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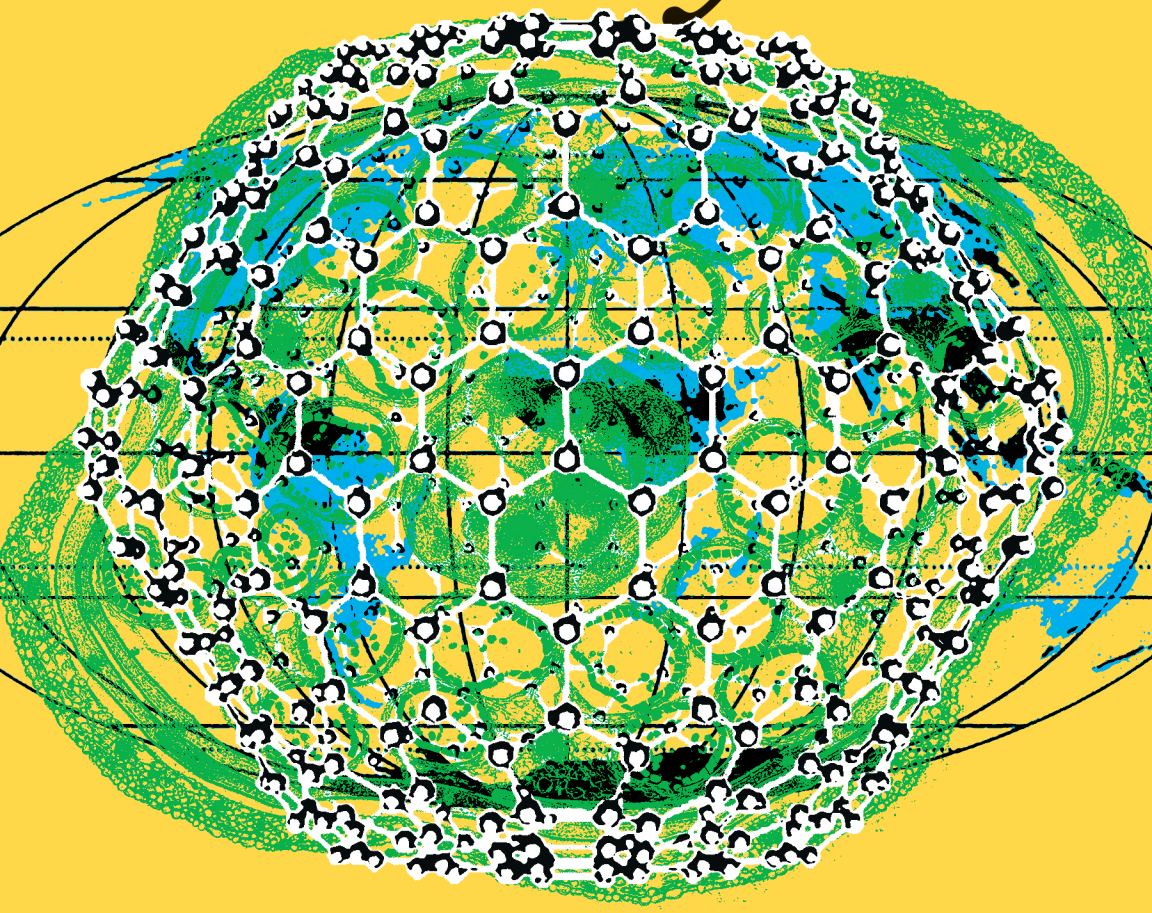

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Editorial

Labor is front and center in this issue of *Catalyst*. We start with Matt Huber making the case that for the Left to make any headway in confronting the ecological crisis, it's going to have to shift gears. The twin pillars of environmentalism today are individualistic lifestyle politics and a call for reducing consumption. But after fifty years of stagnant wages and declining standards of living, working people are unlikely to flock to a movement that is calling for more austerity. Without a firm base in the working class, the movement cannot hope to achieve its goals, all of which will require confronting the most powerful elements of the capitalist class. Huber traces the history of the environmental movement, sketching its capture by a professional and elite stratum, and then presents a strategy for a working-class ecological movement.

Of course, it will take a lot more than that to get labor going again. Two of the constraints on the labor movement relate to its capacity, and the alignment of its interests. Matt Dimick argues that one of the main liabilities of the American working class is its excessive reliance

on the state. Instead of building its own organizational power and autonomy, it relies far too much on the state to advance its goals. He contrasts this with the orientation of the more successful labor institutions, with the Nordic example being primary, where unions have taken on employers on their own.

But even if this is a more attractive strategy in itself, many on the Left doubt if American labor is inclined to follow it at all. One of the venerable arguments in the Leninist tradition is that employers are able to buy off workers in the imperialist core, passing off some of their super-profits from foreign operations, hence aligning their workers' interests with their own. Instead of organizing against their employers, workers settle comfortably into an alliance with them. Ramaa Vasudevan shows that this is a hugely mistaken conception of the political economy. If capitalist expansion is supposed to benefit the working class in core countries, there was no better time for it to have happened than the current era of globalization. But in fact, while profits from foreign operations have been rapidly expanding, they have all been going into the pockets of owners and managers. There is no imperial labor aristocracy. Instead, workers in the US have been caught in the same vortex of declining wages and working conditions as labor elsewhere. The only place where a labor aristocracy exists is in the minds of a cloistered Left.

While labor might not have an interest in imperialism, the American establishment certainly does. And this interest has often led it to craft elaborate fantasies of its own power, its ability to fashion the world around its desires. No initiative stands out more in both its criminality, and its imprint on the establishment minds, than Vietnam. In the wake of its most recent orgy of destruction — the Iraq invasion and all that followed — they have been embroiled in a vigorous debate on an appropriate imperial strategy for the future. John Roosa reviews two attempts to revisit Vietnam, by conservative analyst Max Boot and historian Brian VanDeMark. Roosa shows that even now, more than forty years after the American withdrawal, its

historians cannot draw the essential lessons of the defeat. So much the worse for the American people.

The movement against the Vietnam War was important not just for its impact on the American state, but for its spirit of internationalism and the underlying concern for the Vietnamese. It is the same spirit that today motivates so many Americans to support the Palestinian movement for self-determination. That movement was supported for decades by a large and very active Arab left. We publish here a translation of an essay by the Lebanese intellectual Mahdi Amel. The essay, written in 1983, was one of several responses to Edward Said's landmark book, *Orientalism*. While *Orientalism* is viewed almost universally today as a landmark in radical and anti-colonial scholarship, Mahdi was one of many intellectuals in the postcolonial world who criticized it for its conservatism, its promotion of an essentially tribal view of the world. We intend in future volumes to continue with an excavation of socialist writings from the Global South, now buried under the weight of currently fashionable nonsense.

And finally, we offer an interview by Noam Chomsky on the current scene, focusing particularly on the rise of the far right. With his customary clarity, Chomsky points out that, despite the presence of an energized Right, the political situation today is actually much better than it was even ten years ago. It just requires a renewed effort to organize working people around an agenda representing their interests. Which brings us back to the issue of labor.

Solving the ecological crisis requires a mass movement to take on hugely powerful industries. Yet environmentalism's base in the professional-managerial class and focus on consumption has little chance of attracting working-class support. This article argues for a program that tackles the ecological crisis by organizing around working-class interests.

ECOLOGICAL POLITICS FOR THE WORKING CLASS

MATT HUBER

The climate and ecological crisis is dire and there's little time to address it. In just over a generation (since 1988), we have emitted *half* of all historic emissions.[1] In this same period the carbon load in the atmosphere has risen from around 350 parts per million to over 410 — the highest level in 800,000 years (the historic preindustrial average was around 278).[2] Human civilization only emerged in a *rare* 12,000 year period of climate stability — this period of stability is ending fast. The recent Intergovernmental Panel on Climate Change (IPCC) report suggests we have a mere twelve years to drastically lower emissions to avoid 1.5 C warming — a level that will only dramatically increase the spikes in extreme superstorms, droughts, wildfires, and deadly heat waves (to say nothing of sea-level rise).[3]

1 Paul Griffin, *The Carbon Majors Database: CDP Carbon Majors Report 2017* (London: Carbon Disclosure Project, 2017), 5.

2 Elizabeth Gamillo, "Atmospheric carbon last year reached levels not seen in 800,000 years" *Science*.

3 Intergovernmental Panel on Climate Change, *Global Warming of 1.5 °C*.

New studies show changing rainfall patterns will threaten grain production like wheat, corn, and rice within twenty years.[4] A series of three studies suggest as early as 2070, half a billion people will, "experience humid heat waves that will kill even healthy people in the shade within 6 hours."[5]

You don't have to be a socialist to believe the time frame of the required changes will necessitate a revolution of sorts. The IPCC flatly said we must immediately institute "rapid, far-reaching and unprecedented changes in all aspects of society."[6] The noted climate scientist Kevin Anderson said, "... when you really look at the numbers behind the report, look at the numbers the science comes out with, then we're talking about a complete revolution in our energy system. And that is going to beg very fundamental questions about how we run our economies."[7]

The radical climate movement has long coalesced around the slogan "system change, not climate change." The movement has a good understanding that capitalism is the main barrier to solving the climate crisis. Yet sometimes the notion of "system change" is vague on *how* systems change. The dilemma of the climate crisis is not as simple as just replacing one system with another — it requires a confrontation with some of the wealthiest and most powerful sectors of capital in world history. This includes a mere 100 companies responsible for 71 percent of the emissions since 1988.[8] The fossil fuel industry and other carbon-intensive sectors of capital (steel,

4 Maisa Rojas, Fabrice Lambert, Julian Ramirez-Villegas, and Andrew J. Challinor, "Emergence of robust precipitation changes across crop production areas in the 21st century," *Proceedings of The National Academy Of Sciences* (early view, 2019).

5 *Climate Guide Blog*: "Non-survivable humid heatwaves for over 500 million people," March 9, 2019.

6 Intergovernmental Panel on Climate Change, "Summary for Policymakers of IPCC Special Report on Global Warming of 1.5ºC approved by governments," October 8, 2018.

7 Democracy Now, "Climate Scientist: As U.N. Warns of Global Catastrophe, We Need a "Marshall Plan" for Climate Change," October 9, 2018.

8 Griffin, 2017.

chemicals, cement, etc.) will not sit by and allow the revolutionary changes that make their business models obsolete.

Like all other such battles, this confrontation will take a highly organized social movement with a mass base behind it to force capital and the state to bend to the changes needed. Yet, as Naomi Klein argues, this is really "bad timing" because over the last several decades it is capital who has built formidable power to neutralize their main challenges like a regulatory state, progressive tax structures, and viable trade unions.[9] The history of the nineteenth and twentieth century shows that the largest challenge to the rule of capital has come from organized working-class movements grounded in what Adaner Usmani calls "disruptive capacity" — particularly strikes and union organizing. [10] It is the working class that not only constitutes the vast majority of society, but also has the strategic leverage to shut down capital's profits from the inside.[11]

Yet, herein lies the main dilemma. A movement up to the task of bringing about the changes needed will not only have to be massive in size, but have a substantial base in the working class. In its current form, however, environmental politics has little chance of succeeding in this. Its ideological and strategic orientation reflects the worldview of what Barbara and John Ehrenreich called the "professional managerial class" that centers educational credentials and "knowledge" of the reality of environmental crisis at its core.[12] This is not simply a problem of the kind of people involved. Middle-class environmental politics is often directly antagonistic to working-class interests. It grounds its theories of ecological responsibility in ideas of "ecological" or "carbon" footprints that blame consumers (and workers) for

9 Naomi Klein, *This Changes Everything: Capitalism vs. the Climate* (New York: Simon and Schuster, 2014).

10 Adaner Usmani, "Democracy and Class Struggle," *American Journal of Sociology* 124, no. 3 (2018): 664–704.

11 Vivek Chibber, "Why the Working Class?" *Jacobin*, March 3, 2016.

12 Barbara Ehrenreich and John Ehrenreich, "The Professional-Managerial Class" in Pat Walker (ed.) *Between Labor and Capital* (Boston: South End Press, 1979), 5–45.

driving ecological degradation. This approach centers on the appeal that we need to live simply and "consume less" — a recommendation that is hardly likely to appeal to a working class whose wages and living standards have stagnated for almost two generations.[13] When seeking examples of emancipatory environmental politics, radical academics imagine real environmental politics as a form of direct livelihood struggles over natural "use values" like land, resources, and the body itself. While livelihood struggles are very important, professional-class environmentalism sidesteps how such a politics could appeal to the tens of millions of workers who do not directly access nature in "use value" form. In this essay, I argue for *a working-class ecological politics*[14] aimed at mobilizing the mass of workers to confront the source of the crisis — capital. In order to build this kind of politics, we needs to appeal to the mass of the working class who has no ecological means of survival apart from access to money and commodities. This politics centers on two major planks. First, it offers a much different story of *class responsibility* for the ecological crisis. Rather than blame "all of us" consumers and our footprints, it aims its focus on the capitalist class. This kind of politics can channel already existing anger and resentment workers have toward their boss and the wealthy in general to explain yet one more reason why those antagonists are making their lives worse.

