. The environmental movement has had huge impacts on industry and continues to drive change, especially in the field of energy production. Many of the early changes are now standard technical procedures, their source in public protest forgotten. What might be called a “technological unconscious” covers over the traces of the movements that initiated those changes as their consequences are inscribed in technical specifications.

The successful translation of public demands leaves the impression that more visible phenomena such as the anti-vaccination movement are emblematic of public interventions in general. A proper history of the many engineering, environmental and medical problems corrected in part through public action would provide a different picture. That picture would confirm what we already know in principle, namely, that technical experts and the disciplines on which they base their actions are not perfect, but need periodic correctives.

How important are these considerations on democratization in the larger scheme of things? The argument for democratization of technology has been criticized for over-emphasizing the “binary” distribution of power between managers and experts on one side and subordinates and lay people on the other. Presumably, the fact that they engage in dialogue shows power to be irrelevant, and in any case there are many other sources of technical change. But this argument ignores the inheritance of operational autonomy and its continuing impact. Technical traditions based on an earlier industrial world in which workers and communities were silenced are not easily overthrown. And there are businesses today that profit from their autonomy with dire public consequences. Think Exxon, Purdue, Volkswagen, Boeing…

It is also said that the model of political conflict is inappropriate for technology. It is true that neither a fight to the finish nor compromise describe typical technical developments. Something more interesting and complex occurs where public demands are translated into technically rational designs. I have discussed this in terms of Gilbert Simondon’s concept of “concretization,” a specific type of technical innovation relevant to democratic intervention (Simondon 1958; Feenberg 2017c). Concretizing innovations overcome conflicts over technology between social groups with different agendas by combining their goals in new designs, a new technical code. For example, the electric car combines the seemingly opposed demands of environmentalists and commuters.

But the fact that technical controversies are often resolved by innovations or redesign does not mean politics is irrelevant. Sometimes the dialogue between lay and expert can only get off the ground through compelling political testimony that may appear antagonistic, even though its intent is fundamentally communicative and aims not at victory or compromise but at innovation. The obstacles capitalism places in the way of that communication should not be underestimated. Hence the essential role of politics.

Instrumentalization Theory

A formally biased device or system cannot be fully explained by an internalist account focused on its causal mechanisms and functions. Such an account leaves out the relation to the social

context within which the mechanisms and functions are situated. That relation has consequences for design and a political dimension and so requires an account of the device or system as a social phenomenon.

Technology is deeply implicated in the social where its design is specifically adapted to customs or the demands of social actors. In this case, the technical object may be conceived as a monad, reflecting in its design the world in which it participates. The design shows the traces of that world in purely technical forms. Thus the technical specification of an artifact, when properly interpreted, reveals its world. Just as we deduce the average height of people in earlier times from the height of the chairs and tables that survive them, so can the many adaptations of technologies to their context be traced in their design.

What I call the "instrumentalization theory" aims to provide a general framework for understanding the sociality of technology. This is problematic because the hard mechanical details of technical specifications do not seem to mix well with the soft stuff of social conventions and values. The engineering department and the philosophy department do not communicate! In devising the instrumentalization theory I attempted to reconcile them.

I represent their supposed incompatibility in two propositions.

* *First*, technical thought, action and artifacts have specific characteristics involving control of nature through causal mechanisms.

* *Second*, technical thought, action and artifacts reflect social and cultural meanings and values.

Once again an understanding of the theory requires a strategy for evading an apparent contradiction.

The instrumentalization theory may remind those familiar with Actor Network Theory of the concept of enrollment in a network. It reiterates the two fold operation of "association" through *simplification* of the object to isolate specific causal properties, and *delegation* through which it embodies norms that grant meaning and script users' behavior (Callon 1987; Latour 1992). The instrumentalization theory follows this pattern but rather than developing the implications for networks it identifies the principal operations involved in association and delegation. This is a phenomenology of technical action based on what I have called a "double aspect" theory of technology. It addresses the correlated structure of technical objects and subjects at both the causal and cultural levels. This focus has enabled me to recover the critique of instrumental reason, familiar from the Frankfurt School, for the empirical study of technology.

Until recently I called the simplifying characteristics the "primary instrumentalization" and those involved in delegation, the "secondary instrumentalization." Initially I identified two primary instrumentalizations on the side of the object, which I called "decontextualization" and "reduction." These characteristics describe the separation of natural objects from their environment and the stripping away of useless features. Think for example of cutting down a

tree and removing its branches and bark to make lumber.

Decontextualizing operations such as these are what is meant by “instrumentality” in the Frankfurt School. They are considered critically insofar as they are assumed to describe a violent world relation. But while these relations are certainly essential to anything we consider technical making, and while they do indeed have a violent potential, they cannot stand alone but only make technical sense when informed by a social content described in the secondary instrumentalization. Again, my initial exposition identified two correlated secondary instrumentalizations, recontextualizing the object in the sociotechnical network to which it belongs and providing it with social meaning. It is at this level that certain trees are singled out to be felled and such things as the width and thickness of the boards are determined, qualifying them as “lumber.”

Later expositions complicated this initial picture and also emphasized the *analytic* character of the distinction between the two instrumentalizations. By this I mean that the two instrumentalizations are not separate processes but aspects of a single process. In the lumber example, the “secondary” recontextualizations and meanings are not subsequent to the cutting down of the tree and the stripping of its branches and bark, but rather are present from the very start in the legal and material requirements of the construction system with which the production of lumber is associated. The primary operations are thus determined by the secondary ones and cannot be initiated separately.

This was not clear in my earliest expositions of the theory because I argued that capitalism eliminated secondary instrumentalizations. This formulation implied that the two types of instrumentalization were separate, when in reality capitalism merely eliminates many traditional secondary instrumentalizations while substituting new ones.

The ambiguity in the early versions of the theory led to problems, aggravated by my terminological choice. I never intended the terms primary and secondary to signify a temporal relation but that is exactly how many readers interpreted them. Once this interpretation of the instrumentalization theory was broached, it became extremely difficult to recover my actual meaning. I tried to do so in *Transforming Technology* (2002), a revised version of my first book, but the misinterpretation recurred again and again. Finally in *Technosystem: The Social Life of Reason* (2017), I abandoned my original terminology and substituted “causal functionalization” and “cultural functionalization.” I do not know yet if this will lay the issue to rest.

My mistake was overlooking how my terminology would be read against the background of the common sense instrumentalism prevalent in Western culture. The impression that there is a *real* distinction between causality or function and culture or meaning arises from the notion that causal mechanisms have a basis in nature whereas social meanings are merely conventional. Presumably, this would explain why a machine that works in New York can be made to work similarly in Peking despite the cultural and social differences.

This suggests a resemblance between technology and science, which claims universality

beyond merely local differences with more justification. The resemblance gives rise to both technocratic arguments and dystopian critique. If technology is independent of society, it may offer an alternative to ideological contention or an iron cage obliterating human individuality and freedom. A whole series of binaries flow from this original binary of the technical and the social.

That binary itself has a social cause. A totem pole is a communication medium, as is a television, but only the latter can be described as a complex causal mechanism without reference to its social insertion. It is the rise of modern technical disciplines, modeled on natural science, and the complex artifacts they make possible that seems to justify the separation of the technical and the social. The differentiation of these disciplines is an institutional reality with immense consequences, but it is misinterpreted when the role of bias is ignored.

Technical specifications reflect the values of the social world in which they are situated. Values enter in two ways. Technical disciplines are bearers of values introduced at earlier times. The values are not present explicitly, *qua* values, but are incorporated into underdetermined aspects of the discipline. Values also appear in contemporary discursive formulations as explicit desiderata for design. Anyone can offer such evaluative suggestions, the marketing department, an engineer, political protesters, even university professors. Some of these discursively formulated values end up in revised designs.

Most criticism of the instrumentalization theory has been motivated by the misunderstanding discussed above. But there is another line of criticism that does not depend on it. It is argued that the instrumentalization theory leaves no room for the agency of things, by which is meant the active contribution of “non-humans.”

In fact the instrumentalization theory recognizes the agency of things without using that vocabulary, but it also recognizes the specificity of the technical as the predominance of the human over the non-human. The technical subject stands in a manipulative relation to its objects. That relation is distanced and lacks the prominent role of reciprocal interaction found in human relations. Typically, the actions of the technical subject change the world far more than the world changes the subject. But interaction with the objects does occur, if not in the short term and to the same extent as in other cases such as human relations. The instrumentalization theory recognizes three types of non-human agency.

First, the technical actor’s identity is shaped by his or her association with technology. Subject and object co-construct each other, as one says in a later terminology. The carpenter is a carpenter through the practices and tools of the trade. Technology shapes the capacities of the technical subject. Second, the world of the subject and what it is to be a subject in that world are shaped by the available technology. Third, unintended consequences of technology such as pollution may come back to haunt the actor. In such cases, it is only necessary to enlarge the context in space and time to discover the connection. On the terms of Actor Network Theory, non-humans are active agents pursuing “anti-programs” countered in turn by public resistance

in what I call the “feedback relation” to technology (Feenberg 2020).

The fact that I do not describe these relations as “co-constructions” is not significant, but it is true that my emphasis has been elsewhere. I reconstruct the culture-critical notion of technological domination in terms of the theory of operational autonomy. Operational autonomy explains the generalization of technical control of human beings in modern societies. Most modern management and technology is designed to suppress the agency of both human beings and things, to reduce them to objects of technical control. The passivity of these manipulated objects is a desired condition rather than a theoretical violation of a supposed universal agency. A realistic look at modern technology does not have to deny agency to recognize that it is purposefully reduced in many technical arrangements and processes. Recognition of the varieties of agency is important for the theory but should not blind us to the realities of the prevailing technical system.

Consequences

The study of technology in philosophy and the social sciences is politically relevant today as never before. Much discussion in these fields turns on refuting cognitive errors such as the notion that nature can be “conquered,” or that a “great divide” isolates human beings from nature. While it is useful to refute erroneous views, a focus on beliefs tends to put the onus on the human species. Cognitive errors do not explain the power structures that are actually responsible for the civilizational crisis we are living today.

Perhaps the massive entry of young people into the climate change movement will make the role of technical politics clear. That movement has unleashed a radical subjectivity oriented toward potentialities and long term considerations heavily discounted by orthodox economic thought. This is a subjectivity with a different sense of time and politics from the prevailing one. The protesters demand a new technical code of industry. Their testimony aims ultimately at major structural changes, not the sort of minor reforms compatible with a continuation of neo-liberalism. Capitalism is challenged once again, as it was by the labor movement in the 20th century, to adapt to a new type and level of social constraint.

Business has enjoyed a free ride so far as the environment is concerned throughout the 19th and most of the 20th centuries. Capitalism’s margin of maneuver has been gradually eroded by regulation in the public interest. But never before has it confronted a political demand to completely overhaul such basic technology as the energy system. In the past fundamental changes in the technical code of industry took place at a pace governed by business. Today it is the whole system that must change in what, from an economic perspective, is the equivalent of overnight.

In this context philosophical reflection on technology must inform political thought. The old disciplinary divisions in which technology was left to the technologists no longer make sense. Critical constructivism offers theoretical resources for addressing the crisis. The core issue concerns the nature of rationality as it is manifested in the technology that supports the social

world. Uncovering the bias of that rationality is the critical task of the study of technology today.

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[1] For example, see the criticisms and my replies in Veak 2006; Arnold and Michel 2017; *Techné: Research in Philosophy and Technology* 17:1 (Winter 2013); *Thesis Eleven* 2017, Vol. 138(1). See also Kirkpatrick 2020.

[2] For a recent summary of the theory, see my contribution to the fourth edition of the *Handbook of Science and Technology Studies* (Feenberg 2017b), republished as chapter 2 in (Feenberg 2017a).

Why Does Annexation Look Like a Problem and Not an Opportunity?

By | 2020: vol 19, no 2

For more than forty years experts and politicians have warned of Israel's creeping de facto annexation of the West Bank. In 1982 Meron Benvenisti and Thomas Friedman declared it was five minutes to midnight"–just a few ticks of the clock before withdrawal would become impossible. The savviest Israeli journalists–Yehuda Litani and Dani Rubinstein–agreed.