Second, it offers a political program meant to directly appeal to the material interest of the working class. It is relatively straightforward to insert ecologically beneficial policies within the already existing movements around the decommodification of basic needs like "Medicare for All" or "Housing for All." The climate crisis in particular is centered upon sectors absolutely vital to working-class

13 Leigh Phillips, *Austerity Ecology and the Collapse Porn Addicts* (London: Zero Books, 2015).

14 For recent, but somewhat different arguments along these lines see, Stefania Barca and Emanuele Leonardi, "Working-class ecology and union politics: a conceptual topology" *Globalizations* 15, no. 4 (2018): 487–503; Daniel Aldana Cohen, "Working-Class Environmentalism," *Public Books*, November 16, 2017.

life — food, energy, transport. The goal should be to use this scientifically declared emergency to build a movement to take these critical sectors under public ownership to at once decarbonize and decommodify them. The emergent politics of the Green New Deal, although far from perfect, does exactly this. It not only offers a solution at the scale of the problem — aiming to revolutionize the energy and economic system — but also offers clear and direct benefits to the mass of the working class (e.g., a federal job guarantee). Although there is much consternation about the anti-environmentalism amongst established building trade unions and fossil fuel industrial workers, a working-class environmentalism could better align with rising militancy in more low-carbon care sectors like health and education. These campaigns' focus on anti-austerity politics and "bargaining for the common good" can also address the expansion of a public response to ecological breakdown.[15]

PART 1
FROM LIFESTYLE TO LIVELIHOOD: THE LIMITS OF ENVIRONMENTALISM

The environmental movement in its current form is dominated by middle-class professionals. Along with the expansion of higher education, this class exploded during the post-WWII boom — itself a product of mass working-class struggle and union victories in the 1930s and 1940s. Out of these historical conditions emerges what I will call "lifestyle environmentalism," the essence of which is to seek better outcomes through individual consumer choices.[16] Yet this desire comes from a deeper source of anxiety about the forms of mass commodity consumption wherein middle-class security is

15 See Nato Green, "Why Unions Must Bargain Over Climate Change," *In These Times* March 12, 2019.

16 Andrew Szaz, *Shopping Our Way to Safety: How We Changed from Protecting the Environment to Protecting Ourselves* (Minneapolis, MN: University of Minnesota Press, 2009).

equated with a private home, automobile, meat consumption, and a whole set of resource- and energy-intensive commodities. As such, lifestyle environmentalism sees modern lifestyles — or what is sometimes called "our way of life"[17] — as the primary driver of ecological problems. This, of course, makes a politics of material gains inherently ecologically damaging. Since lifestyle environmentalism blames commodity consumption — and the vast majority of society (i.e., the working class) depends on commodities for survival — it only appeals to a very narrow base of affluent people who not only live relatively comfortable middle-class lives but simultaneously feel guilty doing so. Under neoliberalism especially, the bulk of the population does not feel guilty or complicit in their consumption, but constrained by severe limits on access to the basics of survival.

Lifestyle environmentalism also produces an offshoot, a distinct and seemingly more radical alternative vision of ecological politics prevalent in academic scholarship. This form of scholarship *accepts* the premise of lifestyle environmentalism that modern "consumer lifestyles" are inherently damaging to the environment. As such, radical ecological scholars look to the margins of society for a more authentic basis for environmental politics. This is what I will call "livelihood environmentalism,"[18] or what is sometimes called "the environmentalism of the poor."[19] This form of scholarship argued the proper basis for environmental mobilization was a direct lived experience of the environment. I will cover two critical fields. First,

17 I don't have space to develop this here, but the concept of *life* here is crucial. Under capitalism, life is opposed to work or production. By quarantining life as the zone of freedom, choice, and politics, work remains an unfree space where political intervention is not permitted. I develop this in *Lifeblood: Oil, Freedom and the Forces of Capital* (Minneapolis, MN: University of Minnesota Press, 2013).

18 Neither lifestyle nor livelihood environmentalism are my terms. This blog post also argues they are deeply connected (but from a much different perspective than mine): Mat McDermott, "Is there a difference between lifestyle & livelihood environmentalism?" *Treehugger*, June 6, 2011.

19 Joan Martinez Alier, *The Environmentalism of the Poor: A Study of Ecological Conflicts and Valuation* (Cheltenham, UK: Edward Elgar, 2002).

political ecology broadly seeks examples of struggles over direct "use value" reliance upon land or resources for subsistence among often peasant, indigenous, or other marginalized communities (usually in the Global South). As such, this scholarship often romanticizes what are seen as anti-modern subsistence livelihoods on the margins of global capitalism. Second, *environmental justice* focuses more on the uneven effects of pollution and toxic waste as deadly threats to livelihood in racialized marginalized communities (usually in the Global North). Often critical of mainstream environmentalism's focus on wilderness or wildlife preservation, environmental justice scholars bring to light how poor and racially marginalized communities make "environment" a question of survival. Yet, again, those struggling directly against the poisoning of local communities are often on the margins of society as a whole. Struggles like this (e.g., the Landless Workers' Movement in Brazil or the struggle for clean water in Flint, Michigan) are obviously important matters of survival for those involved. Yet the strategic question of how to translate local livelihood concerns into a broader mass environmental movement able to take on capital remains unclear.

Livelihood environmentalism is often seen as the opposite of lifestyle environmentalism, but its academic focus emerges from the foundations of the latter. It is the disaffection with the mass commodity society that sends the radical academic's gaze to the margins of society looking for "real" environmental struggle. Livelihood environmentalism is indeed a much more attractive form of politics rooted in the material interests of specific groups. By fetishizing the direct lived relation to what is seen as the real environment (land, resources, pollution), it sidesteps how we might build an environmental politics for the majority of society already dispossessed of land and dependent on money and commodities for survival.

The Ecological Fallacies of Lifestyle Environmentalism

Lifestyle environmentalism takes *life* seriously. Ecology is the study of life in all its relations. To trace environmental problems back to consumer lifestyles, ecologists developed sophisticated technical tools. They were based on a core premise:

> Every organism, be it bacterium, whale or person, has an impact on the earth. We all rely upon the products and services of nature, both to supply us with raw materials and to assimilate our wastes. The impact we have on our environment is related to the "quantity" of nature that we use or "appropriate" to sustain our consumption patterns.[20]

These are the opening lines of an early introductory text to "ecological footprint" analysis, *Sharing Nature's Interest*. Every year thousands of undergraduates and environmental activists take the "ecological footprint" quiz to learn how many planets it would require to sustain the planet's 7+ billion people consuming like you (usually some startling number like 3.5 Earths). Through such knowledge and tools, consumers in the Global North learned that their "privilege" and complicity was largely responsible for a global ecological crisis.

The quote lays out the ecological worldview nicely: humans are an *organism* like any other. Every "organism" has measurable "impacts" on an ecosystem. Bears eat fish, and humans eat fish tacos, but the results on an ecosystem are the same. Importantly, ecological footprint analysis seeks to link impacts to consumption. This makes sense within the ecological worldview. After all, any ecologist knows an ecosystem is made up of producers and consumers. These are quite

20 Nicky Chambers, Craig Simmons, and Mathis Wackernagel, *Sharing Nature's Interest: Ecological Footprints as an Indicator of Sustainability* (London: Routledge, 1996), xix.

different than producers and consumers in a capitalist economy. Ecological producers are the plants that harness solar power and water to produce organic plant matter at the base of any "food web." However, the real action — and the "impacts" — comes from ecological *consumers*. These are the animals and other species who consume plants and the animals who consume those animals and so on. The consumers — and there are many levels of primary, secondary, and so on — are the drivers of ecological change in a system where producers are relatively inert and passive (they are actually called "autotrophs").

An ecological footprint can take the input of your various economic consumptive activity (the energy, food, housing, and other materials that make up your daily consumption) and give you an output of how much ecological space — or, "equivalent biologically productive area"[21] — is required to support this consumption. This allows for an understanding of inequality rooted in income and consumption levels: the US consumes 9.6 hectares per capita while India consumes 1 hectare per capita. This broad ecological footprint analysis has been supplanted recently with "carbon footprints." Instead of measuring your impact in terms of "space," now consumers learn in terms of pounds (or tons) of carbon dioxide equivalent emissions (the average American consumer emits roughly 37,000 pounds per year).

This can lead to a kind of "progressive" analysis of the inequality of footprints between rich and poor consumers. In 2015, Oxfam released a report entitled "Extreme Carbon Inequality" that found the top 10 percent of people in the world are responsible for 50 percent of emissions while the bottom 50 percent are only responsible for 10 percent.[22] The abstract announces the project in terms of "Comparing the average lifestyle consumption footprints of richer and poorer

21 Ibid, 60.

22 Timothy Gore, "Extreme Carbon Inequality: Why the Paris climate deal must put the poorest, lowest emitting and most vulnerable people first," Oxfam International, December 2, 2015.

citizens in a range of countries."[23] Here again emissions are attached to "lifestyle"; the way we live generates emissions that are our own individual responsibility. In fact, the study asserts that 64 percent of total emissions are wholly attributable to "consumption" whereas the remainder is vaguely ascribed to "governments, investments (e.g. in infrastructure) and international transport."[24]

Yet the question becomes: is an individual consumer's "footprint" all their own? The difference between humans and other organisms is that no other organism monopolizes the means of production and forces some of those organisms to work for money. If we saw a bear privatize the means of fish production and force other bears to work for them, we would immediately conclude something had gone wrong in this ecosystem. But this is what humans do to other human organisms. Humans organize access to resources (and consumption) via *class systems* of control and exclusion.

Footprint analyses are not only shaped by an ecological vision of "all humans are simply organism-consumers" — but also a more hegemonic *economic theory* that suggests it is consumers who drive the economy with their choices and decisions. The theory of consumer sovereignty assumes that producers are captive to the demands of consumers, indeed that they are simply responding to the latter — rather than what is in fact the case: production constrains consumption choices. Much consumption (like driving) is not a "choice" but a necessity of social reproduction (getting to work). Moreover, when we choose commodities, we can only choose those that are *profitable* to produce in the first place. A contradiction of "environmentally sustainable" commodities (with lower footprints) is they are often are more expensive.

The real question one must ask is: who do we believe has the *real power* over society's economic resources? Consumer sovereignty theory suggests it is consumer preferences that ultimately drive production decisions — power is *diffuse* and scattered amongst individual

23 Ibid, 1.

24 Ibid, 3.

consumers. But in fact, power over the economy is not diffuse, but *concentrated* in the hands of those who control productive resources. Footprint ideology internalizes the former view of diffused consumer power. One leading analyst of carbon inequality, Kevin Ummel, reveals this is exactly how he imagines the causal relationship: "The goal is to trace emissions back to the household consumption choices that ultimately led to their production."[25]

The core insight of ecological footprint analysis is that consumption choices — that is, lifestyles — are driving the ecological crisis. The conclusion is clear: a politics of less consumption. As the footprint book quoted above puts it, "We live in shrinking world. The inescapable conclusion is that we must learn to live a quality life with less."[26] While the whole point of footprint analysis is to reveal *hidden* environmental impacts embedded in consumption, other scholars sought a more authentic basis for environmental politics in a direct lived relationship to the environment.

Livelihood Environmentalism and Marginalized Communities

Ecological footprint ideology made a politics of material gains impermissible among those who gained their living from commodities. Since consumer lifestyles were associated with a footprint, more consumption meant more ecological destruction. Taken to its extreme any class demand for, say, higher wages would necessarily mean a higher "footprint."[27] Environmental politics became — by design — a politics of limits and less. Thus, the overwhelming focus of environmental politics shifted to examine the kinds of relations that could be built on the terrain of use value — cordoned off from capitalism

25 Kevin Ummel, "Who Pollutes? A Household-Level Database of America's greenhouse gas footprint," Working Paper 381, Center for Global Development.

26 Chambers et al., *Sharing Nature's Interest*, 66.

27 Phillips, *Austerity Ecology*, 37.

and the commodity society. This explains the rise of "Small is Beautiful" –style environmentalism in the 1970s which celebrated all that is local, small-scale, and based on direct face-to-face cooperative work relations with minimal (and "appropriate") technology.[28] This form of politics promised what Erik Olin Wright called "escaping capitalism," or projects where the goal is to "create our own micro-alternative in which to live and flourish."[29] If consumer lifestyles were to blame, authentic environmental politics could only be built in separation from this mass commodity society.

Many radicals of the New Left saw the limits of "Small is Beautiful" communes and the "Whole Earth Catalog" form of lifestyle politics. For a set of academics concerned with radical politics, combining interest in material demands (i.e., class) with ecology meant focusing on struggles on the margins of the global commodity society. Radical academics sought ecological politics on the terrain of use value: those directly appropriating their livelihood from nature or those whose own use value of labor power — bodily health— was directly imperiled by pollution. Thus, the two most popular radical approaches to ecological politics in academia centered on two approaches: political ecology and environmental justice.[30]

The subdiscipline of political ecology emerged in the 1970s and 1980s as a Marxist offshoot of agrarian studies. It aimed to situate the struggles of poor rural populations (peasants, indigenous peoples, etc.) over land, resources, and environmental degradation within a Marxist political-economic framework. Piers Blaikie and Harold Brookfield's *Land Degradation and Society* sought to analyze the, "constantly shifting dialectic between society and land-based resources, and

28 E.F. Schumacher, *Small Is Beautiful: Economics as if People Mattered* (New York: Harper and Row, 1973).

29 Erik Olin Wright, "How to Be an Anticapitalist Today," *Jacobin*, December 2, 2015.

30 I present a very sympathetic critique of these approaches here. My entire intellectual development is rooted in them still.

also within classes and groups in society itself."[31] The starting point of their analysis was the category of the "land manager" — usually a peasant household with some degree of control over "use values" such as land and subsistence.

Emblematic of the approach was the volume *Liberation Ecologies* (edited by Richard Peet and Michael Watts) — its 1996 edition was quickly followed by a second 2004 edition with revised and new cases.[32] The cases all centered around place-based struggles for land and resources: soil degradation in Bolivia, deforestation in Madagascar, the Chipko "tree hugging" movement in India. One highly insightful aspect of this approach is its critical posture toward a kind of imperial environmentalism — attempting to impose ideas of pristine nature in ways that displace local communities. The goal was to often show that land degradation like deforestation or soil erosion should not be blamed on peasants themselves but by larger processes of *marginalization* wrought by global commodity flows and forms of state control.

The central focus of this work came to be centered on the concept of *livelihoods*[33] — communities who derived their sustenance directly from the land to some degree. Given the dynamics of global neoliberal capitalism, the key research finding of this approach focuses on *dispossession* of local communities from their traditional livelihood strategies. Marx called this process "primitive accumulation" but when David Harvey coined the term "accumulation by dispossession," a new wave of scholarship emerged to focus intently on the manifold processes of dispossession occurring for land-based cultures and communities the world over.[34] So ecological research in this vein meant

31 Piers Blaikie and Harold Brookfield, *Land Degradation and Society* (Oxford: Blackwell, 1987), 17.

32 Richard Peet and Michael Watts, *Liberation Ecologies: Environment, Development, Social Movements* (London Routledge, 1996 1st Ed; 2004 2nd Ed).

33 See, in particular, Anthony Bebbington, "Capitals and Capabilities: A Framework for Analyzing Peasant Viability, Rural Livelihoods and Poverty," *World Development* 27, no. 12 (1999): 2021–2044.

34 David Harvey, *The New Imperialism* (Oxford: Oxford University Press, 2003).

research among local communities and cultures resisting the slow engulfment of peasant and other traditional societies into a global capitalist commodity system. Yet, because capitalism is itself defined by the fact that the mass majority is already dispossessed of the means of production, such scholarship remained about the the margins and periphery of the global economy.

The other hugely popular radical academic literature is environmental justice. Environmental justice also suggests a direct lived experience of the environment is a key basis for environmental struggle — in this case, the embodied exposure to toxic hazards and pollution. The use values under threat here include water, air, and, of course, that critical use value of bodily labor power. In an industrial society, the infrastructure and waste of industrialism are sited in marginalized communities, often of color. As such, environmental justice examines injustices at the intersection of race and class and the struggles to overcome them.[35]

With its roots in the Civil Rights Movement, environmental justice emerged to tackle the uneven distribution of toxic pollution dumped in communities of color throughout the United States. In 1983, the black residents of Warren County, North Carolina used tactics of civil disobedience to fight the siting of a PCB toxic waste dump.[36] In 1987, the United Church of Christ Commission on Racial Justice released a report called *Toxic Waste and Race in the United States* detailing the statistical overlaps between marginalized racial groups and toxic waste and other environmental hazards.[37] 1n 1991, indigenous peoples, African American leaders, and others staged the First National People of Color Environmental Leadership Summit declaring, "to begin to

35 See Robert Bullard, *Dumping in Dixie: Race, Class, And Environmental Quality* (Boulder, Co: Westview, 1990).

36 Eileen McGurty, *Transforming Environmentalism: Warren County, PCBs, and the Origins of Environmental Justice* (New Bruinswick, NJ: Rutgers University Press, 2009).

37 United Church of Christ, Commission for Racial Justice, *Toxic Wastes and Race in the United States* (New York: United Church of Christ, 1987).

build a national and international movement of all peoples of color to fight the destruction and taking of our lands and communities, do hereby re-establish our spiritual interdependence to the sacredness of our Mother Earth."[38] In February 1994, President Clinton passed an executive order, "to address environmental justice in minority populations and low-income populations."

This historical narrative is often meant to explain the rise to prominence of the environmental justice movement (although below I will question how *successful* this movement has been). The underlying political focus is that it is these marginalized communities themselves that should lead environmental movements against the corporations poisoning them and their communities. It is their direct material experience with pollution and toxicity which grants them this special political status. Similarly, as environmental justice struggles have informed the climate movement, the climate justice movement also sees marginalized "front line" communities as the key actors in the climate struggle. Like political ecology, this is often the peasants, indigenous peoples, and other communities most imperiled by climate change (e.g., coastal fishermen, drought-prone farmers, etc.). Yet how does environmental justice politics build solidarity with the majority of people who are fully engulfed within the commodity society, but not exposed to any *apparent* threat of toxic pollution?

The Limits of Environmentalism

The rise of the environmental movement comes at a time of historic defeat for the Left. It is time to question if its politics are symptomatic of this defeat. The first key shortcoming is rooted in its understanding of *class responsibility* for the ecological crisis. The form of politics informed by ecological footprint analysis takes a political approach

38 Delegates to the First National People of Color Environmental Leadership Summit, "Principles of Environmental Justice." Available online: https://www.ejnet.org/ej/principles.html.

that blames all consumers for the ecological crisis. It is hard to see how a political strategy can win if its solution is to demand a further restriction on consumption by a class which has been struggling with wage stagnation for almost a half-century. How does it plan to attract working people to its cause if its main message to them is to accept further austerity?

Ecological footprint presents an analysis where all impacts can be traced back to the organisms (humans) who derive useful properties from those resources (consumers). But it is a view that construes the power equation in reverse order. By making consumers wholly responsible for their consumptive "impact," this perspective ignores the critical role of capital, which constrains both the kind, and the quantity, of goods that are thrown into the market. The gasoline in your tank flowed through the hands of innumerable people seeking profit — oil-exploration technology consultants, production companies, rig-service firms, pipeline companies, gas station operators — yet you are the one responsible for the "footprint" simply because you pressed the gas leading to the emissions? When it comes to consumption, every commodity has users and profiteers along the chain: we should place the bulk of responsibility on those profiting from production — not simply people fulfilling their needs. This is not a moral calculus as much as an objective assessment of *who has the power* along these commodity chains. Of course, we don't want to completely ignore the responsibility of those few wealthy consumers who buy fuel-inefficient cars, eat steak twice a week, and fly excessively. But why do we only focus on their consumption as the proper zone of responsibility and politics? A better question would be to ask how these consumers became so wealthy in the first place. Why are those work activities — those *choices* — not similarly subject to political critique and concern?

Take the problem of climate change. Richard Heede's work traces 63 percent of all historical carbon emissions since the industrial revolution to ninety private and state corporations — what he calls "the carbon majors," the class of capitalists who dig up fossil fuel and sell

it for profit.[39] But the capitalists responsible for climate change are much broader than this. There are vast amounts of industrial capital dependent upon fossil fuel consumption — the most climate-relevant include cement (responsible for 7 percent of global carbon emissions), steel, chemicals, and other carbon-intensive forms of production.[40] According to the Energy Information Agency, the industrial sector consumes more of the world's energy than the residential, commercial, and transportation sectors *combined*.[41] If we include emissions from electricity consumption, the industrial sector exceeds all others (including agriculture and land-use change) with 31 percent of global emissions.[42] Many social critics would label an attention to factories and industrial "points of production" as hopelessly orthodox, but for climate change and other ecological problems they remain the belly of the beast.

The second main shortcoming is the academic retreat from lifestyle politics to the privileging of livelihood environmentalism. This has less to do with who is blamed, and more with where in society one locates authentic environmental struggles. Here the problem is a political focus on marginality which will not produce a more broadly based movement. Political ecology is fixated on struggles over dispossession in rural areas, including indigenous and peasant resistance. Any decent person would also support these movements for justice and self-determination, and we cannot downplay the importance of

39 Richard Heede, "Tracing anthropogenic carbon dioxide and methane emissions to fossil fuel and cement producers, 1854–2010," *Climatic Change* 122, no. 1–2 (2014): 229–241.

40 Chelsea Harvey, "Cement Producers Are Developing a Plan to Reduce CO2 Emissions," *E&E News*, July 9, 2018.

41 Energy Information Agency, *International Energy Outlook 2017*. Table: Delivered energy consumption by end-use sector and fuel. Case: Reference | Region: Total World. Available online: https://www.eia.gov/outlooks/aeo/data/browser/#/?id=15-IEO2017&region=4-0&cases=Reference&start=2010&end=2050&f=A&linechart=Reference-d021916a.2-15-IEO2016.4-0&map=&sourcekey=0.

42 Intergovernmental Panel on Climate Change, *Climate Change 2014 Mitigation of Climate Change Working Group III Contribution to the Fifth Assessment Report* (New York: Cambridge University Press, 2014), 44.

these struggles. I merely question how such struggles might build a kind of *social power* capable of taking on capital, which is responsible for the dispossession and pollution in the first place. The defining feature of capitalism is the vast majority are torn from the natural conditions of life — those not yet dispossessed are by definition marginal to the system as a whole. By placing direct livelihood experience of environmental resources as the only basis for politics, you severely limit the kind of political base you can build.

One can also legitimately raise strategic questions about movement success with environmental justice . It is instructive to examine some key insider scholar-activists' own reflections on the movement. In the year after Clinton's historic executive order, Benjamin Goldman — a data analyst for the famous 1987 *Toxic Waste and Race* report — argued that the actual power of the environmental justice movement was akin to "a gnat on the elephant's behind."[43] He updated the data from the 1987 report to show that "Despite the increased attention to the issue, people of color in the United States are now even more likely than whites to live in communities with commercial hazardous waste facilities than they were a decade ago."[44] Twenty-five years later, Pulido, Kohl, and Cotton come to a similar conclusion and cautiously call out the "failure" of environmental justice. They flatly state: "... poor communities and communities of color are still overexposed to environmental harms."[45]

For Goldman, the celebration of environmental justice politics misses the larger context of political defeat:

> ... [A]s progressives have applauded the emergence of the

43 Benjamin Goldman, "What is the future of environmental justice?" *Antipode* 28, no. 2 (1995): 122–141; 130. Given this was published after the Newt Gingrich Republican wave in 1994, I can only assume the metaphor was a conscious choice.

44 Ibid, 127.

45 Laura Pulido, Ellen Kohl, and Nicole-Marie Cotton, "State Regulation and Environmental Justice: The Need for Strategy Reassessment," *Capitalism, Nature, Socialism* 27, no. 2 (2016): 12–31; 12.

> environmental justice movement, we have witnessed a period of the most awesome intensification in inequality, and, ultimately, a historically significant triumph for the rulers of transnational capital who have further consolidated their power, fortunes, and global freedoms.[46]

Goldman concludes that for the environmental justice movement to counter this corporate power it would need to, "... broaden its populist constituency to include more diverse interests."[47] Yet the appeal of the environmental justice movement for many progressives is, of course, it represents a struggle among the poorest and marginalized groups in capitalist society — low-income communities of color. Again, these struggles are hugely important and must not be ignored. But for environmental justice struggles to win, they must find a way to build a broader environmental movement with a base able to actually take on the corporations responsible for poisoning local communities. Thus far, we tend to validate the moral high ground of such struggles, without *strategically* asking how they might build power to overcome their situation.

Pulido et al. raise the question of the state. While the state often pays "lip service" to environmental justice concerns, it often fails to enforce regulations that would directly improve peoples' lives.[48] They argue for a more confrontational strategy:

> Instead of seeing the state as a helpmate or partner, it needs to see the state as an adversary and directly challenge it.... *It's not about being respectable, acknowledged, and included. It's about raising hell for both polluters and the agencies that protect them.*[49]

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46 Goldman, "What Is the Future of Environmental Justice?" 129.

47 Ibid 126.

48 Pulido et al., 27.

49 Ibid, emphasis in original.

In the context of neoliberal state capture (and Trump), this is obviously the correct strategy. But, in the long run, the environmental justice movement could also think about a broader strategy that could build popular left power within the state itself (more on this in part 3). Such a politics would need to go beyond *marginality* and speak to what Goldman called "diverse interests."

In sum, both lifestyle and its offshoot, livelihood environmentalism have emerged in the very period in which the environmental crisis has only worsened and private capital's capacity to harm the environment has vastly expanded. Their political strategies are ineffective. We now turn to diagnose this ineffectiveness in more explicit historical and class terms.

PART 2
"OVERSHOOT": THE CLASS BASIS OF ENVIRONMENTALISM

The environmental movement emerged during a period of crisis and restructuring in the 1960s and 1970s. While the politics of anticapitalism historically railed against the system's inequality and poverty, by the 1970s commentators on both the Left and Right agreed capitalism faced a new problem: *affluence*. We simply had too much. Rising consumption levels — themselves the product of working-class victories — were now a problem. In the mid-seventies, a young Alan Greenspan argued economic crisis was rooted in overly "ambitious" societal expectations: "... governments strongly committed themselves to ameliorate social inequalities at home and abroad and to achieve an ever rising standard of living. However morally and socially commendable, these commitments proved to be too ambitious in economic terms — both in what they actually attempted to achieve as well as in the expectations they raised among the public."[50] He went

50 Alan Greenspan, "The Impact of the 1973–1974 Oil Price Increase on the United States Economy to 1980," US Council of Economic Advisors, Alan Greenspan, Box 48,

on to suggest this public must adjust to new "realistic goals" and that, "levels of income will be lower and the possible growth in standards of living will be reduced." Society had "overshot" reasonable expectations. The solution? Austerity, or a politics of less.

From a much different political perspective, much of the "New Left" also turned its critique toward the problems of an affluent commodity society. Herbert Marcuse defined "pure domination … as administration, and in the overdeveloped areas of mass consumption, the administered life becomes the good life for the whole …"[51] Guy Debord asserted, "The diffuse spectacle accompanies the abundance of commodities" and that the commodity has "succeeded in totally colonizing social life."[52] Critical theorist William Leiss argued consumer lifestyles did not satisfy fundamental human needs: "This setting promotes a lifestyle that is dependent upon an endlessly rising level of consumption of material goods … [in which] individuals are led to misinterpret the nature of their needs."[53] Christopher Lasch lampooned the American "cult of consumption" and the "propaganda of commodities" in ways that directly influenced President Jimmy Carter's so-called "malaise speech" in which he claimed Americans, "tend to worship self-indulgence and consumption."[54] Most agree the speech admonishing Americans to scale down paved the way for Reagan.