That was thirty-eight years ago. Settlers and their Peace Now opponents identified 100,000 Israelis living in the West Bank, beyond East Jerusalem, as the "point of no return." That was 350,000 settlers ago. Just as those forecasts anticipated, the intervening decades have been littered with failed political campaigns, grassroots movements, diplomatic initiatives, and track-two negotiation projects, each billed as the last chance for a peace agreement based on a Palestinian state alongside Israel. Whatever the chances were for success—in decades following the 1967 war–they disappeared amidst the blunders of Oslo, the blood of Intifada II, and the red roofs of the settlement juggernaut.

So if the two-state solution is not only dead, but buried, why is it still evoked by Netanyahu, who trumpets his partnership with Trump and Kushner as a way to defeat it; by settlers, who say they fear the Trump plan will produce a Palestinian state; by liberal Zionist holdouts in Tel-Aviv and New York, who imagine its resurrection, if only the verbal decoration of Israeli rule is not adjusted via "annexation;" by Abu Mazen and Saeb Erekat, who warn the Palestinian Authority will collapse once the coroner's certificate of the two-state solution's death is delivered; and by most European and American leaders, who denounce threats of annexation as endangering prospects for a peace settlement which they have no idea how to bring about? What prompts all these absurd ideas that a negotiated two-state solution is still attainable?

Woody Allen answers this question at the end of his film, *Annie Hall*. His character tells a joke.

> *This guy goes to a psychiatrist and says, 'Doc, uh, my brother's crazy. He thinks he's a chicken.' And, uh, the doctor says, 'Well, why don't you turn him in?' And the guy says, 'I would, but I need the eggs.' Well, I guess that's pretty much how I feel about relationships. You know, they're totally irrational and crazy and absurd and …but, uh, I guess we keep goin' through it because, uh, most of us need the eggs.*

The brother is not a chicken, and the two-state solution is not a real path toward a better

future, but the pretense of its possibility, for those who need the eggs, is still extraordinarily convenient. For silent apartheidists such as Benny Gantz and Benjamin Netanyahu the two-state solution is a false flag under which the brutality of occupation can be extended indefinitely. For the far right, it is a bogeyman, useful for demanding ever more aggressive measures to prevent it shrinking the living space of Palestinians while expanding it for Jews. For liberal Zionists and the peace process industry of foundations, pundits, consultants, diplomats, and NGOs it is a fundraising slogan to "keep hope alive." For the Palestinian Authority it is a rationale for existence more palatable than the function it actually performs as Israel's Arab Department for Judea and Samaria. For the EU, the Israel lobby in the United States, and a majority of American politicians, it is a safe harbor. Advanced as a morally comfortable "sensible" position that recognizes both Palestinian rights and Israeli requirements, it shields them from accusations of either anti-Semitism or anti-Palestinianism.

As a negotiated solution, two states for two peoples is no more. Still, as a fiction it does some very heavy lifting. It is precisely this combination of impossibility and pretense that explains why so much wasted concern and faux-excitement surrounded Netanyahu's ten-month burlesque show about whether and how he might change the language Israel officially uses to describe its rule of some zones within the lands it has effectively ruled for more than half a century. For what Netanyahu-style "annexation" came down to is nothing more than replacing one description of the legal status of some West Bank settlers, currently treated under Israeli law "as if they are living in Israel," with that used to describe Israelis living in expanded East Jerusalem, where they are said to live in an area to which "Israeli law, jurisdiction, and administration" have been extended. Just as in East Jerusalem (added in 1967 to the municipality of West Jerusalem but not to the State of Israel itself), so in whatever portions of the West Bank are targeted, neither the terminology nor the full implications of formal annexation or a declaration of sovereignty will be involved. Indeed, what is most puzzling about the entire brouhaha over "Will he or won't he annex?" is that so many observers, analysts, and protagonists, who have watched and studied this problem so carefully for so long, could be so overwrought about such a meaningless question?

The reason for their confusion is that they are caught in a frame of reference, a paradigm, that is fundamentally inappropriate for current realities. Viewed through that lens, much of what should be obvious is impossible to see, while much of what is seen is illusory. Saddled with exhausted categories, two-state diehards cannot understand what the Israeli-Palestinian conflict has become after 53 years of de facto annexation. This is the argument of my book, *Paradigm Lost: From Two-State Solution to One-State Reality*, which uses what we know about how paradigms change to facilitate clearer thinking on this issue and re-establish hope for the future.

I note that both political and scientific projects depend on shared problem definitions, assumptions, and deep theories that together focus the attention of members of the communities formed around these projects, enabling precise communication, systematic inquiry, coordinated action, and the accumulation of knowledge. Both scientific and political projects operate within paradigms of unquestioned and unquestionable beliefs so that

priorities, agendas, debates, methods of work, and coordination of effort are not disrupted by evidence and arguments that threaten the foundations of the community. To be successful, every project, whether scientific or political, must distort part of reality in order to focus effectively on and explain or manipulate other parts. That means treating questions posed in ways that contradict basic assumptions as nonsensical, irrelevant, or a waste of time, while an agenda of authorized questions to be answered and tasks to be accomplished guides debate and the work necessary to improve the effectiveness of both analysis and action.

The two-state solution paradigm has a long, distinguished, and productive history. It helped put the struggle for peace, justice and equality of rights for Jews and Palestinians at the center of international diplomacy and slowed processes of de facto annexation enough to have created real, albeit temporary, opportunities in the 1980s and 1990s, to realize an agreement conforming to its vision. But no project, however sophisticated, can ever build in an automatic sensor for its adherents so that they can quickly know when its assumptions are overwhelmed by anomalies, inaccurate forecasts, and unanticipated events and must be abandoned and replaced, rather than heroically defended.

Until they break free from the Procrustean bed of two-state solution thinking, the paradigm's faithful are forced to defend policies (such as the resumption of US brokered negotiations; or the removal of masses of Jews from the West Bank) whose success they no longer expect while worrying about irrelevant developments (settlement construction or pseudo annexation) which are at best of no consequence and at worst a distraction from dangerous threats and latent opportunities. The result is demoralization, confusion, anguish, and boredom.

In his fecund extension of Thomas Kuhn's seminar work on paradigms and scientific revolutions, Imre Lakatos renamed paradigms as "research programs" and showed how they contain both negative and positive "heuristics"—guides for what not to think about and for what *to* think about.[1] The negative heuristic of the community is comprised of beliefs that must be treated as presumptively true, and therefore not subject to challenge. It orients the community toward the world it seeks to understand and change, enabling adherents to solve discrete puzzles, pursue limited goals, and devise strategies for accomplishing key objectives. These, Lakatos refers to as a research program's "positive heuristic."

By applying these neo-positivist ideas about paradigms we can learn a great deal about the difficulties and disorientation two-staters are experiencing, and about the crucial, and exciting results of experimenting with thinking previously considered "out of bounds" or contrary to long-standing and fundamental beliefs.

Growing out of broader commitments to a territorial compromise that developed after the 1967 war, the "two-state solution paradigm" gained traction in the 1980s and, scored a series of impressive analytic, predictive, political, and diplomatic successes. Indeed, for twenty years following the outbreak of the first Intifada, it reigned as nearly hegemonic among observers of the Israeli-Palestinian conflict, and among policy-makers, diplomats, and activists working toward its resolution. Its negative heuristic contains two ontological commitments that

establish the nature of political reality between the Jordan River and the Mediterranean Sea. The first is that the land between the Jordan River and the Mediterranean Sea is inhabited by two national groups—Jews and Palestinians. The second is that it is comprised of two zones: 1) the State of Israel (within the green line established in 1949)' and 2) territories that are not part of the State of Israel. It is the combination of these two apprehensions of reality that anchor the expectation (or theory) that the only attainable and acceptable outcome of the conflict between Palestinians and Jews, is establishment, alongside Israel as a majority Jewish state, of a majority Palestinian state.

Nothing that has happened in the half-century since the 1967 war has affected the first principle. There were, and there still are, two and only two national communities between the river and the sea. On the other hand, a great deal has happened to erase the distinction between territories inhabited by Palestinians and ruled by Israel for 72 years and territories inhabited by Palestinians and ruled by Israel for 53 years. Indeed, so much has changed that treating the West Bank and Gaza Strip as if they are separate from the State of Israel is now more disorienting, and more disruptive of clear thinking and effective political strategizing, than treating the land between the river and the sea as ruled by one state—the state named Israel. The collapse of the two-state solution paradigm is apparent in how wooden its arguments have become, how hollow are the formulas it uses to assess the political situation, and how unimportant and unrewarding are the topics it recommends for attention, research, and debate.

Two-staters, for example, often defend their project by claiming that it is impossible for one state to rule the entire area between the Jordan and the Mediterranean. Since there is no alternative, so goes the argument, two-states *must* be the solution. Of course, neither God nor history guarantees that every problem has a "solution." But the claim that the only stable outcome possible is two states is a key tenet of the paradigm's negative heuristic—its unchallengeable "hard core" in Lakatosian terms. As such it is a claim that cannot be contradicted or even seriously evaluated by two-staters, even though it is palpably false. There is, after all, a state, Israel, whose Central Bureau of Statistics counts citizens living on either side of the green line as living within it. For all regions between the river and the sea, this is the state which collects taxes, delivers mail, regulates water and electricity supplies, maintains surveillance, authorizes entry and exit, and determines the security of the lives and property of its residents, whether they have the privileges associated with "citizenship" or not. Of course, what kind of a state Israel is, whether it is democratic, non-democratic, or partially democratic, is an open question, but the claim that rule by one state between the river and the sea is impossible is flatly contradicted by the brute fact that it already exists.

The assumptions that there are two peoples in the land *and* that the land is divided into Israeli and non-Israeli areas lead two-staters to expect that establishing a Palestinian state alongside Israel will require each side, seen as a coherent national unit, to compromise. That, in turn, implies that the two peoples can and will negotiate with one another to find a territorial compromise that at least minimally satisfies their national aspirations. Accordingly, it is expected that both Jews and Palestinians will have to moderate national ambitions, including

their territorial objectives, in order to be bring their demands in line with something to which the other can agree. Within this paradigm, the route to achieving that end is always the same—negotiations. Whether comprehensive, step-by-step, preceded by confidence-building measures or track-two diplomacy, conducted directly, via proxies, or under the auspices of great powers or the United Nations, the process of moving from no-peace to peace, or from "occupation" to "two-states" is depicted as a process of negotiation.

This dimension of the paradigm's positive heuristic has encouraged analysts and policy-makers to treat as crucial questions about how to enhance prospects for negotiations, how to launch and conduct them properly, and how to tweak institutional designs to facilitate their success. The result is a proliferation of intricate studies and policy papers concerning transitional arrangements, how Jerusalem can be both shared, and divided; whether to call the entities independent states or a confederation, or both; where to draw boundaries; what tracts of land to swap; compensation schemes for settlers who return or refugees who don't; shared condominium responsibilities in some domains; the stationing of international forces; special security arrangements, including degrees of demilitarization for different zones; rules for accessing holy places; responsibilities for management of aquifers; extraterritorial citizenship; designing tunnels, bridges, and railways to achieve "transportational continuity" for Palestinians in lieu of "territorial contiguity, etc.

In Thomas Kuhn's language, answering these questions is the normal science of the two-state solution paradigm; in Lakatosian terms, it is that research program's positive heuristic. If promising negotiations were in progress, or had any chance of being launched, this agenda of research and work would indeed be important. But that is not the world Jews and Palestinians inhabit. Except when lame duck Israeli Prime Ministers (Barak at Taba in January 2000; and Olmert in 2008) have made desperate and non-credible offers before their removal from office, nothing has been put on the table by the Israeli government that comes close to a starting point for meaningful talks. Nor, despite active encouragement from the entire international community, has any Israeli government been willing to accept Palestinian representatives as bargain makers rather than order takers. In the real world as it has unfolded the questions two-staters pose are simply irrelevant. With the cultural and political transformation of Israel and the utter failure of repeated peace initiatives to gain any traction whatsoever (e.g. those associated with George Mitchell, John Kerry, and Jared Kushner), even avid two-staters find it difficult to suppress the sensation that their efforts are equivalent to theorizing better arrangements for deck chairs on the Titanic *after* the ship has sunk.[2]

An unproductive positive heuristic is not only marked by the irrelevance of the questions it asks, but to the displacement of attention it occasions better questions that could be asked. In this case the motivations that count are those attached to the real purposes of the US government, the Palestinian Authority, and the Israeli government, each of which finds in the pretense of possible negotiations a convenient vehicle for accomplishing other objectives. Attached to these motivations are the political processes that really matter—not diplomacy, or Israeli-Palestinian relations–but those pertaining to struggles among Israelis and among Palestinians.The fact is that the only truly impactful negotiations about Jewish-

Palestinian relations have been those occurring among Israeli parties, movements, politicians, and policy-makers. From the perspective of the two-state solution paradigm, whose focal point is bargaining between Israel and the Palestinians, complemented by the facilitative role of Washington, this makes no sense. But it makes perfect sense if it is accepted that one (Israeli) state already governs the entire area between the river and the sea.