These critiques of affluence came at an odd time during a decade in which American workers were under attack. As historian Daniel Horowitz explains, "most Americans experienced [the 1970s] as one of economic pain … the vast majority of the nation's families experienced

Folder 1, Gerald Ford Presidential Library, Ann Arbor, Mich.

51 Herbert Marcuse, *One Dimensional Man* (Boston: Beacon Press, 1964), 255.

52 Guy Debord, *Society of the Spectacle* (London: Rebel Press, 1967), 32, 21.

53 William Leiss, *Limits to Satisfaction: An Essay on the Problem of Needs and Commodities* (Toronto: University of Toronto Press, 1976), x.

54 Christopher Lascsh, *The Culture of Narcissism: American Life in An Age of Diminishing Expectations* (New York: W. W. Norton & Company, 1979), 32, 73; Jimmy Carter, "The Crisis of Confidence Speech," 1979.

diminishing real incomes."[55] Polls reported the rising cost of living was the number one concern for Americans (in a decade with no shortage of concerns).[56] In a context where the working class struggled to afford the basics of life many on the Left and Right told them they already had too much. As the Greenspans of the world won out, it became common sense that it was time to "do more with less"; it was time to cut — government spending, union benefits, and, household budgets alike.

The critique of affluence and "overconsumption" overlapped perfectly with the rise of the ecology movement at precisely the same moment. Much like Greenspan, the Club of Rome's 1972 *Limits to Growth* announced a new reality to which society had to adjust: "man is forced to take account of the limited dimensions of his planet."[57] Paul Ehrlich initially trumpeted the crudest Malthusianism in *The Population Bomb*, but a few years later, in 1974, he and his wife published *The End of Affluence*, arguing that the mass consumer society had overshot its material base.[58] One of the most influential texts was William Catton's *Overshoot,* which explained how human resource use had "overshot" the carrying capacity of the Earth and mass die-off was imminent.[59] Environmental politics rose and expanded precisely during the period of neoliberal restraint. It subscribed to what Leigh Phillips terms an "austerity ecology" — a politics of limits, reducing consumption, and lessening our impact — reduce, reuse, recycle.[60]

It is in this context where the strange division between a "class"

55 Daniel Horowitz, *Anxieties of Affluence: Critiques of American Consumer Culture, 1939–1979* (Amherst, MA: University of Massachusetts Press, 2004).

56 Matthew T. Huber, *Lifeblood: Oil, Freedom and the Forces of Capital* (Minneapolis, MN: University of Minnesota Press, 2013), 112.

57 Donella H. Meadows et al., *The Limits to Growth* (New York: Universe Books, 1974).

58 Paul Ehrlich and Anne Ehrlich, *The End of Affluence: A Blueprint for your Future* (New York: Ballantine Books, 1974).

59 William Catton, *Overshoot: The Ecological Basis of Revolutionary Change* (Urbana, IL: University of Illinois Press, 1980).

60 Leigh Phillips, *Austerity Ecology and the Collapse Porn Addicts* (London: Zero Books, 2015).

and "environmental" politics is rooted. A "new social movement," environmentalism rejected a politics rooted in material interests as hopelessly linked to the hollow materialism of the commodity society. Whereas a class politics was always about offering a vision of increased overall welfare, ecological politics became a politics of less. André Gorz developed an explicitly eco-socialist standpoint centered on less: "The only way to live better is to produce less, to consume less, to work less, to live differently."[61] Over the years class and environmental politics were constantly at odds in the "jobs versus environment" debate. It was working-class loggers who opposed the protection of the spotted owl or the restoration of salmon runs in the Columbia River. As Richard White recounts, the bumper sticker "Are you an Environmentalist or do you Work for a Living?" became popular among rural working-class communities.[62] While many working-class people were indeed hostile to elite environmentalism, this went both ways. Green politicians also blamed privileged workers for their consumption. Rudolph Baro, of the Green Party in Germany, plainly said: "The working class here [in the West] is the richest lower class in the world .... I must say that the metropolitan working class is the worst exploiting class in history."[63]

Many parts of the eco-left today still call for a politics of less. In 2018, the *New Left Review* published a piece by Troy Vettese that argued *for* austerity — or what he called "egalitarian eco-austerity" that aims to divide the less stuff equally. The article advocates, among other things, turning over half the planet to wild nature — an idea he takes from the sociobiologist E.O. Wilson — universal veganism, and an abstract plan for global per-capita energy rationing.[64] Perhaps the

61 André Gorz, *Ecology as Politics* (Montreal: Black Rose Books, 1975), 68–69.

62 Richard White, "Are you an environmentalist or do you work for a living? Work and nature" in William Cronon (ed.), *Uncommon Ground*: *Toward Reinventing Nature* (New York: W. W. Norton & Company, 1996), 171–186.

63 Rudolph Bahro, *From Red to Green: Interviews with the New Left Review* (London: Verso, 1984), 184.

64 Troy Vettese, "To Freeze the Thames: Natural Geo-Engineering and Biodiversity,"

most popular strand on the eco-left today is the program of "degrowth" defined in a recent compilation as "an equitable downscaling of production and consumption that will reduce societies' throughput of energy and raw materials."[65] Degrowth proponents are quick to insist they don't' want this to appear like a politics of "less" because they are calling for the redistribution of less stuff more equally and calling for *more* immaterial resources like time, community, and relationships. Yet, this program's obsession with overall material throughput and GDP growth — itself a statistical construction that obscures precisely who *benefits* from growth in a capitalist economy — fails to take into account that the vast majority of people in capitalist societies also need *more material stuff*. The experience of the neoliberal period has been defined for most by stagnant incomes/wages, increasing debt, eroding jobs security, and longer working hours. By centering its entire political program on the prefix of "de" and talk of "reductions," degrowth has little capacity to speak to the needs of the vast majority of workers ravaged by neoliberal austerity.[66] A class analysis would always be premised on not the aggregate of society (and whether or not it needs to grow or degrow), but rather conflictual class divisions where a few have way too much and the majority have too little.

What explains the nexus of ecology and a politics of less? One thing that unites these austerity perspectives — from Alan Greenspan to degrowth — is that they emerge from a specific *class formation mentioned above*, "the professional-managerial class," and what I will call, for simplicity, the professional class.[67] This class formation expanded

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New Left Review 111 (May–June 2018): 63–86.

65 Giacomo D'Alisa, Federico Demaria, and Giorgos Kallis, *Degrowth: A Vocabulary for a New Era* (London: Routledge, 2015), 3–4.

66 For a critique of degrowth and Vettese's article in particular see, Robert Pollin, "De-Growth vs a Green New Deal," *New Left Review* 112 (July–August 2018): 5–25.

67 I think there are significant political-ideological cleavages between "managerial" and "professional" occupations; particularly with regard to ecological politics where the former is likely quite oppositional and the latter quite supportive. See the Ehrenreichs' full essay and a book full of commentary and critique in Pat Walker (ed.) *Between Capital and Labor* (Boston: South End Press, 1979).

rapidly in the postwar era through the dramatic expansion of higher education. It is radical academics, natural scientists, nonprofit mangers, government workers, journalists, and other professionals who conclude modern lifestyles are to blame for our ecological crisis. Ironically, it is the professional class's own relative material security that induces this rather guilt-ridden conviction that "all of us" consumers are at the root of the problem.

The Professional Class: Knowing Environmental Crisis

In 1976, Barbara and John Ehrenreich's controversial concept of the "professional-managerial class" was an attempt to take account of the dramatic rise in so-called white-collar occupations in an increasingly postindustrial knowledge economy.[68] On the one hand, they were attempting take account of the central role of "middle-class radicalism" in shaping the "New Left" politics prominent at the time.[69] In broader terms, they argued "the enormous expansion of higher education" had created, "a new stratum of educated wage earners … impossible for Marxists to ignore."[70] They entered a debate among many Marxists on how to theorize the class location of such knowledge workers. Given their lack of ownership of the means of production — and reliance upon wages or salaries for survival — André Gorz and Serge Mallet called them the "new working class."[71] Nicos Poulantzas called them the "new petty bourgeoisie" and argued the traditional class cleavages between mental and manual workers applied.[72] Erik Olin Wright argued we should acknowledge the "contradictory class

68 Ehrenreich and Ehrenreich, 1979.

69 Ibid, 6.

70 Ibid, 7.

71 See, André Gorz, *Strategy for Labor* (Boston: Beacon Press, 1967) and Serge Mallet, *Essays on the New Working Class* (St. Louis, MO: Telos Press, 1975).

72 Nicos Poulantzas, *Classes in Contemporary Capitalism* (London: Verso, 1974).

locations" of many professional occupations.[73] Regardless of how we theorize them, a key point is that the professional class is a minority of the population. Kim Moody estimates professionals make up 22 percent of the employed population in the United States (another 14 percent are categorized in "managerial" occupations).[74] He claims the working class represents 63 percent.

I do not aim to resolve these theoretical debates here. For my purposes, I want to emphasize the centrality of *knowledge*, and more broadly, *educational credentials* to professional-class life. Poulantzas explained this in terms of education and the making of a "career": "the role of these educational levels is far more important for circulation within the new petty bourgeoisie (the 'promotion' of its agents, and their 'careers', etc.), than it is for the working class."[75] The centrality of educational credentials means the professional class not only subscribes to the myth of "meritocracy," but also elevate the *individualized* capacity to impact the world — whether that is in terms of achieving a "career" or virtuously lowering your carbon footprint. Educational levels and credentials are not only central to professional-class life experiences but serve as a ticket toward a more *material* aspiration for a "middle class" life of cars, home ownership, kids, and financial security. Yet, while the professional class aspires to these banal aspects of middle-class security, they are often simultaneously reviled by it. Through exposure to elite education, many in the professional class come to think deeply about both the alienation and destruction inherent in the mass commodity society. This inward-looking guilt is often at the root of professional-class politics.

The politics of ecology emerged from this professional class. By the 1960s, the ecology movement not only proposed a particular kind of politics against environmental destruction, but also a mode of critique

73 Erik Olin Wright, *Understanding Class* (London: Verso, 2015).

74 Kim Moody, *On New Terrain: How Capital is Reshaping the Battleground of Class War* (Chicago: Haymarket, 2017), 40.

75 Poulantzas, ibid.

which situates knowledge and science at the core of struggle. Today this is fundamentally how climate politics is presented — a battle between those who "believe" and those who "deny" the science. This has historical roots as the ecology movement always situated scientific knowledge — credentials — at the center of ecological politics. In 1972, the *Ecologist* ran a cover story called "A Blueprint for Survival," which claimed a specific politics of authority rooted in credentials: "This document has been drawn up by a small team of people, all of whom, in different capacities, are professionally involved in the study of global environmental problems."[76] The more famous 1972 *Limits to Growth* also enacted the same vision of politics — that a team of researchers can study and thus know the true extent of ecological crisis. The foreword claims, "It is the predicament of mankind that man can perceive the problematique, yet, despite his considerable knowledge and skills, he does not understand the origins, significance, and interrelationships of its many components and thus is unable to devise effective responses."[77]

The central tenet of such ecological knowledge systems is an analysis rooted in *relationality* — or the assertion, as Barry Commoner put it, "everything is connected to everything else."[78] Although early ecological studies only aimed to study the relations among nonhuman organisms, the ecological movement was based in the assertion that humans must be studied in their deep interrelationships with the natural world. A classic ecological text of the 1970s, William Ophuls's *Ecology and the Politics of Scarcity*, lays out the core of an ecological critique of "our way of life":

> ... due to man's ignorance of nature's workings, he has done so in a particularly destructive fashion ... we must learn to work with

76 Ibid, 1.

77 Meadows et al. *Limits*, 11.

78 Barry Commoner, *The Closing Circle: Nature, Man, and Technology* (New York: Knopf Doubleday, 1970).

> nature and to accept the basic ecological trade-offs between protection and production … this will necessarily require major changes in our life … for the essential message of ecology *limitation*: there is only so much the biosphere can take and only so much it can give, and this may be less than we desire …[79]

If we *knew* the deep interrelations of our impacts on the biosphere, then we would truly understand the need for *limitation*. By focusing on "our life" it is clear where he thinks the limits should be placed: consumer lifestyles.

Now, a politics based upon "relationality" could have easily connected the dots in a way that pointed toward the culprits in the capitalist class who control production for profit. This form of analysis would yield a politics based on conflict and an inherent antagonism between capitalists and the mass of society over ecological survival. However, the knowledge associated with ecologies of "interdependence" did not point in this direction. This form of ecological relational knowledge leads directly to the ecological footprint analysis reviewed above.

This turn toward lifestyles and mutual guilt easily converged with the efforts of the business sector to reshape the more radical strains of the environmental movement. In the wake of the huge regulatory challenges to industry posed by the Clean Air and Water Acts — and widespread public belief that business was causing the environmental crisis — corporations devised massive public relations efforts to green their image.[80] Historian Joe Conley explains:

> The goals of these programs ranged from deflecting criticism of environmental impacts and forestalling new environmental laws

79 Ophuls, *Ecology and the Politics of Scarcity* (W.H. Freeman, 1977).

80 Joe Conley, *Environmentalism Contained: A History of Corporate Responses to the New Environmentalism* Doctoral Dissertation Manuscript, Princeton University, Program on the History of Science, November 2006.

> to promoting voluntary alternatives to regulation and gaining market share among ecologically-conscious consumers.[81]

Moreover, some corporations actively promoted the idea that environmental stewardship should be the individual consumer's — not industry's — responsibility. For example, perhaps the quintessential example of consumer action is recycling. Historian Ted Steinberg recounts the story of how industry groups like beer and soft drink manufactures — along with aluminum and plastics companies — organized to defeat a national bottle bill which would force industry to pay the cost of recycling.[82] They preferred public municipal recycling programs that place the responsibility on individual households to sort and recycle their waste. More perniciously, they vigorously promoted the idea that individual consumers were themselves the cause of pollution. He quotes an official from the American Plastics Council saying, "If I buy a product, I'm the polluter. I should be responsible for the disposal of the package."[83] This is the logic of "ecological footprints" transferred to plastic bottles.

Poulantzas argued the professional class — or the "new petty bourgeoisie" — can shift back and forth from bourgeois and proletarian class positions. "These petty-bourgeois groupings can often 'swing' according to the conjuncture, sometimes in a very short space of time, from a proletarian to a bourgeois class position and vice versa."[84] This section argued much of the professional class has adapted political strategies that align with capital's decades-long insistence on austerity. But Poulantzas insists that "this 'oscillation' should not be taken as a natural or essential feature of the petty bourgeoisie, but

81 Ibid, 62.

82 Ted Steinberg, "Can Capitalism Save the Planet? On the Origins of Green Liberalism," *Radical History Review* 107 (Spring 2010): 7–24.

83 Ibid, 15.

84 Poulantzas, *Classes in Contemporary Society*, 298.

refers to its situation in the class struggle."[85] In a time of renewed working-class militancy and resurgent socialist politics, what would an environmental politics from a working-class perspective look like?

PART 3
WORKING-CLASS ECOLOGICAL POLITICS

For the environmental movement to expand beyond the professional class and establish a working-class base for itself, it cannot rely on austerity, shaming, and individualistic solutions as its pillars. It also cannot place so much emphasis on *knowledge* of the science (belief or denial). It has to mobilize around environmentally beneficial policies that appeal to the material interests of the vast majority of the working class mired in stagnant wages, debt, and job insecurity. A working-class environmental program would focus on *anti-austerity* politics. One premise might be: humans are ecological beings who have basic needs to reproduce their lives (food, energy, housing, health care, love, leisure). The proletarian reliance upon money and commodities for these basic needs creates high levels of stress — and excludes huge swathes from meeting them. Instead of seeing those needs as a source of "footprints" that must be reduced, we should acknowledge the majority of people in capitalist society need *more* and secure access to these basics of survival. To make this political we need to explain how human needs can be met through ecological principles.

Conveniently, Alexandria Ocasio-Cortez, the Sunrise Movement, and new left think tanks like "New Consensus" have coalesced around demanding a "Green New Deal" that in many ways attempts to build this kind of working-class environmental politics. The nonbinding resolution proposed by Rep. Ocasio-Cortez and Senator Ed Markey, *centers* inequality and working-class gains. The resolution emphasizes

85 Ibid.

all the technical requirements for a massive decarbonization program, but also offers "all people of the United States … a job with a family-sustaining wage, adequate family and medical leave, paid vacations, and retirement security." Many centrist liberal thinkers have lambasted the Green New Deal because it folds in broader demands like "Medicare for All" and a federal job guarantee when the focus should myopically be on climate and decarbonization. This couldn't be more mistaken. The key is to build a movement where masses of people connect the dots to see the solutions to all our crises of climate, health care, and housing require building mass social power to combat the industries profiting from these very crises.

There is admirable political vision behind the Green New Deal. But, as of yet, we lack the kind of political movement that could actually achieve it. The demands of the Green New Deal require massive concessions from capital. In order to win such concessions, we need to see the working class as a mass base of social power and seek to build that power in two primary ways. First, the most obvious source of working-class power is simply the fact that they are the majority of the population (Moody actually estimates 75 percent if we include those doing care work outside the formal workforce). The Left is already learning that a key way to build popular mass support from this base is to offer programs based on the *decommodification of basic needs*.[86] Many radical ecological thinkers place attention on resistance to the commodification of nature[87] — or preventing the integration of new "frontier" environments into the circuits of capital. A working-class ecological politics should focus on the inverse of this: instead of only resisting the entrance of nature into the market, we can fight to

86 For others who fold decommodification into eco-socialist politics see: Thea Riofrancos, Robert Shaw, and Will Speck, "Eco-Socialism or Bust," *Jacobin*, April 20, 2018; Greg Albo and Lilian Yap, "From the Tar Sands to 'Green Jobs'? Work and Ecological Justice," *Bullet,* July 12, 2016.

87 For a useful review see Scott Prudham, "Commodification" in Noel Castree, David Demeritt, Diana Liverman, and Bruce Rhoads (eds.), *A Companion to Environmental Geography* (London: Wiley, 2009), 123–142.

extricate things people need *from* the market. Rather than focusing on those who have a direct "use value" or livelihood relation to the environment, this politics takes the working-class dependence on commodities as a key source of insecurity and exploitation. The recent surge in socialist electoral politics in the UK, US, and other countries has shown that these kinds of appeals to peoples' basic needs can be extremely popular in societies ravaged by inequality and precariousness.

A Green New Deal–style decommodification program is not only meant to appeal to workers' interests; it could also have tremendous ecological effects. Free public housing programs could also integrate green building practices that provide cheaper heating and electricity bills for residents.[88] Free public transportation could fundamentally shift the overreliance on automobiles and other privatized modes of transport. There is no ethical reason why we should all agree that "health care is a human right," but food and energy are not. With these we confront industries who are the central culprits in our ecological crisis. Moreover, this program of decommodification does not exclude traditional ecological movements for preservation or conservation of wilderness or "open space." It is a politics of building and enlarging the zone of social life where capital is not allowed. The combination of the Green New Deal's "federal job guarantee" with the decommodification of social needs could also include the traditional left-labor demand for a *shorter workweek* since the total number of work hours could be spread among fewer workers and the basics of life will simply cost less.[89]

A Green New Deal based on decommodification is also about shifting power and control over society's resources. The most ecologically beneficial part of this program is that it aims to transfer these industries from private to public ownership so that environmental

88 Daniel Aldana Cohen, "A Green New Deal for Housing," *Jacobin*, February 8, 2019.

89 Kate Aronoff, "Could a Green New Deal Make Us Happier People?" *Intercept*, April 7, 2019.

goals can predominate over profits. For climate change, there is one sector in particular that could become a critical site of struggle: electricity.[90] A rapid plan of decarbonization will require a program based on the "electrification of everything," including transportation and residential and commercial heating.[91] In the United States context, this not only means "greening" an electric power sector that is still 62.9 percent powered by fossil fuels (mainly natural gas and coal), but also massively expanding electric generation to accommodate increased demand from electrification of other sectors.[92] This program will require a massive struggle against the investor-owned private utility industry. According to one report, this industry only includes 199 private utilities (representing 9 percent of the total number of utilities), but they service 75 percent of the electric consumer base.[93] A rapid decarbonization plan would clearly require placing these 199 companies under public ownership — and they would not relinquish their guaranteed profits without a fight.

Because of its "natural monopoly" status (it only makes sense for one company to handle provision on a single grid network), the electricity sector is already subject to intense forms of public regulation and scrutiny. That is, it is a sector more open to political contestation than others. Moreover, since electricity is absolutely central to social reproduction — and because there is already an existing reservoir of working-class anger at private utilities companies for exorbitant rates and shutoffs[94] — it would be straightforward to build mass working-class campaigns based on both the need to rapidly decarbonize

90 Johanna Bozuwa, "Public Ownership for Energy Democracy," *The Next System Project*, September 3, 2018.

91 David Roberts, "The key to tackling climate change: electrify everything," *Vox*, October 27, 2017.

92 US Energy Information Administration, https://www.eia.gov/tools/faqs/faq.php?id=427&t=3.

93 Jim Lazar, *Electricity Regulation in the US: A Guide.* (Montpelier, VT: The Regulatory Assistance Project).

94 The Providence DSA chapter has embarked on a campaign on this terrain called "#NationalizeGrid." See, Riofrancos, Shaw, and Speck, "Eco-Socialism or Bust."

electricity *and* offer cheaper, even free, electricity for households. While climate change politics is often abstract — debating global temperature targets and parts per million in the atmosphere — masses of workers could easily understand free electricity.

Any decommodification and public sector program will also raise the question of how to "pay" for it. Like the old New Deal, the answer must focus on corporations and the wealthy. This will require an antagonistic politics that explains who really is responsible for ecological crisis that is not inward and guilt-ridden, and that does not blame working-class consumption. It will channel already existing class anger at the rich for causing the ecological crisis. Contrary to neoliberal orthodoxy, taxing the rich is also very popular among the working class. Political scientist Spencer Piston's recent research found remarkable levels of public support for policies based on what he calls "resentment of the rich."[95] In response to Alexandria Ocasio-Cortez's call for higher taxes on the rich to fund a Green New Deal, a recent poll found that 76 percent of Americans and even a majority of Republicans are in favor of higher taxes on the rich.[96]

The second major source of working-class power is not merely their numbers, but their *strategic location in the workplace* as the source of labor underpinning private profits and public social reproduction. The working class has the capacity to withdraw their labor and *force* concessions from capital through strikes and other forms of disruptive politics. Mass disruptive action can create a larger sense of crisis, where capital will conclude that "their least painful choice is to accept the demands of workers for a livable climate and an end to poverty through a Green New Deal."[97] Ecological politics has long understood the power of disruption, but usually deploys this *outside*

95 Spencer Piston, *Class Attitudes in America: Sympathy for the Poor, Resentment of the Rich, and Political Implications* (New York: Cambridge University Press, 2018).

96 Patricia Cohen and Maggie Astor, "For Democrats Aiming Taxes at the Superrich, 'the Moment Belongs to the Bold,'" *New York Times*, February 8, 2019.

97 Keith Bower Brown, Jeremy Gong, Matt Huber, and Jamie Munro, "A Class Struggle Strategy for A Green New Deal," *Socialism Forum* (Winter 2019).

the workplace in ways that appear antagonistic to workers. Edward Abbey's *The Monkey Wrench Gang* fictionally depicts activists putting their bodies in the way of mines and other infrastructure and using tools to dismantle the machines of ecological destruction.[98] In real life, Earth First! developed the tactic of "tree sitting" to block the logging of old growth forests. Today what Naomi Klein calls "Blockadia" describes the many activists blocking pipeline expansion and other fossil fuel infrastructure like coal-fired power plants.[99] A modern day "monkey wrench gang" includes the "valve turners" who use bolt cutters and other tools to access pipeline valves to stop the flow of oil or gas. These activists rightly recognize the power of mass disruption in winning political demands. Yet the current army of eco-direct action activists only possess limited disruptive capacity. They succeed in blocking a pipeline here, an oil train there, but fail to put much of a dent in the mass fossil fuel complex at the center of the reproduction of capitalism. The most inspiring, and in many ways successful, upsurge was the #NoDAPL movement at Standing Rock — yet, in the wake of Trump's election, the Dakota Access pipeline now carries, and indeed sometimes spills, fracked crude from the Bakken.

Could ecological politics appeal to workers with the capacity to shut down capitalism from the inside? Can we build what Sean Sweeney calls an "ecological unionism" where workers see their struggle against management as an environmental struggle?[100] This could start by simply making the connection between the ways bosses exploit workers and the environment. This connection used to be much more central to the environmental movement in the 1960s. Tony Mazzocchi's Oil, Chemical and Atomic Workers Union helped force the creation of the Occupational Health and Safety

98 Edward Abbey, *The Monkey Wrench Gang* (Salt Lake City, UT: Dream Garden Press, 1985).

99 Naomi Klein, *This Changes Everything*, 293–336

100 Sean Sweeney, "Earth to Labor: Economic Growth is No Salvation," *New Labor Forum* 21, no. 1 (2012): 10–13.

Administration, which was set up with the same purpose in mind as the Environmental Protection Agency — protecting *life* from industrial capitalists. Connor Kilpatrick explains, "As Mazzocchi saw it, those chemicals that poisoned his union's rank and file eventually make their way into communities outside — through the air, soil, and waterways."[101] Although weakened, unions still fight on these terms; in 2015, the United Steelworkers oil refinery strikes focused in large part on workplace health and safety.[102]

Much is made of the current anti-environmentalism within building-trade unions and those sectors wrapped up in the fossil fuel industrial complex.[103] Several unions supported both the Keystone and Dakota Access Pipeline on the basis of providing good paying jobs. In environmental struggles, it is often labor and capital aligned against activists. Yet building-trade workers and coal miners are a very small proportion of the overall workforce. It is more plausible to look outside the dirtiest and most destructive sectors to find a form of labor militancy that can be conjoined with a larger ecological politics. There is also reason to not only focus direct action against rural resource extraction (where the labor movement is very weak). There is a tendency — reproduced by political ecology scholarship reviewed above — to believe that the "real" environmental struggle is in the rural sites where we extract the stuff or where "real" natural landscapes are in peril.

A working-class ecological politics could also be effectively built within those industries with very little environmental impact in the first place. Jane McAlevey has persuasively argued that the health care and education sectors should be the strategic target of a new working-class union movement.[104] These sectors are the very basis

101 Connor Kilpatrick, "Victory Over the Sun," *Jacobin*, August 31, 2017.

102 Trish Kahle, "The Seeds of an Alternative," *Jacobin*, February 19, 2015.

103 Erik Loomis, "Why labor and environmental movements split—and how they can come back together" *Environmental Health News*, September 18, 2018.

104 Jane McAlevey, *No Shortcuts: Organizing for Power in the New Gilded Age* (New

of social reproduction in many communities — and unlike steel plants they cannot be offshored. Alyssa Battistoni also argues these "social reproduction" or "care" sectors are inherently low-carbon and low-impact sectors.[105] Expanding these sectors should be central to the political ecology focused on "care" in the larger sense of the term (to include ecosystems and other life support systems). Many of these struggles are also in the very public sector that will be crucial to the program of decommodification reviewed above.