A focus on negotiations to implement a two-state model of a "solution" also implies that questions of importance will be posed and could be resolved in a time frame of months or years, i.e. within the scope of decision relevant to incumbents or to those expected to replace incumbents in the near future. But the forces shaping political outcomes in the one-state reality will operate over decades and generations. These involve political transformations within Israel and among the Palestinians, as well as reengagement with the conflict by the international community based on democratic rights and equality rather than on territorial compromise. Within this time frame, and with regard to these crucial processes, a heuristic demanding attention to the short-term will prevent precisely the kind of thinking that is most interesting and potentially productive.

For example, among the lines of analysis the two-state solution paradigm discourages, is the long-term potential for and implications of fragmentation within the ranks of Jews and Palestinians. Potential realignments will be based on multiple dimensions of group identity, crosscutting cleavages on issues that cut across communal boundaries, and campaigns by ambitious politicians to advance their interests by mobilizing new coalitions and new sources of support. These are the dynamics David Ben-Gurion had in mind when he warned that because of divisions among Jews, "there can be no stable and legitimate Jewish state so long as there is a Jewish majority of only sixty percent."[3] Ben-Gurion was shrewd enough to know that in the cauldron of democratic politics Jews and Arabs would eventually become political bedfellows, with inevitably transformative consequences. We see the first signs of this kind of change in the high-profile role the Arab-dominated Joint List already plays in Israeli politics. We see it as well in the movement of progressives and moderates in Israel away from the demographic argument (which treats the idea of more Arab voters as a threat) and toward a view of Arab voters and increased Arab political participation as crucial for challenging the dominance of right-wing ultranationalists.

The future of Israel-Palestine cannot be known with clarity, but thinking within the one-state reality paradigm brings the picture into much sharper focus, alleviates confusion, and sets out an exciting agenda for analysis and political action. Instead of worrying about Netanyahu's tactics or how settlement of E1 (an area between East Jerusalem and Maale Adumim) could dash all hopes for a two-state solution, campaigns to mobilize East Jerusalem Arabs to vote in municipal elections could transform the governance of that city for all its inhabitants. The true unification of the city can be celebrated under a commitment that someday the entire city of Jerusalem-el-Quds will be open to and available to all Jews and all Arabs, from the river to the sea. By recognizing that annexation has already occurred, Jews and Arabs can join under the banner of equal rights for all within the state that governs them as the real route to ending occupation. Understanding Israel as a large but only partially democratic state, leads to new,

instructive, comparisons. Its democratization, and the end of oppression over Palestinians, is much more likely to resemble cases of increasing inclusiveness in limited democracies, than it will the sudden and dramatic onset of independence and peace associated with decolonization. Instead of looking to De Gaulle, the Evian negotiations, and Algerian independence from France, to learn how Israeli rule over the West Bank and Gaza will end, as I and others did in the 1980s and 1990s,[4] we instead should think about how countries came to extend citizenship and the franchise to large, despised, stigmatized, subordinated, and previously excluded portions of their populations.

What is striking about that process is not only how much time it takes, but the factors that make it happen. Democratization of this sort is seldom the product of bargains between dominant and subordinate groups, or of a sudden change of heart by the dominant group. Typically, it evolves as a result of unanticipated, unintended, but irresistible, second and third order effects of policies and projects designed for other purposes, and as the unanticipated but irresistible consequence of international, cultural, and socioeconomic forces, and of sharp partisan political competition for new pools of potential voters.

Consider, for example, the Act of Union in 1800 that, after centuries of British colonial rule, made Ireland and its large majority of Catholics part of the United Kingdom. This forcible annexation of Ireland was certainly not imposed by a British that imagined it was laying the groundwork for a multi-sectarian, British-Irish democracy. Nevertheless, after 80 years, that was the result. The fact that 40 years after that, thanks to generations of struggle for Home Rule and an Irish “intifada” from 1919-1921, a portion of Ireland seceded, only shows that politics never stops, and that an expanded and democratized Israel could yet give birth to a two-state outcome, one that could not be achieved without the forcible inclusion by the dominant state of a large and stigmatized population.

The United States is a flawed multi-racial democracy; but a multi-racial democracy of any kind was never the plan of its founders. Nor is it the result of negotiations between Blacks and Whites. When the Union army occupied the states of the Confederacy millions of formerly enslaved blacks became part of the American political arena, with delayed but massive political consequences. Neither President Lincoln nor virtually anyone else in the North imagined that the result of the war should be a national state led, eventually, by a black President. But the world changed. It always does. For generations, the Democratic Party enforced Jim Crow oppression, but with the great migration, two world wars, and sweeping changes in the role of the federal government in national life, some Whites discovered interests in alliances with Blacks. In the process the Democratic Party itself was transformed so that now it cannot even hope to win national elections without a massive turnout of black voters.

In most industrial democracies, women were historically deprived of virtually all political rights. They gained suffrage, as Dawn Teele has shown, not because male and female representatives negotiated with one another about the terms of a transition to full citizenship for women, but because women struggled for rights and because male incumbents repeatedly feared defeat at the hands of male rivals unless they enfranchised women who would vote for

them.[5] But perhaps the most striking historical exemplar of this process is Israel itself. Following the 1948 war, and the 1952 Citizenship Law, Israel fully annexed the territories it had occupied lying beyond the United Nations Partition boundaries–the central and western Galilee, the northern Negev, West Jerusalem, and the Little Triangle. Part of this process was David Ben-Gurion's decision in 1949 to authorize the vote for the Arabs who remained in these areas. He did so largely because he wanted their votes, votes he knew the Military Government established over them would deliver. That strictly partisan decision led, down a long and winding road of suffering and struggle, to an Israeli polity within which the Labor Party Ben-Gurion led practically vanished, eclipsed as an opposition force by the mostly Arab and Arab-led Joint List.

Within a one-state reality paradigm, those who struggle for equality, democracy, and non-exclusivist rights to national self-determination, can look forward to victory. It will take time, a great deal of time, and problems will remain. But the problems of increasing equality are preferable to those associated with a regime of unrecognized oppression and the moral disasters, violence, and destruction that it breeds. The problem, then, is not annexation, but its meaning. The opportunity concealed by a decrepit two-state solution paradigm is to change annexation's meaning, from legalized oppression to democracy and equal rights under the law.

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Palestine–Israel: The Next Stage

By | 2020: vol 19, no 2

The Two-States Solution: a Short Bio of an Ill Solution

The two states solution has interesting history. It was born in 1937, when the Palestinian revolt of 1936 made clear that it is impossible to impose on the Palestinian majority the Jewish state that Balfour declaration of 1917 envisioned.

Nor were the Jews and their British patron ready to let the Palestinians establish their own state. Instead, the colonial patron and its Zionist client tailored a division of Palestine, the concept that later will be known as the two states solution. In November 1947, the UN General Assembly adopted the partition plan of 1936 with modifications. Only the Zionists officially accepted it, while Jordan just in practice. The 1948 War that the Arabs declared ended with Israel and Jordan dividing Mandatory Palestine between them. Unauthorized internationally Jordan and Israel implemented a two-state solution on the account of the defeated Palestinians.

The two states formula regained international momentum as the preferred solution to the Israeli – Palestinian conflict following the Israeli failure to end the PLO in 1982 war and to crash the Palestinian uprising of 1987. Together with the PLO agreeing in 1988 to accept the 1947 partition resolution, the road to Oslo agreements was ready. Oslo style two states solution is based on international law and the right of self-determination of each of the two nations. The common wisdom then was that the road to two nation states living in peace is open, the goal reachable and soon implemented.

Yet, Oslo agreement of 1993 was not a peace agreement just an interim one. Since it did not lay down a framework for the end station, Israel could accelerate its settlements building. Recovered from the shock of Oslo agreement and PLO – Israel mutual recognition, Oslo opponents worked to fail it. When politicians and civil society activists discussed peace in attractive resorts or foreign office discussion rooms, Israel created new facts on the ground by expanding settlements to the extent that Oslo style two state solution looks impossible to implement. Half-hearted Israeli ministers and doubtful government operators joint settler organizations in this operation. Consequently, Israel rules over the whole area between Jordan and the Mediterranean despite the demographic equality between the two peoples. After destroying the Palestinian Authority in retaliation to the second Intifada, 2000-2005, Israel let it reestablished conditioned functioning as her sub-contractor. Thus, a single regime rules over the whole area. In other words, the Palestinians are de-facto annexed to Israel whereas the settlers enjoy de-jure citizenship rights. This hierarchy of collective rights and power led the Israeli NGO Yesh Din to conclude that Israel commits apartheid in the West Bank.[1]

It is widely agreed that the two states solution is almost dead if not already passed away. Outside the emergency room where this solution lays, one group of worried Israeli, Palestinian and West European relatives refuses to give up hope that it will survive. Outside the hospital, another group cannot hide its satisfaction. The illegal inheritors plan annexing parts of the occupied Palestinian West Bank including Israeli settlements. They include not only Israeli settler and state agencies but also American evangelists and Trump administration members. Coordinated with the Israeli PM, earlier this year Trump published its Israeli – Palestinian "peace" plan.[2] It recognizes Israeli sovereignty over all settlements and nearly all of East Jerusalem. Until then annexation was not on the table, just a long-term target. Settlements expansion aimed to prevent the establishment of a Palestinian state. In 2020 Trump and Netanyahu put annexation on the top of their agenda. The Israeli PM set 1 July as the date he will bring his annexation plan to the Knesset for approval.

If you wish to see how annexation looks like, take a trip to East Jerusalem, Israel's national annexation laboratory. Annex and discriminate is the guiding principle that Israel exercises there since its unilateral annexation in 1967. Driven by demographic fears of a small Jewish community in Arab Middle East and serial imagined existential dreads, the Jewish state systematically discriminates its non-Jews citizens[3] and more so in annexed East Jerusalem where about 40 percent of the city population are Palestinians. Indeed Israel provides them residency and national insurance but only 13 percent of the land Israel took in 1967 is left for them to build on and rarely the municipality provide them a permit. According to 2017 data, 76 percent of the residents of East Jerusalem and 83.4 percent of their children live below the poverty line, against the average poverty rate in Israel that was then 21.7 and 30 percent among children. At that year, there was a shortage of about 2000 classrooms in East Jerusalem.[4] In 2012, there was a shortage of 50 km of sewage pipes, only six municipal pre-kindergartens and 9 post offices operated in East Jerusalem as compared to 66 and 42 (respectively) in West Jerusalem.[5] These gaps did not close up to date. Practices used in detaining East Jerusalem minors and teenagers are illegal or unimplemented when Israeli Jewish citizen is involved.[6]

De jure annexation, as it is in East Jerusalem, provides Israel with legal tools to confiscate Palestinian land and expand settlements without international law of occupation limits that Israeli High Court have kept through the years in the West Bank. Palestinians caught in those enclaved without land and legal protection will face the threat of deportation or force to leave.[7]

Today, however, de-jure annexation of West Bank areas besides Jerusalem seems no less ill than the two states solution. Israeli peace activists lobbied abroad to prevent, limit or postpone the annexation. So did concerned West European governments and Jordan. They were afraid of regional destabilization consequently to the collapse of Israel – Jordan peace treaty or of an outbreak of bloody clashes between Israeli soldiers and anger Palestinian protesters. Regional instability, most probably, will spill over West Europe cities where many Muslim immigrants live, as happened during bloody Israeli operations in Gaza Strip. The deal between Israel and the UAE finely cleared the political table from the annexation plan. The deal, to which other

Arab states consider joining, is based on establishing full bilateral relations in exchange of suspending annexation indefinably. It should be noted that Israel agreed to suspend only de-jure annexation but not its de-facto one. Neither evacuating nor freezing settlements' spread is part of the deal. Shattering the one regime that Israel established is not a precondition for maintaining formal relations with Israel.