In the last year, McAlevey's advice has become reality with the largest wave of strikes since 1986 — almost all confined to the education sector.[106] In line with the program advocated here, these strikes are fundamentally about fighting *austerity* and improving the lives of the workers involved. The West Virginia teachers' strike, for example, shut down the central institution of social reproduction (schools) to achieve a set of material demands — including taxing the fossil fuel industry to provide revenue for better schools.[107] But these strikes are also fundamentally about improving life beyond the workplace. The teachers' strikes have been described as "bargaining for the common good" in which the demands articulate a larger vision of public betterment through working-class power.[108] The recent United Teachers of Los Angeles strike not only demanded better funded schools, but also increased green spaces on the school grounds.[109] This largely anti-austerity politics built around the common good could easily be folded into a larger green program based on the unionized jobs to

York: Oxford University Press, 2016).

105 Alyssa Battistoni, "Living, Not Just Surviving," *Jacobin*, August 15, 2017.

106 Bureau of Labor Statistics, "Work Stoppages Summary," February 8, 2019.

107 Kate Aronoff, "Striking Teachers in Coal and Gas Country are Forcing States to Rethink Energy Company Giveaways," *Intercept*, April 12, 2018.

108 Steven Greenhouse, "The strike isn't just for wages anymore. It's for 'the common good.'" *Washington Post*, January 24, 2019 and Nato Green, "Why Unions Must Bargain Over Climate Change," *In These Times,* March 12, 2019.

109 United Teachers of Los Angeles, "Summary of Tentative Agreement/UTLA and LAUSD January 22, 2019," https://www.utla.net/sites/default/files/Summary%20of%20Tentative%20Agreement%20FINAL3%20012219_0.pdf.

create public green infrastructure, housing, and transit as laid out above. Public transit unions and workers in the utility sector could also be organized along these lines.

Building ecological power through the working class — as the majority of society and whose labor makes the entire system work — could form a formidable challenge to the rule of capital over life and planetary survival. Winning this struggle will begin by emphasizing the need for "less" and "sacrifice" should only be borne by the rich and corporations; the rest of us have so much to gain.

Conclusion

In the crisis and transformations of the late 1960s and 1970s, two major shifts occurred. First, using crisis as its pretext, neoliberal forces consolidated to argue that societal expectations of the postwar "affluent" economy had overshot reality and austerity was required to check government spending and union power. Second, much of the "New Left" was inundated by the newly minted graduates of the professional classes (themselves a product of the unprecedented expansion of higher education in the postwar era). This left also became highly critical of "affluence" and a commodity society based in consumerism. These two factors converged in an ecology movement almost wholly populated by this professional class who used scientific models to also argue that societal "affluence" and consumption required a politics of limits and austerity. The quintessential method of this perspective is that of the ecological footprint tool which ultimately argues it is consumers who drive economic decision-making and ecological degradation. In this period, it became taken for granted that an ecological politics meant something different than a class politics; to put it plainly, ecology demanded a politics of less, class meant an outdated politics of more. Although some professional-class academics saw a more radical ecology in material interests, it assumed such a politics could only be formed on the basis of those marginalized communities

with a direct livelihood relationship with nature or pollution.

During this same period, capital has only consolidated its power and the ecological crisis has only worsened. Yet with the Bernie Sanders campaign, other electoral victories, and an insurgency of strikes and working-class militancy, the Left is resurgent for the first time in decades. It has finally moved from a language of "resistance" to a language of how to build power. Building an effective environmental politics is not something that needs to be speculatively designed by nonprofits or activist think tanks. We can simply learn from the existing movement around us. Whether we are organizing around unions, rent control, health care, or environmental betterment, in every case capital is fighting to stop it. As Marx said, "Capital … takes no account of the health and the length of life of the worker, unless society forces it to do so."[110] Capital also takes no account of *all life* and is taking the planet to the brink. We just need to develop a social force capable of stopping it.

110 Karl Marx, *Capital Vol. 1* (London: Penguin, 1990), 381.

Unlike some countries with stronger labor movements, labor law plays an outsized role in the regulation of labor relations in the United States. This legalistic regime tends to substitute state power for workers' collective power, undermining processes of class formation. Going forward, a nascent labor movement should pursue worker freedoms and be wary of worker rights.

COUNTERFEIT LIBERTY

MATT DIMICK

Freedom consists in converting the state from an organ superimposed upon society into one completely subordinate to it; and today, too, the forms of state are more free or less free to the extent that they restrict the "freedom of the state."

— Karl Marx, *Critique of the Gotha Program*

Labor law presents an inescapable problem for the labor movement. If that claim was not already obvious, then the US Supreme Court's decision in *Janus v. AFSCME* should have made this clear. Even labor law scholars, who once viewed labor law as a path of liberation for the labor movement, now see it as an ossified millstone around its neck. Recommendations for the reform and renewal of labor law therefore abound. In nearly all of these recommendations, there is no question that the law can and should play a fundamental role in revitalizing the labor movement. Indeed, labor law's current flaw

according to these recommendations is not the rights they provide, but only the "weakness" of these rights.

In this essay, I want to ask a question that has quite a different implication for how trade unions should approach labor law: how did the regulation of labor relations come to assume the form of law? The first objective of this essay is to answer this question. As labor movements developed under capitalism in the late nineteenth and early twentieth centuries, the regulation of labor relations took different paths. The path that a particular country took was determined by various material, political, and ideological causes that this essay will try to describe. While some amount of legal regulation is inescapable in a society based on private property and generalized commodity exchange — which logically imply the contestation of private interests — labor movements in some parts of the world have been able to avoid the dependency and displacement that always follows a regime of full-blown legal regulation. Trade unions in Scandinavia in particular have been able to develop a system of labor regulation that avoids the subordination to the state that has been the fate of Anglophone countries, such as the US and Australia, as well as on the Continent, in France and Germany.

Another objective of this essay is to show that even labor law sympathetic to unions, rather than loosening, came to bind ever more tightly the cords constraining labor. This is not, or at least not only, because of capitalist-class interest or ideology extrinsic to labor law, but in fact is quite intrinsic to law itself. As this essay will demonstrate, many of the restrictions and prohibitions that hobble the labor movement today are justified by the very rights the labor law statute, the National Labor Relations Act (NLRA), confers. Statutory labor law confers *rights*, and rights are distinguished by the fact that they constitute claims that are enforced through the machinery of the state apparatus. In the mind of a judge or bureaucrat, one can hardly complain about the suppression of workers' self-activity to advance or enforce some interest or claim, because the existence of

a corresponding legal right makes such activity *legally* redundant. Of course, there is an enormous *sociological* difference: if strikes are the means by which workers build solidarity and develop class consciousness, then the substitution of the strike for other means of reaching working-class objectives may, whether intentionally or not, undermine working-class interests.

What therefore should be the labor movement's stance toward the state? An implication of this essay's analysis is that the labor movement must demand labor *freedoms* while also being wary about labor *rights*. Most abstractly, a right means that a legal subject ***A*** (person, corporation, or other legal entity) has some interest or may take some action which is legally *protected* against the interference of some other legal subject ***B***. To say that this interest or action is legally protected means that ***A*** may call upon the coercive power of the state to enforce that right. Furthermore, ***B*** has a correlative duty not to interfere with the interest or action of ***A***. For instance, because Jane Worker may choose to join a union, and the National Labor Relations Board (NLRB) will sanction the employer for, say, terminating or demoting her for making such a decision, Jane has a *right* to join the union, and the employer has a *duty* not to interfere with that decision. A freedom on the other hand means that ***A*** has some interest or can take some action that is legally *permitted*. This means that ***B*** is under no duty *not* to interfere with ***A***; ***B***'s potential interference is also legally permitted. In this case, the state plays no role in the possible dispute between ***A*** and ***B***. For instance, if Jane is legally free to join a union, but the employer may discharge or demote her for such a choice, then she has the *freedom* but not the right to make that choice. If Jane were legally prohibited from joining the union, the employer would have the right to a union-free workplace and Jane the duty to respect that right.

Some particularly fundamental labor rights — the right to join a union, for example — are of course worth protecting. But, as indicated by a series of Supreme Court decisions reviewed below, the manner in which labor's interests are claimed and enforced is not an innocent

choice. The significance of a freedom, as distinct from a right, is that the state does not intervene, on one side or the other, in some social conflict. This creates a space in which labor is free to construct its own organizations and institutions, where the labor movement can build its own hegemonic project and begin to subordinate the state to society. Furthermore, a struggle for labor freedoms, on its own terms, remains an ambitious one. As detailed further below, current law directly prohibits several kinds of strikes that are essential for constructing a broader, more class-based labor movement. These should be the main target of legal reform, through all channels possible: legislative, judicial, and civil disobedience. The latter, I have little doubt, will be absolutely essential.

I have no illusions about even this law-skeptical project. All of the usual Marxist disclaimers and caveats about trade unions apply. Employers and capitalism are necessary counterparts to any form of the regulation of labor *relations*. I do not advocate an economistic strategy exclusive to trade unions. Equally true, however, is how bereft an electoral strategy is without an "economic" counterpart. And, in many ways, I think this is perhaps the greater danger in our current political conjuncture. Accordingly, this essay focuses on the tasks of building working-class power outside the electoral arena, and specifically the problem of labor law that task must confront.

THE TRAJECTORIES OF TRADE UNIONISM: COMPARATIVE-HISTORICAL CONTEXT

To understand how labor regulation in the United States came to assume the form of law, we need to start at a more abstract level of analysis — at the level of capitalism itself. Furthermore, it is possible to understand the particularities of the US case only by situating it within its broader historical and comparative context. To that end, this section starts by setting trade union formation and organization within its capitalist environment. It then traces the trajectories

of trade union organization — surely an important dimension of a broader process of class formation — across different countries. Finally, I show that differences in trade union organization across countries are linked with different regimes of labor law. I identify three: an Anglophone model of *dependency*, a Scandinavian model of *self-regulation*, and a continental European model of *displacement*.

Capitalism and Competition

Capitalist competition creates contradictory tendencies for the process of working-class formation. As Marx and Engels remarked in *The German Ideology*, "Competition separates individuals from one another, not only the bourgeois but still more the workers, in spite of the fact that it brings them together."[1] At the center of these challenges are the significant differences between capitalist firms. Capitalist firms differ substantially, both between and within industries, in terms of their organization of work, technology, and capital investment. These differences lead to substantial differences in productivity, output, and the ratio of capital to labor, which in turn create the possibility for significant wage differentials between workers of otherwise identical skill, experience, or training.[2] How unions respond to these facts, including the ways those responses are shaped by their social, economic, and institutional history, says much about how successfully unions will be able to transcend trade union sectionalism.[3]

The old, craft unions of the American Federation of Labor (AFL), for example, achieved gains for a narrow section of privileged workers

1 Karl Marx and Frederick Engels, "The German Ideology" in *Marx Engels Collected Works* (New York: International Publishers, 1976) 5: 75.

2 For a brilliant analysis of the labor market, see Howard Botwinick, *Persistent Inequalities: Wage Disparity under Capitalist Competition* (Princeton: Princeton University Press, 1993).

3 By *sectionalism* I refer to the oft-made distinction between policies and practices that advance the interests of particular groups of workers versus the interests of workers as a class. Antonio Gramsci, *Selections from Political* Writings, 1910–1920 (Minneapolis: University of Minnesota Press, 1977), 99–100.

in part by *excluding* other workers from job opportunities. Exclusion was achieved through "job control": union apprenticeships ensured that the craft union controlled the knowledge required to perform the job, job territories protected that skill within the workplace by limiting the employer's control over technology and work organization, and the closed shop limited access to jobs by mandating that employers only hired those workers trained by the union. By contrast, unions in Scandinavia and other parts of Europe took a *solidaristic* approach to labor organizing. This meant the rejection of a property-like claim over the introduction of new technology or work organization, and instead a reappropriation of higher productivity for all workers through the principles of "equal pay for equal work" and "taking wages out of competition."

Solidaristic unions formed on a consistently *industrial* basis — meaning not just organizing workers of all skill levels, but also organizing *industries* rather than *firms*, *labor markets* rather than *workplaces*. Thus, it is often mistakenly assumed that the emergence of the Congress of Industrial Organizations (CIO) in 1935 represented a genuine break with its craft-union predecessors. In truth, the CIO unions simply adapted different elements of the structures and strategies of the AFL craft model. As functional equivalents to skill and apprenticeship, the CIO unions substituted seniority rights and promotion ladders; in place of the closed shop, they substituted the union shop; and rather than relying on the external labor market, which a skill monopoly made possible, they relied on internal labor markets.[4] Thus, while the CIO unions did seek to organize workers regardless of skill, they remained prisoners of the workplace-centered model of their forbearers, never bargained with employers on a consistently industrial level, and, however much they were able to challenge the tyranny of the workplace, never mounted a serious

4 Wolfgang Streeck, "Skills and Politics: General and Specific" in *The Political Economy of Collective Skill Formation*, ed. Marius Busemeyer and Christine Trampusch (Oxford: Oxford University Press, 2012), 319.

challenge to the tyranny of the market.[5]

The next section will make this analysis even more concrete, and look at both the *origins* and *implications* of various degrees of trade union sectionalism across countries and time. Chief among origins will be (1) the timing of capitalist development and (2) the union's coordinating capacity — roughly, *power*, but more precisely the allocation of internal union authority over matters such as finances and strike decisions. On this point, I note that rates of union membership, or union density, while certainly an important source of union power, are not sufficient to grasp its full nature.[6] In terms of implications, I will show how differences in these two dimensions led to different forms of regulating labor relations.