The Regional Strategic Shift

UAE – Israel announcement on upgrading their secret relations to full diplomatic relations, shows that a strategic shift happened in the region. Earlier Israel's occupation was a foreign relations issue. Land for peace was the key to achieve peace as UN Security Council resolution 242 accepted shortly after the 1967 war has put it. Israel's peace agreements with Egypt in 1979 is linked to the legitimate rights of the Palestinian people. Israeli – Jordanian peace in 1994 was possible only after Israeli – PLO Oslo agreement. The Arab Peace Initiative of 2002 conditioned normalization and peace with Israel full withdrawal to pre-June 1967 war lines, the establishment of a sovereign independent Palestine and a just solution to the Palestinian refugee problem to be agreed upon in accordance of UN resolution 194.[8] None of these conditions exists in the UAE – Israel agreement.

The Arab League is broken and Iran threatens Arab conservative regimes. They seek protection in Israel's arms with the US backing. Europe has its own divisions between authoritarian and liberal regimes and Britain stepping out of the EU. Therefore, West Europe is not ready to replace the US as the broker between Israel and Palestine, nor China or Russia.

More than a generation after Oslo, there is no Arab consensus on keeping the Palestinian issue as a pure foreign policy issue. The Palestinians in 1967 areas are part of the Israeli ruling system, not outside of it. The big shift, in my view, is not marginalizing the Palestinian case but turning it primarily to an Israeli domestic problem.

This shift calls for a new strategy to topple the one regime that Israel already created. Recognizing the state of Palestine by major European countries, first and for most permanent UN Security Council members, can improve its political status internationally but not rebuild the paralyzed national movement domestically or replace national liberation struggle. A renewed liberation agency is needed inside the Israeli ruling system. Moreover, this shift undermines an Israeli view that through moderate Arab state incentives Israel may get Palestinian concession on issues that previously prevented concluding Israeli – Palestinian peace.[9]

Needed: a New Agency

The Palestinians are weak and divided politically and geographically between Hamas regime in Gaza Strip and Fatah authority in the West Bank. Under Abbas, the Palestinian polity hardly exist beyond benefitted aging elite. Fearing that non-violent popular resistance will escalate to armed struggle or turn against his rule, Abbas prevents Fatah activists building anti-occupation popular resistance capacity.[10] However, the Palestinian national identity is not eliminated,

just its active political agent. Within these circumstances, armed resistance or an outbreak of new Intifada by frustrated public are possible agencies to shake the ground of the de-facto annexation. Given the power imbalance between the sides, those clashes can end with Israel reoccupation and re-establishing Military Administration on the ruins of the Palestinian Authority. Other carriers, both verbal-symbolic and institutional, have to be formed.

The Israeli peace camp is too weak to function exclusively as an agent of change. With the expansion of settlements, more Israelis benefit materially and make their living from the controlling the Palestinians, in addition to their ideological commitment to 'our forefathers land' or answer their security anxieties by supporting the de-facto annexation. Materially Israelis have much to lose if the current order ends. Moreover, the gap between what the Israeli public understands instinctively from its everyday life experience, i.e. the death of the 80's style two states solution, and Israeli peace camp sticking to it dogmatically, perceives the latter as unrealistic and irrelevant. Indeed, the BDS movement achieved few gains and raises awareness to Israeli practices, but it fails to impose on Israel to withdraw or expanding. Several countries tag the BDS as anti-Semite and limit the movement activities. [11] Finely, the BDS movement operates outside Palestine, with very limited impact inside on boycotting Israel.

Given that the short road to two states solution along the 80's and the 90's model is blocked and the one state reality, honorable Israeli – Zionists and their supporters worldwide cannot escape the following dilemma that is not theoretical: do they prefer Jewish Israel with its Apartheid methods or equality for all living in historical Palestine? Indeed, opting for equality is problematic from a Zionist perspective, at least according to its common definition that the Right wing hammered in the public discourse. Accordingly, Zionism means exclusive Jewish polity in the Land of Israel. The Zionist left failed to challenge this definition despite rich historical alternatives. "I no longer believe in a Jewish State", wrote recently Peter Beinart that until then powerfully advocated for the two-state solution. "Since Israel annexed the West Bank long ago… it's time to imagine a Jewish home that is not a Jewish state".[12]

Against Beinart's view, calling for equality does not necessarily negate the two state solution. Political equality can be realized in a state of all its individual citizens, or in a joint state of its two Jewish and Arab nationalities, in a confederation between two states or in two fully independent states each enjoying self-determination right and equal international status.

Under current circumstances, the road to revive the two states solution or any of its alternatives goes through opposing Jewish Apartheid and struggle for equality. Palestinian self-determination claim lit European and Third World political imagination in the 70s and the 80s. Similar impact is achievable by raising equality between Jews and Arabs in historical Palestine contrary to annexation, Jewish superiority, and inequality.

Israel rules historic Palestine by dividing the Palestinian collective to several groups allocating to each different civil and political rights.[13] Struggle for equality calls to build a big tent of all ethnic discrimination victims and opponents living in Mandatory Palestine. Beyond

restructuring Israeli political opposition by bridging the sharp division to Jewish and Arab opposition parties, West Bank and Gaza Strip officials and civil society activists have to change their minds. Palestinian activists boycotting cooperation with Israelis on the ground it looks like normalization with occupiers and Palestinian Authority officials that continue operating along Oslo period codes, have to reconsider their strategies. The one regime that rules the area between Jordan and the Mediterranean should face joint or at least coordinated opposition spread all over the territory.

Within such front, Israeli-Palestinians would permitted moving to the driver's seat. As long as the Palestinian goal was establishing a state on 1967 territories, they remained on the margins, excluded from the national leadership and PLO institutions. The PLO expected them to advocate inside Israel for its goal. Their claim for equality inside the Jewish state was separated from the overall national struggle to establish independent Palestine on 1967 occupied territories. As the struggle changes course to equality, the Israeli – Palestinian leadership may advance to the fore of the national movement. Whereas oppression prevails in the Palestinian Authority areas, Palestinians inside Israel of 1948 lines enjoy political freedom and basic civil rights. Many of them integrate in Israeli Jewish urban fabrics, the arts, professional occupations and academia. These open for them new opportunities for political action and leadership that are unavailable for the Palestinians in 1967 occupied territories. The main Palestinian struggle has to move from the colonized periphery to the metropole.

Notes

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Why American Progressives Should Support Hongkongers

By | 2020: vol 19, no 2

Progressives are enraged by police shootings and are campaigning for police reforms. As many Americans marched under the slogan “Black Lives Matter” in the summer of 2020, some Hong Kong Americans joined them to express solidarity.

They are fighting against police brutality in both their adopted country and their native city. Hong Kong has experienced a great deal of police abuse and has descended into a police state. During the anti-extradition protests of 2019, protesters and bystanders routinely had their necks and joints kneeled on, their bones broken, and their faces smashed to the ground by police officers. In 2020, protests are banned altogether. Progressives, who champion human dignity for the repressed, should find common cause with Hongkongers confronting the full might of China.

Hong Kong Americans have effectively lobbied Congress and the administration to pass legislation and change policies aimed at restraining Beijing’s erosion of the city’s freedom and autonomy. They have secured bipartisan support from both the Democrats-controlled House and the Republicans-dominated Senate.

Progressives, however, have been far more ambivalent about the Hong Kong cause than the Democratic Party leader Nancy Pelosi. As a Political Scientist of Hong Kong origin, I have been extensively interviewed by mainstream media including the New York Times, Bloomberg, Los Angeles Times, Time, Wall Street Journal, the Philadelphia Inquirer, the Christian Science Monitor, NPR, PBS, ABC, CNBC, Vox, RFA, VOA, and more. At the height of anti-extradition protests in August last year, the Rachel Maddow Show approached me three days in a row but apparently decided that Hong Kong did not fit into their schedule.

This ambivalence may be driven by the misperception that the Chinese Communist Party (CCP) lies on the left end of the ideological spectrum. It is not just Chinese critics who often label the most repressive policies as being ultra-left, Americans and Hongkongers share this view.

For Hongkongers who have spent decades resisting Beijing’s stifling of their freedom and democracy, their instinct is to find allies with the opposite ideology. This explains why, in summer 2019, Hong Kong protesters not only waved the U.S. flag, but also held up signs “President Trump: Liberate Hong Kong.” Jimmy Lai, the publisher of Hong Kong’s only pro-democracy print newspaper who was arrested under the draconian national security law on August 10, had earlier appealed to Trump: “Mr. President, you’re the only one who can save

us."

For American progressives who fight against the worst ills of American capitalism, the CCP seems to share ideological affinity. Bernie Sanders notably praised Chinese leaders for having made "more progress in addressing extreme poverty than any country in the history of civilization." However, the CCP is hardly left-wing when it comes to political and economic equality for marginalized Han Chinese and suppressed ethnic minorities.

The CCP's earlier achievement in reducing absolute poverty had more to do with the end of Mao Zedong's long reign of terror which killed 37.8 million from 1923 (when he became a party leader) to 1976 (when he died). Under Deng Xiaoping, who succeeded Mao, rural peasants became better off because they were allowed to make their own planting decisions and accumulate surpluses. However, Deng's policy since the 1990s to "let some get rich first" also widened the gaps between the well-connected and ordinary peasants and workers. When China acceded to the World Trade Organization in 2001, the working class, who once enjoyed generous cradle-to-grave welfare benefits, suffered from massive layoffs, from which they have not recovered. China specialist Dorothy Solinger observes that China's Minimum Livelihood Guarantee program has only kept the poor in "a state of long-term if not permanent penury."

If the U.S.'s high Gini coefficient of 0.485 seems abhorrent, China's trails closely at 0.468 (2018 figures). World-renowned economist on inequality Thomas Piketty calculates that the share of national income held by the top 10% of China's population rose from 27% in 1978 to 41% by 2015, comparable to U.S. level. Although two-thirds of Chinese capital is in private hands, there is no inheritance tax and data of any kind on the transfer of wealth between generations. He wryly remarks that China is the world's best place to be a billionaire, despite its claim to Communism. Also worthy of note is how Beijing once loved Piketty's analysis on inequality – "until he turned to China." Xi Jinping once cited Piketty's *Capital in the Twenty-First Century* as proof of the superiority of China's "Marxist political economy" over Western private capitalism. When his latest *Capitalism and Ideology* addresses the non-Western world, he was asked to cut sections on China. He heroically refused the request.

In the last two decades, Beijing's and Shanghai's world-class infrastructure projects have been built by internal migrant workers who are not just underpaid, but also derided as "low-end populations." These internal migrants do not have household registration in cities and thus are not entitled to healthcare, education and other public services. Major urban centers have expanded at the expense of peasants who were given such meager compensation that they could not afford to purchase homes in high-rise complexes built on top of their former homes and farmlands.

Progressives may also find Hong Kong's capitalism unpalatable. The city's Gini coefficient of 0.539 ranks it the eighth most unequal place in the world, sandwiched between Comoros' 0.559 and Guatemala's 0.53. While Hong Kong's Gini coefficient was already high in the mid-0.40 range in the 1980s, it went up to beyond 0.5 in the 1990s when Beijing began to use this international city as its gateway to the world. After Hong Kong's return to China in 1997,

state-owned agencies and companies began to buy up the city's assets, prime real estates, luxurious homes, trophy companies, news media, and publishing houses. Well-connected sons and daughters of Chinese leaders gradually dominated business and professional sectors. Beijing came to command so much power that it could order Cathay Pacific, the city's flagship carrier, to dismiss and censor pro-democracy staff by 2019. Beijing also compelled Hong Kong-based international companies such as HSBC and Jardine to support the national security law in 2020. What Hong Kong signifies is the worst of state-led capitalism with concentration of both political and economic power, not of free market capitalism.

In Hong Kong, church-based and community organizations along with government-funded agencies have provided some relief to the poorest. In mainland China, workers who are not paid and peasants who are not compensated have little to fall back on. The CCP is wary of civil organizations that are beyond its control. Rights defense lawyers, who once provided legal counsel and networks of support, were arrested in a massive sweep in 2015.

China's ethnic minorities and peripheral populations have fared even worse. Progressives should stand with colonized peoples against colonizers. Yes, China was once a victim of Western and Japanese imperialism. However, China has turned around to victimize Mongolians, Tibetans, Uighurs, and Hongkongers. Taiwan could be next. Each of these societies has its distinctive language, culture and history. Mongols in Inner Mongolia have staged rare protests against the imposition of Mandarin education. Tibetans and Uighurs are subject to not just the erasure of their languages, but also constant surveillance by artificial intelligence as well as security agents at every street corner and on roof top.

Hong Kong could have been subject to post-colonial self-determination but Beijing compelled London to drop the city from the United Nations list of colonies in 1972. Progressives may not care about what the British think about the city, but should take heed of how Hongkongers see their fate as going from a British colony to a Chinese colony.

Hong Kong's young people from teenagers to junior professionals were at the forefront of protests in recent years because they already found themselves subjugated both politically and economically as second-class citizens in their home city. The Beijing-imposed national security law now further inflicts torture and execution on those taken across the vanished borders to mainland jurisdiction, lengthy sentences and police abuses on those arrested and convicted in the city, and censorship and brainwashing on those who do not run afoul of security agents.

For both the left and the right, Americans who champion universal values have ample reasons to condemn Beijing's bloody crackdown of its own people during the Great Leap Forward in 1958-62, the Cultural Revolution in 1966-76, the Tiananmen massacre in 1989, and of "liberated" populations in Tibet and Xinjiang over the years, and in Hong Kong now.

American analysts once believed that all was well in Hong Kong so long as the People's Liberation Army did not roll out military tanks in Tiananmen-like fashion. This view misses the fact that the Tiananmen model carried sub-military elements: the use of regular security agents

to beat people to death in the city of Chengdu, the fomentation of “riots” and “turmoil”, the narration of “the truth” about the police versus the protesters, and the use of patriotic education and censorship to create “Tiananmen amnesia.” Since Tiananmen, Beijing has mostly relied on public security forces and hired thugs to achieve “stability maintenance.” These are the same tactics that Beijing has deployed to suppress Hong Kong.

American support is not always welcome in some parts of the world. Hongkongers, however, have repeatedly urged on the United States to help them. The 1992 Hong Kong Policy Act which granted Hong Kong special customs and trade status was promulgated in response to Beijing’s promises to maintain the city’s “high degree of autonomy” under the “one country, two systems” model. With the national security law, Beijing has completely broken its international obligation to the city. Hong Kong Americans are thankful that the Democratic Party has pledged support for the 2019 Hong Kong Human Rights and Democracy Act and the 2020 Hong Kong Autonomy Act in the 2020 party platform. Joe Biden has correctly called out the CCP’s treatment of Uighurs in Xinjiang as “genocide.”

When presidential candidates are competing to sound tougher on China, the silence among progressives gives Hong Kong Americans the impression that those on the American left care less about Hong Kong. This has spill-over effects on their attitudes toward mainstream Democratic candidates. Hong Kong Americans, like other Americans, are split between Democrats and Republicans. They are highly organized and mobilized as voting blocks. Progressives could win them over by taking a stronger stand on Hong Kong’s similar fight for equal rights, police reforms, dignity, freedom from fear, and democratic accountability.

‘One Country, One System’ under Hong Kong’s New National Security Constitution

By | 2020: vol 19, no 2

Beijing officials imposed the new National Security Law (NSL) on Hong Kong claiming that it would only reach a few bad apples, that nothing else would change. A closer look tells a different story.

In the 1984 Sino-British Joint Declaration Hong Kong was promised a high degree of autonomy; the rule of law in accordance with common law principles; human rights, with the full protections of the International Covenant on Civil and Political Rights (ICCPR); and democratic reform. These commitments effectively promised a liberal constitutional order, with fully half of the sixteen human rights listed relating in one form or another to freedom of expression. The continuance of the common law, with courts being independent and final was promised. All of this content was stipulated for inclusion in a basic law to be drafted. Under this “one country, two systems” formula, countries of the world were invited to recognize Hong Kong’s special status.

The 1990 Basic Law included most of this promised content, with some limitations regarding the rule of law and democratic reform.

While the courts are generally independent and final, the ultimate power to interpret the Basic Law was assigned to the National People’s Congress (NPC) Standing Committee. The NPC Standing Committee quickly took advantage of this privilege in the 1999 so called “right of abode case”—where the Standing Committee essentially overruled the decision of the Court of Final Appeals (CFA). Likewise, the NPC Standing Committee has continuously intervened to block the promised “universal suffrage” for Hong Kong.

These sticking points became the cause for a number of popular protests attracting millions of people over the years, as anxiety over growing Beijing interventions in Hong Kong grew.

Two million protesters that joined the anti-extradition protests in 2019 understood that continuing protection of the rule of law and basic freedoms in Hong Kong depended on maintaining Hong Kong’s autonomy. At the same time, they further understood that the current Chief Executive and cabinet, effectively selected by Beijing and its supporters, was not up to the task of guarding autonomy. Democratic reform to put in place a government answerable to Hong Kong became the protesters core concern.

Instead of listening to popular concerns and carrying out the promised democratic reforms

Beijing officials have engaged in increased interference and repression. A complicit Hong Kong government has become the instrument of such repression.

The more indifferent Beijing is to Hong Kong concerns and the more interference and repression it administers or encourages the more resistance it receives.

The new NSL reflects Beijing's judgement that more repression is needed, this time under direct Beijing control.

The only way this repression will be limited to a small number of bad apples is if all resistance stops. Rather than foot-dragging on democratic reform or interfering in the legal process, Beijing has effectively imposed a new constitutional order on Hong Kong.

Hong Kong's autonomy has gone out the window in the area where it is most needed, national security.

The PRC's national security policy generally targets China's own people. This has long been evident in the repression of popular resistance on the mainland and in China's peripheral communities.

In the so-called "709 crackdown" against lawyers and human rights defenders, 250 lawyers and human rights defenders were initially charged with "subversion of state power" or "picking quarrels and provoking trouble."

The spirit of such containment is best reflected in China's famous "Document 9," a communist party directive which forbids promoting—including teaching—topics like constitutionalism, separation of powers and western notions of human rights.

Many in the academy wonder if the NSL now represents a Hong Kong version of Document 9. Mainland officials have particularly attacked the separation of powers inherent under Hong Kong's common law tradition.

The NSL clearly undermines autonomy in this sensitive national security area, providing for the creation of a local Committee on the Safeguarding of National Security (hereinafter the "NSL Committee) and an Office for Safeguarding National Security (hereinafter the "NSL Office).

The NSL Committee is chaired by Hong Kong Chief Executive Carrie Lam and made up of leading cabinet and law enforcement officials. It is answerable to the Central People's Government (CPG) and advised by a top mainland official in Hong Kong. The National Security Adviser, already appointed, is Luo Huining, the head of the local Beijing Liaison Office in Hong Kong. Given the NSL Committee's subordination to the CPG, we might assume that it would ignore the advice given at its peril.

The NSL Committee directs all local staff in national security operations. These staff include special units set up in both the police and the Department of Justice.

The NSL Office is fully staffed with mainland state and public security officers. Its duties include "overseeing, guiding, coordinating with, and providing support to the region in the performance of its duties" respecting national security. It engages in intelligence gathering and handling cases concerning national security. Its activities are secret, effectively being secret police.

Beyond autonomy, large areas of the rule of law also go out the window. Even though NSL Article 4 promises continued protection of the full catalogue of human rights under the ICCPR, the NSL contains many restrictions that undermine the achievement of this purpose.

As a national law, later in time and more specific than the Basic Law (also a national law) it would appear to override the Basic Law where there is conflict—as specified in China's Legislation Law. It therefore seems highly doubtful that a Hong Kong court could declare any article of the NSL invalid, as a violation of Basic Law guarantees.

The obstacles to otherwise overseeing NSL enforcement efforts are formidable.

The NSL Committee's actions are secret and not subject to judicial review. The NSL Office, in carrying out its duties is not subject to local jurisdiction.

While ordinarily prosecutions should be carried out in the local courts, subject to normal Hong Kong legal process, the NSL provides avenues around local procedural protections. Article 42 appears to impose a presumption against bail, providing, "No bail shall be granted to a criminal suspect or defendant unless the judge has sufficient grounds for believing that the criminal suspect of defendant will not continue to commit acts endangering national security."

The Secretary for Justice can direct that the case not be tried by a jury, in which case a three-judge panel will become the trier of fact. Such proceedings can also be closed to the media and the public, with only the judgment issued in open court.

In a clear indication of mainland official distrust of Hong Kong judges, only judges on a special list chosen by the Chief Executive of Hong Kong are empowered to hear NSL cases. Such judges are appointed to this list on a one-year basis and can be removed from the list if he or she "makes a statement or behaves in any manner endangering national security." Since judges are normally bound by ethical restraints it would seems such endangering statements would relate to their rulings in NSL cases.

Access to justice may be further impaired under new regulation issued by the NSL Committee whereby the police, in carrying out their duties, may in certain investigations conduct warrantless searches or surveillance.

Worst of all, when it comes to procedural justice, the NSL Office may take over a case entirely, with the Chief Executive's approval, and transfer it to the mainland for trial under mainland criminal procedures. Mainland China is not subject to the ICCPR and mainland trials in national security cases will not adhere to Hong Kong's common law standards for criminal

justice.

The NSL problems are not just procedural and stretch beyond the degrading of autonomy. The four crimes, all with serious penalties from three years to life in prison are all vaguely defined. Secession expressly does not require “force or threat of force.” Subversion can occur when merely “attacking or damaging” government premises. Terrorism might include “dangerous activities which seriously jeopardise public health, safety or security.” Collusion includes such things as seeking foreign sanctions or provoking hatred by unlawful means. All of these crimes include charges for inciting, aiding or abetting.

As some early cases suggest, collusion may often be connected with secession. In Hong Kong this appears to target the many youth groups who use localist language of identity.

The early August arrest of Jimmy Lai and nine others appears to relate to support for overseas organizations with slogans such as “stand with Hong Kong,” which have allegedly encouraged pressure on China to honor its Hong Kong commitments.

This sort of activity is the standard work of human rights advocacy. It falls far short of the sort of imminent national security threat required in relation to freedom of expression by international standards.

That the NSL reaches the prohibited behavior worldwide, by Hong Kong residents and non-residents alike, has raised global concern. In one case, the Hong Kong special police unit has issued an arrest warrant for an American citizen, Samuel Chu, in respect of his lobbying of the U.S. government to put pressure on China regarding its commitments to Hong Kong.

If we include the various provisions for overseeing national security in schools, universities and even foreign media organizations, then the threat to freedom of expression is breathtaking. The Hong Kong Secretary for Education has even called on schools to ban unofficial “anthem” adopted by Hongkongers, *Glory to Hong Kong*.

As a further treat to free speech, several legislators were disqualified from running for office merely for criticizing the NSL.

Taken as whole, the NSL has surely instituted a new constitutional order. Hong Kong now effectively has a national security constitution.

In the midst of the furor over the NSL, Beijing has accused foreign governments, who criticize the NSL, of improper foreign interference. Since Beijing originally invited foreign countries to recognize Hong Kong’s special status based on its commitments in the Basic Law, such foreign response criticisms and expressions of concern appear justified.

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Poetry!

By | 2020: vol 19, no 2

Poetry!

With in- person poetry readings curtailed by Covid 19 restrictions, this time of Zoom, Skype and Facebook readings has become an opportunity for poets and poetry fans to meet across lines of state, national and even ocean boundaries.

Via such online gatherings as *Cultivating Voices*, I have "met" poetry colleagues throughout and beyond North America. And while in semi-isolation, I have had the pleasure of reading some of their recent books.

Here is a brief selection of a few recently -published books by some of our world's far-flung poets. I hope you may check them out and enjoy. I will plan more selections for future issues of *Logos*. Your comments are most welcome. bill_nevins@yahoo.com

The Migrant States by Indran Amirthanayagam (Hanging Loose Press, 2020).

In this time of closed borders and limited travel, the voice of the experienced literary traveler is most welcome.