Dependency

Not surprisingly, trade unions first appeared where capitalism also developed earliest — in Britain. British colonial rule exported this

5 On this specific point, I part ways with Botwinick, who attempts to draw a distinction between exclusive and inclusive forms of job control. *Persistent Inequalities*, 101–04. Yet, as another description makes clear, it is hard to envision how, for example, seniority rights could ever be fully "equitable":

> Thus it is doubtful that seniority, as a rule, still provides for a continuously accumulating, foreseeable job stability; instead, it tends to produce a hard core of "job proprietors" who can expect to survive drastic changes in employment … a "middle class" of fairly stable jobs in 'normal' times but vulnerable in recessions, and a fringe of short-time employees, defined by age and—as additional impeding factors—race and education, with the multiple "trial and error" experience of recurring or steady exclusion. Under present conditions, it comes up to a polarization of the labor force, making the jobs more stable for those who hold them and less accessible for those who are out …

Richard Herding, *Job Control and Union Structure: A Study on Plant-Level Industrial Conflict in the United States with a Comparative Perspective on West Germany* (Rotterdam: Rotterdam University Press, 1972),

6 For example, a federation of relatively autonomous unions that had 100 percent density in half of the firms in an industry could be quite "weaker," or at least possess a very different *allocation* of power, than a more centralized industrial union that had 50 percent density in *every* firm in an industry. At the industry level, associational power measured in terms of union density would be identical in each case, but this would not adequately exhaust our understanding of "power."

nascent mode of production and its associated trade union forms across the globe, so that trade union organization and behavior in Britain is more similar to that of Australia, New Zealand, and even the United States than it is to those countries (France, Belgium, and the Netherlands) just across the Channel. "In the British Empire and to a lesser extent in the USA, they imposed their pre-existing attitudes and modes of behaviour on the new social environment."[7]

Early capitalist development had several implications for trade union organization. Because capitalist relations of production preceded large-scale factory production, capitalist control over the labor process was limited, continuity with the earlier guild traditions remained strong, and markets were oriented locally.[8] Consequently, the nature of work was skilled and these craftsmen enjoyed a high degree of control over the labor process. These features generated a form of trade union organization that was centered on the workplace (or, the "point of production") and decentralized, with local union organizations retaining a high level of autonomy with respect to finances and workers' collective action. This form of organization has provided the template for all subsequent Anglophone trade union organization, including its "industrial union" phases.

This workplace-centered, decentralized model of trade union organization had important implications — above all for the regulation of labor relations, in addition to much else. The first important implication is that this model produced an enormously adversarial set of workplace relations. Decentralized union strategies, premised on the assertion of job control, strike at the center of the capitalist's control of the labor process. This produced an intense battle between unions and employers for the personal loyalties of the worker.[9] Unfortunately,

7 Walter Kendall, *The Labour Movement in Europe* (London: Allen Lane, 1975), 181.

8 Streeck, "The Sociology of Labor Markets and Trade Unions," 266.

9 P. K. Edwards, *Strikes in the United States, 1881–1974* (New York: St. Martin's Press, 1981), 233–242. Although Edwards's data reveals a strong relationship between strikes and job-control objectives, Edwards's attempt to generalize this theory to include, for example, an (exogenous and unexplained) especially intense employer hostility to

being rooted "at the point of production" did not necessarily produce more inclusive forms of organization.[10] This was because, circumscribed as it was by firm-level bargaining organization, it left workers subordinate both to the firm and, consequently, the imperatives of the market. Firm-level bargaining is incapable of *superseding* the imperatives of the *market* in any meaningful way. As such, workers became in fact more dependent on employers, more closely identifying their interests with the success of the firm rather than with wider sections of the working class.

Second, and in many ways simply the flip side of the first, firm-level bargaining and trade union organization came at the expense of greater coordinating capacity at the industry and national levels. We have already seen the different forms of this in the previous section. Here, it is worth pointing out why a simple metric like union density, important as it is, is nevertheless insufficient for understanding union power. At the firm level, decentralized bargaining could in fact produce very high levels of density — close to 100 percent in firms that were organized, even in "right to work" states. Unfortunately, union density was zero in unorganized firms. By contrast, where unions organize and bargain at industrial and national levels, such as in many European countries, all firms in a certain sense are organized and there is a smaller difference between firm-level and national-level density. Such maldistribution of power and resources explains much about labor's vulnerability and inability to respond effectively to a myriad of strategic and tactical problems. For instance, with large differences between organized and unorganized firms and sectors, issues like technological change become an existential threat to unions and their negotiated gains. In countries where unions bargain on an industry or national level, by contrast, technological change becomes

unions in the US is unsatisfactory.

10 For a comparison of conservative (AFL) and radical (IWW) job-control unionism, and of the difficulty of sustaining the latter, see Howard Kimeldorf, *Battling for American Labor: Wobblies, Craft Workers, and the Making of the Union Movement* (Berkeley: University of California Press, 1999), 47, 64–68, 148–151.

an opportunity, through increased productivity, for wage increases and further working-class gains.

These two characteristic features of Anglophone trade unionism — a high level of industrial conflict and a weak coordinating capacity — led to what I will call a "dependency model" of labor-relations regulation. Where unions were unable to regulate labor relations themselves because they lacked the coordinating capacity to do so, and yet where they still created immense industrial conflict, the state stepped in to regulate labor relations. Unfortunately, under this tutelage union progress became dependent on the state. And as a relation of dependency, unions also became all the more vulnerable to shifts in economics and politics. In the next section, we will trace the development of this model as it took shape in the US, as a form of *procedural* dependency. In the remainder of this subsection, I will situate the US between two different versions of the Anglophone dependency model: Australia, where unions were in important ways even more dependent on the state, and Britain, where they were in important ways less.

Beginning in 1904 and lasting until roughly 2003, Australian labor relations were governed by a stunningly comprehensive system of compulsory conciliation and arbitration. Like its US and British counterparts, "the Australian union movement was rooted in the craft tradition of union organization"[11] and industrial conflict was an important impetus for the system of regulation the country adopted. This system forced employers to recognize unions and abide by the "awards" delivered by tribunals to settle disputes. These awards were not collective bargaining agreements negotiated between unions and employers, like we see in the US; rather, they were the decisions of government tribunals, arrived at through a quasi-judicial process. These awards specified hundreds of details of the employment contract, and covered union and nonunion workers.

11 Robin Archer, *Why Is There No Labor Party in the United States?* (Princeton: Princeton University Press, 2007), 32.

From a certain perspective, this system looks like an enormous triumph for labor and the results, for workers, were impressive: comprehensive union representation of the workforce, and a substantial drop in wage dispersion. But unions had to give up a lot to secure it. It affected their form (the system was "federal," in the same way that that means "national" in the US), the content of their demands (the tribunals limited the subjects of bargaining to those specified in law), and their internal governance. Most fundamentally, they had to accept that there was no right to strike. It also left the Australian labor movement extraordinarily *dependent* on the state. The political right attacked this system in 1996 and then entirely dismantled it in 2004. By 2014, union density had declined by more than half, from 31 percent in 1996 to 15 percent in 2014, a more precipitous decline than *any* other labor movement in the advanced capitalist world, save New Zealand.[12] And the decline in New Zealand was for identical reasons: the political dismantling of its own, closely related compulsory arbitration system. Since then, Australia, along with other Anglophone countries, such as Canada and New Zealand, has converged on the US's Wagner model of dependency.

At the opposite end of the dependency model is Britain. Owing to a high level of union density and working-class consciousness, British unions developed a legal system called *collective laissez faire*, where unions enjoyed broad freedom of action, and the state and law, both procedurally and substantively, were kept at bay. This system came quite close to replicating the model of self-regulation developed in Scandinavia. Given its craft-union history, however, they were unable to forge the state-independent institutions required for self-regulation along with employers.[13] Furthermore, in areas where unions had weak influence, government-established trade boards — very similar

12 Rae Cooper and Brandon Ellem, "Cold Climate: Australian Unions, Policy, and the State," *Comparative Labor Law and Policy Journal* 33 (2017): 415–436.

13 Jonathan Zeitlin, "The Triumph of Adversarial Bargaining: Industrial Relations in British Engineering, 1880-1939," *Politics & Society* 18, no. 3 (1990):405–426.

to Australia's model of compulsory arbitration — set industry-specific wages and working standards.[14] In addition, since the Thatcher reforms of the 1980s, the British model has converged closer to the US model of procedural dependency.

Self-Regulation

For an entirely different approach to the regulation of labor relations, we can look to Scandinavia. Unlike the Anglophone countries, capitalism developed later in countries such as Denmark and Sweden.[15] Because capitalist development came later, unions did not develop the same decentralized, workplace-based mode of organization as in Anglophone countries. In this case, the appearance of the factory *coincided* with the emergence of capitalist relations of production, making the job-control unionism of the Anglophone type an anachronism. Even in Denmark, where unions still bear the imprint of craft organization, the exception proves the rule: bargaining and collective action is highly coordinated and more centralized.

These initial conditions led to a form of union organization with high coordination capacity and union-based workplace representation. In this later-industrializing environment, inclusive strategies of solidarity rather than exclusive strategies of job control were essential. Large-scale factory production erased the differences between skilled and unskilled workers, making job-control strategies of exclusion useless. Therefore, union power, if were to exist, had to come from solidarity rather than segmentation. Unions were thus compelled early on to take more coordinated action, typically striking successive employers in "whipsaw" actions. Employers responded by organizing

14 Sheila Blackburn, "The Problem of Riches: From Trade Boards to a National Minimum Wage," *Industrial Relations Journal* 19, no. 2 (1988): 124–138.

15 Anders Kjellberg, "Sweden" in *The Societies of Europe: Trade Unions in Western Europe since 1945*, ed. Bernard Ebbinghaus and Jelle Visser (New York: Grove's Dictionaries, 2000), 605; Walter Galenson, *The Danish System of Labor Relations: A Study in Industrial Peace* (Cambridge, MA: Harvard University Press, 1952), 7–11.

coordinated, multiemployer lockouts. Out of these conflicts at the beginning of the twentieth century, voluntary basic agreements between the two peak organizations of the employers and unions established a framework for comprehensive *self*-regulation. A central feature of these agreements is a "peace obligation," an agreement not to strike, during the term of the agreement. Crucially, the framework agreements make the peak organizations responsible for ensuring that collective bargaining agreements are observed and carried out by "all affiliated organizations." This may appear as a constraint on labor's freedom of action but, as we will see, it also prevents the defection of privileged sectors of the labor movement that would undermine the "taking wages out of competition" that centralized bargaining can achieve. Note also that centralization does not necessarily imply a lack of union democracy, as rank-and-file workers in Denmark "have ample opportunities to influence the choices of union leaders, including the right to ratify or reject collective bargaining agreements through binding referenda."[16] Finally, although the locus of union authority is centralized at national and industry level, above the firm, workplaces are well organized and workers represented by *union* organizations — an important distinction from the works-council forms of representation in France and Germany, considered next.

It is difficult to understate the surprisingly limited role of the state in this regime. For instance, the setting of wages, hours, and employment terms are the exclusive domain of labor and capital — the state has no role. To underscore this, not only is there no *statutory* minimum wage in Sweden or Denmark, but labor unions have historically opposed it unequivocally. Unlike the US and other Anglophone countries, the use of economic weapons is largely unregulated, and although strike rates are low by international standards, both employers and unions make use of secondary and sympathetic actions when necessary. Also unlike Anglophone countries, no procedure

16 Lucio Baccaro, "The Construction of 'Democratic' Corporatism in Italy," *Politics & Society* 30, no. 2 (2002): 332.

exists for the government to "recognize" a union, and the state's role in supervising the collective bargaining process is otherwise limited or nonexistent. When anti-union corporations Toys 'R Us and McDonald's set up shop in Sweden, for example, union recognition was achieved neither by a government-supervised representation election (as in the US) nor by compulsory state-based arbitration (as in Australia). Rather, unions used tactics prohibited in the US, such as secondary actions, to blockade these employers, who eventually had no option but to relent. Furthermore, as I have indicated, the main framework governing the relationship between labor and capital in both Denmark and Sweden is not a statute, but a "basic agreement" — a private but encompassing "contract," if you will — between the main federations of employers and employees.

Finally, the state does play a role in regulating Scandinavian labor relations, but primarily as a means of legal backing for these agreements. Thus, in both countries labor courts exist to adjudicate disputes between employers and unions. Although clothed with "public" power and authority, which makes their decisions binding on organized and unorganized employers and employees alike, they are also quite peculiar institutions. The labor court has exclusive competence to adjudicate labor disputes and its decisions are final and not subject to appeal. In Sweden, when hearing a case the court is normally populated by seven members, three state officials plus two members representing the employers and two representing unions.[17] In Denmark, when hearing a dispute the court normally consists of seven members, three chosen by each employer and union federation, and one presiding judge, whose members are chosen jointly by the lay judges.[18] These arrangements — no appeal, and direct representation

17 Since November, 2008, normal representation of the court consists of five members, with one representative, instead of two, from each of the labor market parties. But unions and employers may be represented by two members each if they request it. William L. Keller, Timothy J. Darby, and Carl Bevernage, eds., 4th ed., *International Labor and Employment Laws* (Arlington, VA: Bloomberg BNA, 2015).

18 Ole Hasselbalch, *Labour Law in Demark* (The Hague: Kluwer Law International,

of the "social partners" — keeps the regulation of labor relations insulated from the administrative apparatus of the state and the rest of the court system. This is a strikingly different arrangement than in the US, where labor relations are presided over by an administrative agency, the National Labor Relations Board, which exercises both executive and judicial functions, whose decisions are in turn subject to appeal to the federal court system, and in which labor unions have no formal representation.