Such travelers, or migrants, historically include restless poets like Walt Whitman, Allen Ginsberg and others. Indran Amirthanayagam, an admirer of Whitman and Ginsberg, shares in this book of confessional and lyrical free-verse some cogent first-person declarations of "the migrant". This fine book also examines the vital impact of migration on the USA, despite the anti-immigrant hostility of the Trump regime. The book's cover rather mischievously portrays various American states detached from one another and "migrating" on the page—Texas and a few other states seem to be floating free of the Union!

A Tamil and an immigrant (via London) in his youth to the USA from his native Ceylon (now known as Sri Lanka) and a naturalized citizen as well as a professional US Foreign Service diplomat who has served in Haiti and Mexico and now lives in Maryland, Indran Amirthanayagam well knows the joys and pain of frequent change-of-place, and the longing for past places and times, even for an ancestral home-land (Ceylon) that no longer is found on any map.

"Exile is the modern condition, Ceylon felled/like a poplar, but how did Java vanish,/or British Honduras?"

(from "Curtain Call")

Amirthanayagam's previous volume of poetry, *Uncivil Wars*, reflected upon the brutal 26-year civil war in Sri Lanka which ended in the Sri Lanka military's ruthless, crushing defeat of the Tamil Tigers insurgency and the closing of all hopes for Tamil independence. In a sense, this migrant can never go home.

Yet, Amirthanayagam also asserts that poetry itself is an ever-present "home" or sanctuary for the itinerant poet:

"The band dropped me for my original songs. They

wanted to play covers, earn a bit at parties. They made

excuses. I cried quietly turning rage into shame,

became a scribe then in the monastery of poetry."

(from "When I Quit Punk and Took Holy Orders")

Poetry also has taught Amirthanayagam a deeper appreciation of his adopted homeland, America:

"I became a citizen/and learned later/from Whitman/that America/contains a/contradictory/brimming multitude,/which Lorca discovered/as well when he walked/downtown from Columbia/the year of the Great Crash/writing *Poeta in Nueva York*."

(from "English Migrant")

The Migrant States includes two sections of poems in tribute to Walt Whitman, as well as a section of selections of Amirthanayagam's own English translations of his own Haitian Creole and French poetry written when he was stationed in Haiti.

"To know this country,/when you palaver with people/in the street,/you will discover/all kinds of lies, histories . . . "

(from "Haitian Conundrums")

This is a fascinating and enjoyable book, a migrant journey which takes many surprising twists along its path, as when the author seems to admire and perhaps identify with a cobra who can

"trap Man only when/he walks unaware through/the night and steps/on a mine that rears/and bites his leg or hand."

(from "Cycling")

Though this collection touches on dark subjects—suicide, isolation, deaths and political injustice—overall it seems an optimistic, hopeful vision that prevails. As host of the monthly

spoken word series Poetry at the Port, Indran Amirthanayagam enjoys sharing the stage with "voices at all points of entry" and in this fine collection, *The Migrant States*, he generously shares his own experienced voice with us. Recommended.

Frolic and Detour

By Paul Muldoon (Farrar, Strauss and Giroux, 2020)

Paul Muldoon is one of the most famous living English- language poets, yet his best work is rooted in a distinctly Irish (Gaelic) sensibility. Born in Portadown, County Armagh, Northern Ireland in 1951, Muldoon spent many years in Belfast. He emigrated to the USA and has taught at Princeton University for more than thirty years and he has served as Poetry Editor of the New Yorker magazine. He also writes rock lyrics and hosts a monthly variety show, "Muldoon's Picnic" in Manhattan.

He is the author of thirteen poetry collections, is widely anthologized, and he has won the Pulitzer Prize and the Griffin Poetry Prize. Like his mentor the late Seamus Heaney, Muldoon is an exquisitely- conscious non-combatant survivor of the long civil war/national rebellion euphemistically known as the Irish Troubles. The *New York Times Book Review* has described Paul Muldoon as "one of the great poets of the past hundred years."

I am a long-time fan who has read most, if not all, of Muldoon's previous books, and as such I must say that *Frolic and Detour* strikes me as both fresh and, in many places, surprising.

Muldoon in these poems plays with words and shatters clichés and deftly reimagines poetic forms—all Muldoon trademarks—and the dancing music of his lines is undeniable.

"Encheiresin Naturae" consists of fifteen sonnets arranged as stanzas of a long poem celebrating an Irish harvest, in which the last word of each stanza is the first word of the following stanza. What a joyful harvest word- dance it is!

Yet, along with such controlled yet wild song is also a profound seriousness as the aging poet Muldoon, like his late friend and collaborator the rock composer Warren Zevon (with whom Muldoon co-wrote "My Ride's Here"), weighs in on the toll that life takes on friends, colleagues, and on the poet himself. There are laments for Leonard Cohen and for C.K. Williams and other artists, a poem in tribute to Bruce Springsteen, as well as a deep-diving examination of Muldoon's own connection to other Muldoons, those buried over many decades as children in the horrid mass grave recently uncovered at Tuam, County Galway, in the west of Ireland. Muldoon, identifying with his and our unknown, lost relatives, shares the grief of the discovery of this most unnatural human crime with a deft critical reference to the more natural animal world, "in that unthink–able world where a wasp may recognise another wasp's face / and an elephant grieve for an elephant down at the waterhole." (from "At Tuam")

Fittingly, in the book's final (and title) poem, "Frolic and Detour", Muldoon, who earlier in this book slyly references Yeats's seances, gives us more than a hint at the bright magic he himself

glimpses behind the dark realities of our shared world:“so wren-music/offers druids a permanent link between/this world and the one nearby” (from “Frolic and Detour”)

This book is a treasure, its poems to be savored and revisited again and again. Highly recommended.

Cement

By Sarah Menafee (Swimming With Elephants Publications, 2019)

Sarah Menafee is an advocate for unhoused and poor people in San Francisco and a founding member of both the Union of the Homeless and of the Revolutionary Poet’s Brigade. Her poems in *Cement* are as lyrically sharp as broken glass on a city sidewalk and fiercely precise in their channelling of controlled rage against American social injustice in the Age of Trump.

With the pandemic raging, our country’s unhoused are in horrible jeopardy, as much at risk from this plague both on the streets and in crowded shelters. Menafee gives expression, in spare lines of devastatingly-dry words, here to those many suppressed voices we just might not hear as we huddle **in** social isolation or timidly walk masked and at distance from home to grocery store or sidewalk café.

Some examples:

“plucking greasy chicken bones out of a dumpster/came by and snatched a piece of the breaded skin/a woman asked for what was left and the biscuit heel” (“Heel”)

“my young friend/slept under wadded news-/papers and their lies/underground/in the BART station/or near a dark dune/ . . . in the rains/or dry I wept/over his dreaming/limbs/ . . . gonna need another revolution/just to get a little sleep “ (from “manifestos”)

“even though plenty was left they wouldn’t give him any/he was this blind guy Greek/Diogenes: the only place to spit in a rich man’s house/is in his face (from “this blind guy Greek”)

“let the cement/have its moment/to cry” (“Cement”)

We are fortunate to have brave, keen-eared poets like Sarah Menafee among us. Without them, we might miss the desperate, angry voices which our society ignores at our profound peril. *Cement* is a powerful cry of pain, and, like William Blake’s pair of fierce poems on “The Chimney Sweep”, these fierce poems are a just warning to the greedy and unjust among us. Recommended.

Bittern Cry

by Fergus Hogan (Book Hub Publishing Group, 2019)

This is an intriguing first volume of lyric poems– autobiographical and often mystic and nature-

flavored– by a Waterford, Ireland- based educator and family therapist. Born in Uganda in 1971, Fergus Hogan grew up in Ireland where he now lives.

In Fergus Hogan's poems we as likely to share a glimpse of fairies dancing as we are to taste the treasures of the wild natural world: apples, acorns, streams and ponds. There is more than a memory of early Yeats here, and yet Hogan is his own man, with his own very masculine vision.

That vision includes a brave recognition of how life includes failings and sad regrets, along with joys and accomplishments. In the several sections of his composition "In Search of a Poem for Self-Forgiveness", Hogan paces his quest according to the Celtic seasonal feast-days, from *Bealtaine* and Summer Solstice through *Samhain* and on to I*mbolc* and Spring Equinox, a charming journey.

Small narrative details deftly bring Hogan's revelations home, as when, towards the end of his poem "Bittern Cry", when a father recalls the bittersweet memory of a long-ago outing with his now apparently alienated child: "A tangled mess of fishing rod—left, thrown in a temper/after a day on the water being blown into reeds,/casting into rocks and shallows,/snagged lines, lost hooks, angry voices/carried on thin air: *you're not listening to me/*I said. You said: *Same!"*

Fergus Hogan reveals a very human, imperfect yet hopeful persona in this fine collection of poems. One finishes reading *Bittern Cry* feeling one has made a new friend. That is a fine accomplishment for a book of fine poems. Recommended.

I hope you read and enjoy some or all of these books. I will review more such in future issues of Logos a Journal of Modern Society and Culture.

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Review: George Packer, Our Man: Richard Holbrooke and the End of the American Century Alfred A. Knopf, 2019

By | 2020: vol 19, no 2

Richard Holbrooke's diplomatic career, in this nearly Aesopian tale, forms a dismaying answer for those hardy true believers who reckon that working within a system is the best way to change it. Of course, Holbrooke was no real rebel, but rather a razor sharp and mostly honest assessor of the international events he craved but usually lacked the institutional leverage to shape to the best interest of the nation, as he saw it.

Indeed, the U. S. government that this immensely ambitious man served showed itself steadily to be either losing leverage over, or lacking the ability to handle, complicated events in a wisely advantageous way. The story George Packer tells is one of intertwined ebbings of peak power for both the United States abroad and for Holbrooke personally, who was a talented political player who, despite all his misgivings, doggedly believed in the system to the end. Packer's storyteller instinct is on the mark in choosing Holbrooke as a flawed but illuminating guide through the last half century of American foreign policy.

Holbrooke was nothing if not ambitious, but unlike many deliriously driven people in his professional cohort he tried to yoke naked ambition to a concern for a 'bigger picture' of ethical concerns and realistic goals, and he even had his limits as to how to go about achieving some ends. The infernal crucible was, of course, Vietnam, which in the early 1960s as a brand new Foreign Service officer he wound up as an USAID aide, and head-spinningly soon was in charge of an entire province. His enthusiasm was no match for the enormity of the task of counterinsurgent suppression of what really was a nationalist uprising in the countryside. The portraits of Vietnam circulating among his bosses struck him as deranged and ignorant, which they manifestly were. This sound administrator also learned that there were things you keep from 'higher-ups" if you want to retain your post. The larger problem is that honchos like Robert McNamara were easy to deceive if you told them what they wanted to hear. This institutional syndrome hardly comes as news, but it is interesting when confirmed by an agitated insider.

"Foreign policy makes no sense" his erstwhile pal Leslie Gelb congenially remarked later about (not only) Vietnam, because "people make decisions based on the politics of the moment, or on an ideology that bears little relation to human reality, or by sheer ignorance compounded by wishful thinking. Or they don't make a decision at all . . . just stumbling along and calling the result policy." Which actually might be better than adhering adamantly to a misconceived

scheme, as many did during the Vietnam war – but not much better. You see, given the consensus hard-ass Cold warrior atmosphere in higher circles, “not to interfere was out of the question” regarding Vietnam. Everything in his career is marked by the few lessons learned by authorities from Vietnam and the many others they insistently ignored as new crises appeared.

Packer rightly praises the blunt in-country notes Holbrooke kept, describing the turnstile South Vietnamese regime as “totally bankrupt and disgusting,” of the silly pride of bestowing wheat on rice-eating people who did not want it, of corrupt village chiefs, of lawless lawmen, of an unmotivated ramshackle South Vietnamese Army, of air strikes that create more enemies than they eliminate, and of haughty compatriots barreling around the place recklessly. “The country is so sad.” Holbrooke grasped quickly that the National Liberation Front could not to be crushed militarily. The US Army, he found, nonetheless “makes of men complainers who respect only rank, and consider their own rank as a mark of intelligence,’ and who want to “kill, kill, kill, not fuss around with hearts and minds.” In sum: “Reports lie, they lie.”

Were there, for a teeny-weeny example, 324 strategic hamlets in Ba Xuyen? “On paper, maybe, in reality most of them were flimsy death traps.” As aghast as Holbrooke was at what was unfolding cluelessly around him, he never considered joining hundreds of Foreign Service Officers who resigned to take their dissent outside to forums where they might generate public pressure for withdrawal. (Holbrooke’s ambivalent friend Tony Lake would resign over the Cambodia ‘incursion’ in 1970.) Instead, looking for the ever elusive “better way” (like John Paul Vann, whom he knew) Holbrooke championed French ‘oil drop’ pacification techniques, and was miffed at the ascent of General Westmorland’s attrition strategy instead, even though ‘oil spot’ had been a dismal flop. More out of politesse than disagreement, Ambassador Henry Cabot Lodge declined to send Holbrooke’s deeply pessimistic assessment of the war to Washington D.C.

Why do Americans fall in love with counterinsurgency?” Packer wonders.

“I ask, because obviously we’re no good at it.” Yet the US consolingly does murder, maim and displace plenty of wrongly hued people in this holy quest. Packers gets it in a nut shell: officials behave “as if the solution to another country’s internal conflict is to get our bureaucracy right.” After likewise failing to transform the effete South Vietnamese leadership into main street populists, the last flailing resort was full-scale militarization and a takeover of the war, since LBJ feared the right wing “more the growing anti-war critics.” The vaunted ‘action intellectuals’ of the Kennedy years fell into line or dropped out. Holbrooke toughed it out on the inside, because in no small part, of his “drive to be a great man,” to become Secretary of State some fine bright day.

“You cant be a good counterinsurgent unless you’ve wrecked your marriage,” according to State Department lore and Holbrooke complied. Back home again Holbrooke played the glittery Georgetown dinner party games and circulated with all the right sets, even as he fretted about the war. He became a dab hand in bureaucratic struggles but never quite concealed his actual feelings well enough to truly excel at it. “If you look close enough, and are

in a bad mood," Packer observes. "public service seems to be composed of paperwork and personal feuds." Still, In D.C. in the mid- to late 1960s he worked for Robert "Blowtorch" Komer, met LBJ, and hobnobbed with diplomats, journalists and lots of other men's wives but got too many unsatisfactory answers as to when he would be appointed an assistant secretary of state. Here Packer muses on the "effectiveness trap," of staying on the inside in vain hope of swaying significant things. Yet, for all his evident career obsessiveness, Holbrooke clearly was a capable and responsible civil servant, which makes his personal plight all the more interesting and almost but not quite tragic.

For, despite the "hard , gemlike flame" that Packer justly makes a joke of, Holbrooke, and others like him, was self-snared in a milieu where "foolish certainty usually eats fragile wisdom," where, therefore, pea-brained hawks rule the roost. Holbrooke's pal (up to a point) Tony Lake was likewise distressed by reports of American atrocities, yet none of these aspirant new mandarins could risk contemplating withdrawal. Their dissent didn't mean, get out of Vietnam.

It meant , what the hell do we do know? That was about as far as skepticism could take you while you were still inside. The process was still excruciatingly slow. Later on, people would backdate their moment of truth, their long-deferred encounter with the glaringly obvious. This was often inadvertent — they honestly couldn't believe that they were so wrong for so many years. And when they finally began to lose faith, they kept it to themselves . . . . No one wanted to be called a dove.

A band of high level diplomats gathered for pointless clandestine meetings to discuss looming doubts about Vietnam. The Pentagon Papers began to be compiled, "a record of voluminous lies," that McNamara, who launched the study, later refused to read, and Daniel Ellsberg, who Holbrooke sniffed at as an 'emotional exhibitionist', risked his life and liberty to disclose. Holbrooke did co-author a hefty dissenting memo on the war, but LBJ trashed it. Holbrooke during the 1968 Tet Offensive tellingly found Westmoreland and Komer in shock for swallowing their own press release propaganda. LBJ, after the 'wise men" tell him in March to get out of Vietnam, announced he would not run for reelection. The Georgetown dinners paid off when Holbrooke was assigned to the America delegation to negotiate with Hanoi and the NLF, which did not, to say the least, go well. Interestingly, Packer reports that even Averill Harriman and new Defense Secretary Clark Clifford suspected that LBJ dragged his heels on negotiations to hurt Hubert Humphrey. Better known now is that Nixon sabotaged peace negotiations to augment his own electoral chances. Still, LBJ only announced a total bombing halt on North Vietnam on October 31st, much too late for a consequent surge to put Humphrey in office. Holbrooke, to his credit, could not stomach working for Nixon. However, his blithe boudoir admission that he wanted to be the next Kissinger did lose him a discerning lover.

Holbrooke worked in the Peace Corps and then as the editor of Foreign Policy during the Nixonian interim. A lot of people couldn't stand Holbrooke. but, as Packer proves, as if it needs proving, "ambition is not pretty thing up close." How chastened Holbrooke was by Vietnam, which "upset every expectation" that his generation of young foreign officers had "about what

it meant to serve the United States," is hard to say since, after all, he thought he was on the side of the pragmatic angels. For all that, Packer accurately surmises, "Vietnam fixed them with the dreaded label "softy". and it didn't matter that the hawks were dead wrong — in government that label could destroy you." While former colleagues like Tony Lake and Roger Morris argued during scholarly sojourns for the recognition of the human factor in statecraft and lamented callous disregard for human consequences of U.S. decisions, Holbrooke finally snags a brass ring, becoming assistant secretary for East Asian and Pacific Affairs under Jimmy Carter.

His storied career then hurtles along in a medley of desperate switches between headline-grabbing government posts and get-rich-quick spells of obscenely well-paid sinecures in the odious likes of Lehman Brother, AIG, and Countrywide Financial. The Vietnam war over, National Security Advisor Zbigniew Brzezinski, under Jimmy Carter, considered the State Department a "Convalescent Home for wounded Vietnam Veterans," and accordingly had scant use for Holbrooke. You need quite a capacious scorecard to follow ensuing intricacies of bureaucratic warfare over normalization with China and arms control with Russia. Human rights are especially a chore to champion when peddling weapons to Indonesia during the East Timor massacres, keeping Marcos appeased in the Philippines for the sake of US bases, and dainty tiptoeing around Cambodia because the wrong power (Vietnam) rescued it from the Khmer Rouge. Holbrooke, though, was instrumental in opening immigration quota and helping South East Asian refugees. It's sort of the least we could do afterward. Carter, in Packer's reckoning, loses office because "he couldn't lead and that's what voters wanted, even if it meant being lied to."

Until recalled to public service by Clinton, as a special envoy and then UN Ambassador, and later by a mistrustful Obama (a "technocrat disguised as a visionary"), as a Special Representative on Afghanistan and Iraq, Holbrooke spends his extracurricular time getting better acquainted with Eros and Mammon, having hordes of affairs, starting a consulting firm, helping write D.C. arch-fixer Clark Clifford's memoirs as well as a book of his own, and doing indefatigable power networking. The 1995 Dayton Accords are the summit for his reputation. Ironically, under Obama, he encountered only irritation when raising Vietnam parallels especially over Afghanistan, still our longest war. The Bush Junior White House earlier had no use for his advice about genuine nation-building in Afghanistan either. On the other, hand, his sagacity deserted him when he urged Democrats in September 2002 to vote for the Iraq resolution, largely out of fear of appearing weak. He also dismissed concerns about Russian reactions of NATO's push to its borders. What does the whole story amount to? Well it remains morbidly fascinating to study a public spirited figure who campaigned on his own behalf for the Nobel Peace Prize at the same time as he really tried to represent an America that aimed for power for something more than its own sake.

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Review: Helena Sheehan, Navigating the Zeitgeist: A Story of the Cold War, The New Left, Irish Republicanism and International Communism Monthly Review Press 2019

By | 2020: vol 19, no 2

Helena Sheehan is a well-known and well-established presence on the Irish Left, an activist-academic with a strong form in meditative Marxist thought as well more accessible political commentary. As she shows in her new memoir, *Navigating the Zeitgeist*, it would be almost too obvious to say she led an "interesting" life, moving from post-war suburbia and a brief period as a nun, to communism and Irish republicanism; she narrates each of these stages of her life in a fast-moving and engaging (but not always problem-free) style.

Starting with her childhood, her image of the 1950s – suburbs, conformity, rock 'n' roll, nuclear safety drills – is evocative if also familiar and even caricatured. The image she gives of the Church and of the Catholic-run education system in which she received her early schooling likewise skirts a series of perhaps caricatured images; rote-learning, no critical thinking and an all-powerful clergy. She talks of the Church as having a "grip", an "institutional hegemony", a "psychological power" in the early '60s, undercut by Sheehan's own confession that already as child she had scant respect for nuns. Likewise, her father, a supposedly committed Catholic, volunteered as a driver for her convent but soon quit because of how "inconsiderate and rude" he found the nuns. Are these cracks in Catholic hegemony? Or is hegemony always an uneven project? Perhaps these questions are left intentionally unanswered.

These descriptions of her youth, though, do tend to distract from something more intimate; early chapters are, for a memoir, oddly allergic to interior commentary. For a published life-story, this remains remarkably private (though perhaps this is just a Marxist privileging of the structural and the social over the individual or the intimate). We learn little of her innermost self. Her decision to join a convent seemingly comes out of nowhere. Sheehan writes in a conversational prose, but in a kind of present tense that at times (particularly in the earlier chapters) avoids latter-day reflections. The relaxed style is both a blessing and a curse and the narrative often seems to skip lightly over large periods of time; her four years in a convent moves by rapidly, with little sense of personal growth or change. And yet she clearly also has a knack – when she wants to – for describing the particular details of her life. When she left the

convent, “I kept feeling the lack of the long flowing veil and the swish of the long heavy skirts. I was a frightful sight. I had less than a half an inch of hair on my head, having been shaved so recently. My mother bought me a wig just the right shade of red as to look like my own hair.”

After her time in the convent, she continued the college education she had begun as a nun and worked as a teacher in Philadelphia; her nascent leftist politics ran afoul of the school administration and she was soon fired. Sheehan’s parents sided with the authorities and she left home, living homeless for a time. Though this was also a turning point, bringing her to the realization that philosophy was her life goal; she began doctoral work at Temple University shortly after. She would eventually embrace Marxism (and move from an orthodox Leninism to something more free-thinking) whilst maintaining a Catholic sense of philosophy as an all-embracing totality: “Even as a child, I struggled to see things whole. I sought to grasp the totality, and could not settle for anything less. Catholicism, a ready-made totality, had nurtured this in me… I know all the arguments against this made by positivists, neo-positivists, existentialists, postmodernists, all the sneers about changing one religion for another, but I stand by it.” She also gives a sense that she was a Marxist before she fully realized it; reading Feuerbach, seeking an alternative to positivist objectivism and idealist subjectivism, “I shifted from a metaphysics based on static categories of substance and accident to a more dynamic one of process and relation”. She began to see how ideas were products of socio-historical forces.

On page 77 she meets John Malinowski, a young philosophy teacher at St Joseph’s College in Philadelphia. Again there is a quick bypassing of intimate details; they married after a brief introductory paragraph. “I was surprised to find myself married at all. It hadn’t been part of my plan. I didn’t especially like the idea of marriage, though I lacked a coherent critique of it.” Her decision to keep her maiden name was a further source of tension with her family.

Sheehan and Malinowski threw themselves into the anti-war movement in late ’60s Philadelphia, mixing with local radicals as well as Tom Hayden, Philip Foner and Noam Chomsky. Like Chomsky, they leaned to the more serious – read: less drugged-up – end of the counter-culture (An attempt by Jerry Rubin to introduce Sheehan to “his best hash” was fruitless). Like Foner, Sheehan was more and more influenced by Marxism. And like Hayden, she was increasingly interested in the actions of the IRA; this was simultaneously a playing out of Irish-American identity and a certain romance about the supposedly pre-capitalist sensibilities of the peasant Irish. Sheehan certainly has fond memories of sixties radicalism, but also a sober analysis of the tendency of political discussion groups to descend into “all-night torture” sessions and profitless self-criticism. She insists that the conventional story of sixties radicalism ending neatly at the close of the decade is wrong – claiming that the revolutionary spirit lived on well into the 1970s – while Sheehan herself left the US in April 1972, buying a one-way ticket to Dublin and embracing Irish republicanism (she divorced Malinowski soon after).

Thus, by age 27, Sheehan was sharing a house in Ranelagh in Dublin with Sean Garland, a member of the army council of the Official IRA, and moving in the upper circles of the Officials

(the more traditionally Catholic Provisional IRA had split from the Marxist-Leninist Officials in 1969). She was soon prominently active in Official Sinn Féin and within a few months was also invited to join the Official IRA. She presents this time with the Officials as the final step in her embrace of Marxism. At some point (she is circumspect about the details) she began an affair with Eoin Ó Murchú, editor of the Officials' *United Irishman* newspaper.

Soon after, she gave birth to her son, Cathal, Her daughter, Clíodhna, was born in 1974. With a general crackdown on republican activities in Ireland, Sheehan married Ó Murchú, with, it seems, as much of an eye to solidifying her legal residency in Ireland as to romance. Eoghan and Anne Harris, well known Officials, acted as witnesses. Sheehan, though, writes with openness about her (quite well-founded) contempt for Eoghan Harris' later political development, from paranoid anti-Trotskyist within the Officials to obnoxiously contrarian journalist and partisan of Ulster Unionism. Indeed, her potted history of the Irish Left – acidic, perceptive and always entertainingly gossipy – is one of the highlights of the memoir. At other times, though, Sheehan perhaps forgets that her book is being written for an American publisher. Her descriptions of life with the Officials move from her shared accommodation in Ranelagh (now a bougie preserve, it was mainly student bedsits in the 1970s) to IRA induction meetings at a safe house in solidly working-class Cabra; she never explains the differences between these two areas of Dublin, assuming the reader will know what they are. Even more blatantly, when describing her later research on the politics of Irish television, she recounts with pride how this work led to two appearances as an extra on *Glenroe* (a rural soap opera unknown to anyone not lucky enough to have lived in 1980s Ireland).

Amidst her Marxist and republican activities, Sheehan came to the realization that her still uncompleted doctoral dissertation had descended into an unfinishable morass (its twists and turns reflecting her own complicated development). She withdrew her affiliations at Temple and enrolled at Trinity College Dublin. Within its fusty philosophy department, she began more focused work on a study of Marxism and the Philosophy of Science. Roughly simultaneous with this, she left the Officials and joined the Communist Party of Ireland; smaller, less influential but still maintaining *relatively* fraternal relations with the also pro-Soviet Officials. As with her time in the American New Left, Sheehan crossed paths with some notable names. Involved in the Graduate Student Union in Trinity, she was asked to run for office on campus "to defeat someone named Mary Harney" (later a prominent neoliberal politician). Teaching at University College Dublin, she was irked by how cozily familiar her colleagues were with those in political power.

She left the CPI at the turn of the 1980s and found a (sometimes uneasy) home on the left-wing of the Irish Labour Party. Notoriously cautious in their electoral politics, Sheehan was unsurprisingly dismissive of the party's leadership and offers choice descriptions of Dick Spring, Labour leader in the eighties and nineties. She is more affectionate in her memories of Michael D. Higgins, then an academic and local politician in Galway (for whom Sheehan wrote speeches and, at one point, served as Higgins' proxy at a ceremony honoring E.P. Thompson), now the President of Ireland.

Her doctoral research – published in 1985 as *Marxism and the Philosophy of Science* – necessitated extended visits to the Eastern Bloc in the late ’70s and early ’80s; her descriptions of this lost world are evocative and fascinating, if sometimes politically clumsy; “I would defend much that was done by the KGB, Stasi and other security services” is just a weird thing to say (but at least it’s honest of her to admit it!). These trips – and even more so the research in which she was engaged – are the central concern of the last third of the book. And then the narrative ends, somewhat abruptly, in 1988, with Sheehan as a well-regarded and well-published scholar with, as yet, no permanent position in academia.

This is the first of two projected volumes, with the future volume picking up this narrative in ’88 and presumably continuing up to today. If it continues at this level, they will represent an snappy, absorbing and illuminative account of a life on the American and Irish Left.

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Review: Eric Foner, The Second Founding: How the Civil War and Reconstruction Remade the Constitution W. W. Norton, 2019 and Wendy Brown, In the Ruins of Neoliberalism: The Rise of Antidemocratic Politics in the West Columbia University Press, 2019

By | 2020: vol 19, no 2

Eric Foner, Professor Emeritus of History at Columbia University, is known for his writing on the culprit values which led to the American Civil War, in his *Free Soil, Free Labor, Free Men: The Ideology of the Republican Party Before the Civil War* (1995), and for tracing the success and failures that came afterward, in his *A Short History of Reconstruction* (1990). Foner returns to the former topic with an emphasis on constitutional law that justified and also in some ways ignored some crucial issues (at least the judges who promulgated their interpretations of law did), involving property rights, as well as other rights, of that fraught time. Rights, of course, involve duties, privileges, and immunities from control, be it by fellow citizens or the government. Such issues remain crucial in our time as well, partly because so many were left either unresolved or resolved wrongly in this post-Civil War period, as this book documents.

His emphasis is the 13th amendment that freed the slaves, the 14th amendment that protected their civil rights, and the 15th amendment that gave them the right to vote. Though in the preface he celebrates the virtues of ambiguity in written law, especially in constitutional law, since it allows for free reign in interpretation by judges, I consider it a double-edged sword since it also opens the door to absurd interpretations, especially when actions of left-wing activist courts are bound to encourage and engender right-wing activist courts, and vice versa. The great strength of this book are the stories he tells about the key actors behind various proposals that through political compromises eventual resulted in constitutional amendments. This is good history, but don’t expect a detailed analysis of class conflict or of conflicting political philosophies or even understanding the alliances between those who sincerely feared an overbearing central government and those who looked for excuses to not exorcise racist prejudices. He mainly is on the side of the angels and bemoans the lost opportunities for not dealing with America’s original sin of racism.

Foner is a good writer, and his summaries of legal principles are effective, even when his own priorities differ, since he supports federal activism to raise up the downtrodden. He discusses constitutions as enforcing rights, that is to say natural rights (life, liberty and the pursuit of happiness, the latter understood as enjoying the fruit of one's labor and the right to attempt to rise in society), civil rights (to own property, to go to court, to sign contracts, and to move about freely), political rights (to vote), and social rights (to act on achieving business and social relationships) (pp. 6-7).

During the Reconstruction Era the police power of the various states used to enforce public order, health, safety and morality were increasingly overruled by central government for enforcement of the above-mentioned rights resulting from amendments. This book in the final chapter describes the eventual failure of federal defenses of former slaves against the states and local governments, and not later federal abuses of these same powers as in the Palmer Raids after World War I, or the post-World War II period of McCarthyism that resulted in congressional witch hunts.

Nevertheless, what Foner does offer is timely and useful for an initial understanding of the benefits and limitations of rights talk. For example, he emphasizes the work of pre-Civil War abolitionist and free black groups that argued that social rights can be broken down into private and intimate personal relations on one hand, and public rights based on equal access to public (even when privately owned) facilities, on the other. Regarding protecting these public rights, generally antebellum judges did not agree on the need, and post-Civil War judges eventually returned to old prejudices.

Being able to interpret reality, without any evident ideological influence, has always been a test of the quality of a judiciary. The nature of judicial prejudices is a theme not greatly elaborated in this book, though such prejudices do play a major part in the final chapter entitled "Justice and Jurisprudence" where he claims that most post-Civil War Supreme Court justices were mediocrities from wealthy families with previous careers as corporate lawyers who had little knowledge or sympathy for the political arguments that spurred Reconstruction Era amendments (p. 129). In interpreting the 14th amendment, Supreme Court justices for the most part did not feel that this amendment could be used to attack discrimination by private businesses, but only against overtly discriminatory laws by states, which later became interpreted to mean "separate but equal" accommodations were acceptable, if one didn't look too closely at whether equal really meant equal.

> *The justices insisted that the amendment had not significantly altered the balance of power between states and the nation, and proved unreceptive to claims that a state's inaction in the face of violence or other expressions of racial inequality provided justification for federal intervention. Federalism, however, had its limits. Increasingly, the Court construed the Fourteenth Amendment as a vehicle for protecting corporate rights rather than those of the former slaves, striking down state regulations of working conditions and railroad rates on the grounds that they*

violated "freedom of contract" protected under the Due Process Clause (p. 129).

As to the place of ideology in legal reasoning, there is of course a cultural context for understanding the values that underlie even constitutional law, that inheritance from traditions of morality and religion that permeated popular legal discourse under the guise of traditions of natural law. These have been somewhat displaced by positivist notions that each generation can decide for itself what is right and what is wrong according to their own legal standards, though the debate never ends and longings for return to natural law traditions never ends either, since both liberals and conservatives appeal to them for validation.

Regarding the search for legal values, and to return to the present, Wendy Brown in *In the Ruins of Neoliberalism: The Rise of Antidemocratic Politics in the West* discusses cultural and legal rationales for the present alliance between big business and big government. She criticizes the neoliberal political agenda for advocating removal of social protections by government under the guise that whatever government can do, private industry can do as well or better. She emphasizes the ideas of Friedrich Hayek who constantly warned that governments are a threat to liberty, but his ideas were misused to make the point that businesses under the sway of infallible markets under the sway of infallible and omniscient consumers simply cannot pose such a threat.

Political lobbyists built on his and similar ideas to create an intellectually deductive system based on the belief that not only people's but corporations' liberties are imperiled by reckless power-grabbing government. In a deductive rather than an inductive argument, Hayek really did not attempt to prove his points by reference to any detailed knowledge of actual economic history. Neoclassical economics provided mathematical models of hypothetical economies that have proven about as useful as hypothetical models of nonexistent gravitational systems are useful for space flight.

Brown discusses the ideology of neoliberalism from both the point of view of those like Hayek who emphasize liberty against state intrusions (though they usually do not oppose the intrusions of big business who often act against a communal morality they claim is an alternative to impositions of government), and on the other hand those like the 'ordoliberals' of recent Germany who assert that rule by technocrats (thus a certain kind of intrusive state) should be protected against resurgent democracy so that they can maintain the market economy rather than impose upon it serious ethical requirements or efficiency standards, a basic value stance that they take for granted. "Hayek imagined an order of strictly limited and separated governmental powers, while today, courts make law, legislatures make political policy, and the executive branch issues 'orders' to work around both" (pp. 85 – 86). Brown therefore concludes that just like Marxists in the states they ruled who discovered vexing complexities that they had not imagined before they came to power, so do neoliberals dream of a night watchman state that has proven to be a pipe dream because of a similar lack of realism.

Brown emphasizes the present-day alliance in the U.S. by cultural neoliberals who in the tradition of Hayek want traditional, and often religious, influences on local communities to be free from government interference, and economic neoliberals who want the government not to interfere with business in any way. “Weaponized as individual and corporate prerogatives against equality and antidiscrimination laws,” she writes, “they become a means to attack and disrupt rather than foster social bonds and integration” (p. 119).

The post-Civil War period of which Eric Foner writes shows the origins of these same dilemmas. In law this tendency toward formal rather than pragmatic reasoning poses the danger that judges will become much like theologians, talking about abstruse metaphysical systems, rather than the privileges, immunities, and rights of real people that are the creations and the justifications for law. The post-Civil War judiciary sadly illustrates the ramifications of this trend.

For an example of similar historical naivete tantamount to that of the present-day Supreme Court, there is McDonnell v. United States, 136 S. Ct. 2355, 2365 (2016), a decision that decided political corruption does not necessarily involve being influenced by a payment or a political contribution, but that to be considered unethical the events must require accepting a demonstrable *quid quo pro,* and only then isa bribe. The great fear of this court is that otherwise there would be a chilling effect so that politicians would become somehow restrained from learning from fellow citizens, in the form of lobbyists. And so this vaunted and valued learning takes the absurd form that being influenced in an unchecked way by campaign contributions with the employers of these lobbyists then getting ever more extreme economic benefits, becomes the prototype for communicating with the public. For an analysis of this phenomenon by a Wisconsin federal District Judge see Lynn Adelman, “The Supreme Court and the Corruption of Democracy” in the Winter, 2019 issue of Raritan (pp. 6-21). Thus, one lesson of history from the Reconstruction Era, is that the more things change, the more they remain the same, at least regarding judges who think they are philosopher kings – very naïve philosopher kings.

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