Displacement

On the European continent, trade union organization falls somewhere between the two poles of Anglophone and Nordic countries. France and Germany can be used as representative cases, where striking similarities along some dimensions more or less conceal equally dramatic differences along others. In both cases, the timing of economic development imparted to trade union movements a more centralized, industrial basis with very limited workplace-based presence. Also in both countries, deep ideological divisions, both political and confessional, thwarted the organizational coherence of trade unions and led to prolonged conflict both between capital and labor up to and through World War I and II. These facts ensured that the regulation of labor relations would assume legal and highly statist forms. However, the modes of regulation are rather different than in the Anglophone case. Given the workplace-based presence of unions, there was only one "channel" of representation in the Anglophone countries. Legal regulation in these cases therefore took the form of an intertwining *dependency*. By contrast, in France and Germany, where unions operated primarily at the industry level, state intervention created a second, or "dual," channel of representation at the workplace level. This led to the *displacement* of labor unions.

2005), 301–303.

In France, capitalism came later than in England, but also earlier and slower than other parts of Europe. Partly as a consequence of late development, the major labor federations organized themselves along industrial lines, leading to a "general absence of in-plant bargaining."[19] Consequently, unions are more inclusive than in Anglophone countries, yet at the same time more fragmented than in Scandinavia, owing to the existence of multiple confederations. These separations are the result of long-running ideological divisions within the French labor movement, where syndicalist-anarchist, communist, socialist, and Catholic currents have all vied for power and influence among the working class. It is also often observed that "the relationship between capital and labour, and among unions, is more adversarial and ideologically charged than in most other European countries."[20] Another element is a strong *etatist* tradition of the role of government in society.

The consequence of these elements has been a French labor movement that is weak both at the workplace level (unlike Anglophone unions) and in terms of coordinating capacity (like Anglophone unions, but unlike Scandinavian unions). Despite its fame, the militancy of the *Confédération Générale du Travail* (CGT), earlier a syndicalist- and later a Communist-dominated organization, has been as much an impediment as a benefit to the material and organizational gains of the working class. "In reality … '*leur grande et puissante CGT*,' as militants are somewhat romantically prone to describe it, is neither great nor powerful," and it is in "this dissonance between words and reality [that] lies something essential to the understanding of the French Labour Movement."[21] Thus, while strikes were historically more frequent, collective bargaining is weak

19 Kendall, *The Labour Movement in Europe*, 69.

20 Jelle Visser in cooperation with Patrick Dufour, René Mouriaux, and Françoise Subilieu, "France" in *The Societies of Europe: Trade Unions in Western Europe since 1945*, ed. Bernard Ebbinghaus and Jelle Visser (New York: Grove's Dictionaries, 2000), 237, 238–239.

21 Kendall, *The Labour Movement in Europe*, 68.

and union density is vanishingly low. The state has therefore been left to fill this regulatory void. State intervention, in fact, takes a dizzying, Kafkaesque array of forms and, given the absence of workplace-level organization, has had the effect of displacing unions more than simply rendering them dependent on the state, as in Anglophone countries.[22] An example is the long-standing enterprise committees (*comités d'enterprise*). In firms of fifty or more employees, law requires the election of enterprise committees by all employees (rather than, say, union members). These committees are entitled to rights of information and consultation (to "be heard," or offer advice) on the firm's organization, management, and general functioning, but are empowered to negotiate only on profit-sharing and financial participation.[23] These government-mandated organizations provide functions that labor unions would otherwise serve, as in the United States. Since these are rough equivalents to German works councils, we will say more about their effects below.

Germany shares certain continental similarities with France, but equally substantial differences. Capitalist development came even later than in France, but was much swifter. Industrialization did not begin in earnest until the defeat of France in the Franco-Prussian conflict of 1871, but, once started, its rapid pace allowed Germany to soon "outdistance all of its rivals" on the Continent.[24] Just as in France, one also cannot ignore the radicalism and internal divisions of the German workers' movement. The Berlin general strike of November 9, 1918 led to the abdication of the Kaiser and the establishment of revolutionary workers' and soldiers' councils. Also prior to World

22 Chris Howell, "The Transformation of French Industrial Relations: Labor Representation and the State in a Post-*Dirigiste* Era," *Politics & Society* 37, no. 2 (June 2009): 229–256. See also Chris Howell, "The French Road to Neoliberalism," *Catalyst* 2, no. 3 (Fall 2018).

23 Robert Tchobanian, "France: From Conflict to Social Dialogue?" in *Works Councils: Consultation, Representation, and Cooperation in Industrial Relations*, eds. Joel Rogers and Wolfgang Streeck (Chicago: University of Chicago Press, 1995), 115–152.

24 Kendall, *The Labour Movement in Europe*, 89.

War II, "socialist, Christian, liberal and later communist and nationalist currents competed for worker allegiance."[25]

This history had lasting effects for the German labor movement. On the one hand, the experience of class conflict and organizational division when facing the threat of fascism compelled postwar German union leaders to form a cohesive and unitary labor union confederation, the *Deutscher Gewerkschaftsbund* (DGB). This gave the German labor movement far more coordinating capacity than its French counterpart. Collective bargaining has been stable and effective, granting a measure of autonomy from the state (termed *Tarifautonomie* in Germany).[26] On the other hand, a history of prolonged labor conflict has, like France, led to a legal regime of union displacement. Like France, late development ensured an absence of strong shopfloor representation and, with the memories of conflict still strong in everyone's mind, in 1952 Germany established its famed system of works councils with legislation (Works Constitution Act) modeled on the Weimar-period Works Council Act of 1920.[27]

A works council is a representative workplace body, whose members are elected by all workers in the establishment, not just union members. Works councils are dependent on the firm for finances and facilities and are prohibited from raising their own independent sources of revenue. Works councils are also forbidden from calling a strike or taking other industrial action, although members of the works council may participate in legal strikes called by the union. Works councils have three kinds of rights: codetermination (the right to bargain), veto, and consultation (the right to information and to

25 Bernard Ebbinghaus in cooperation with Klaus Armingeon and Anke Hassel, "Germany" in *The Societies of Europe: Trade Unions in Western Europe since 1945*, ed. Bernard Ebbinghaus and Jelle Visser (New York: Grove's Dictionaries, 2000), 279.

26 Ebbinghaus, "Germany," 279, 286.

27 Walther Müller-Jentsch, "Germany: From Collective Voice to Co-Management" in *Works Councils: Consultation, Representation, and Cooperation in Industrial Relations*, eds. Joel Rogers and Wolfgang Streeck (Chicago: University of Chicago Press, 1995), 53–54.

be heard). The areas of codetermination are exactly prescribed and include matters such as work rules, breaks, methods of remuneration, holidays, health and safety, and the form and administration of fringe benefits.[28] Despite being formally representative of workers, works councils are, given this structure, sharply subordinated to the firms in which they are institutionally delimited. Thus, the works council "is situated between the economic interests of the employer and those of the employees, although it is of course nearer to the employer interests."[29]

There is no mystery about the motives behind the works council legislation. The Works Constitution Act of 1952 "was enacted by a conservative government with the goal of keeping unions off the shop floor and limiting their influence to sectoral bargaining"[30] and counteracting "a politically united union movement … that advocated nationalization of basic industries and full co-determination in line with their anticapitalist" program.[31] The legislation itself states that "the employer and the Works Council shall work together in a spirit of mutual trust … for the good of the undertaking and its employees, having regard to the interests of the community."[32] Although unions have now accommodated themselves to the works councils regime and, in fact, have "used and adjusted them in line with their goals," it nevertheless remains true that "works councils are now the pivotal institution of the German industrial relations system, their position vis-à-vis the union having been continually strengthened."[33]

28 Roger Blanpain et al., "Germany" in *The Global Workplace: International and Comparative Employment Law — Cases and Materials* (Cambridge, UK: Cambridge University Press, 2007), 417.

29 Kendall, *The Labour Movement in Europe*, 128.

30 Roger Blanpain et al., "Germany," 416.

31 Walther Müller-Jentsch, "Germany: From Collective Voice to Co-Management," 54.

32 Kendall, *The Labour Movement in Europe*, 126.

33 Müller-Jentsch, "Germany: From Collective Voice to Co-Management," 55.

LABOR LAW IN THE UNITED STATES

The intent of this brief comparative history is to reveal the uniqueness of the form of labor union organization found in the US. Unlike either the continental or Nordic variants, labor union organization in the US (and other Anglophone countries) is characterized by *strong* workplace-based organization (when and where it exists) and *weak* coordinating capacity above the workplace level (i.e., sectoral, national, etc.). This section will trace how that form of union organization gave rise to a law-based, statist form of labor-relations regulation.

The shift to a law-based form of regulation was dramatic. Toward the end of the nineteenth century, neither unions nor collective bargaining had any legal existence. The only means available to a union to obtain recognition from an employer, bring the employer to the bargaining table, make a collective agreement, or even enforce a collective agreement, was through "extralegal" economic compulsion — the threat or exercise of strikes, boycotts, and other forms of concerted activity. Court injunctions frequently repressed such tactics — thus "recognizing" *collective* worker activity only in the negative sense. By the middle of the twentieth century, this had all changed: statutes established comprehensive legal regulation of all stages of a collective bargaining process presided over by an administrative agency, the NLRB, and the federal courts.

What explains this transformation? How did the regulation of labor relations come to assume the form of law? Did alternative possibilities exist?

Decentralized Unionism and the Adoption of the Legal Form

The answer I offer is that this statist regime of labor law is a product of the narrowness of labor relations themselves. Unions in the US have a strong workplace presence but weak coordinating capacity. This

decentralized model of trade union organization produced pervasive employer-union conflict as well as union-union conflict. Owing to their lack of coordinating capacity, unions in the US were unable to forge a regime of self-regulation. A statist regime of labor law was constructed to fill the regulatory void.

At the heart of the 1935 National Labor Relations Act (or Wagner Act, after its main sponsor Senator Robert F. Wagner of New York) is an election procedure in which the NLRB supervises a secret ballot election and, by majority rule, awards "exclusive representation" status to a union if it prevails. Other features of the Act fit neatly into this "recognition" framework. The Act bans "unfair labor practices" to ensure that the workers' choice of representative (or whether to be represented) is "fair and free." After a union is "certified" by the government, the Act provides for elaborate procedures for when workers may decertify a union or an employer withdraw recognition. The legal status of various kinds of economic weapons to which workers may resort often depend on whether a union has been certified. And certification grants to unions themselves certain rights and protections, including machinery for the enforcement of union-negotiated contracts. This regime can only be described as a highly statist form of labor-relations regulation.

The origins of this majority-rule recognition procedure can be traced to the pre-New Deal era, specifically to attempts to regulate labor relations on the railroads. Union organization on the railroads is a classic example of the early-industrialization problem. First as fraternal and benefit societies, later as bona fide unions, there were no fewer than twenty different labor organizations representing workers in the railway industry. Each of these organizations, in structure and strategy, enacted the principle of exclusivity described in the previous section. "Each brotherhood, as was customary among American craft unions, claimed sole jurisdiction over the employment conditions governing employees in that craft," whether or not the worker was

a member of the union.[34] At approximately the same time, railway unions began appealing to the majority-rule principle both to justify their demands for union recognition vis-à-vis employers and to solve their jurisdictional disputes with one another. This all took place against the backdrop of extraordinary labor strife. Later, this principle was adopted in one of first pieces of national legislation regulating labor relations, the Transportation Act of 1920. Fifteen years later, a series of statutes, court decisions, and policy choices had so narrowed the available options that "the question of Wagner's intent became secondary to his policy constraints. Wagner built the NLRA upon an ideology that had become self-sustaining."[35]

Scholars have criticized the NLRA for enshrining into law the old AFL's "voluntarist" labor-relations philosophy. This was accomplished either by the passage of the NLRA itself or by its subsequent "judicial deradicalization." Either version treats the NLRA as a kind of *ex nihilo* event, without any legal or policy history of its own.[36] Ruth O'Brien convincingly demolishes this account. It was not the AFL's voluntarism that prevailed but the progressive movement's "responsible unionism." For progressives, the labor movement was too narrowly self-interested to accommodate the "public interest." What was needed was a Hobbesian strong state — one that would subordinate the labor movement to the "true" guardian of the public interest.[37] I endorse O'Brien's version of events, but she doesn't account for the counterfactual: could the AFL's voluntarism have been a viable

34 Herbert Schreiber, "The Origin of the Majority Rule and the Simultaneous Development of Institutions to Protect the Minority: A Chapter in Early American Labor Law," *Rutgers Law Review* 25 (1971): 243.

35 Ruth O'Brien, *Workers' Paradox: The Republican Origins of New Deal Labor Policy, 1886–1935* (Chapel Hill: University of North Carolina Press, 1998), 5.

36 William Forbath, *Law and the Shaping of the American Labor Movement* (Cambridge, MA: Harvard University Press, 1991); Karl Klare, "Judicial Deradicalization of the Wagner Act and the Origins of Modern Legal Consciousness, 1937–1941," *Minnesota Law Review* 62 (1978): 265–339.

37 O'Brien, *Workers' Paradox*, 14.

alternative solution to the "labor problem"? Given the lack of coordinating capacity among US labor unions, I suggest not. At least partly, the progressives' critique of the AFL-dominated labor movement was true. It is just that the possibilities, if not the concrete choices available to the labor movement in the early 1900s, were not limited to either a Leviathan or narrow craft voluntarism. The following comparative example makes this claim concrete.

In a forgotten story in labor history — forgotten because of the opportunity that was not taken — the International Association of Machinists (IAM) and the National Metal Trade Association (NMTA) signed the so-called Murray Hill agreement in 1900. In terms of the agreement's substance, employers conceded to a reduction in the working day from ten to nine hours for all machinists in NMTA shops. However, a complication arose from the union's inability to convince all NMTA employers to also adopt a uniform 12.5 percent wage increase to maintain weekly earnings at earlier levels. The agreement was repudiated in the following strike wave, the union claiming that the employer had failed to agree to the wage increase, the employers accusing the union of calling strikes instead of settling the disputes through the central arbitration system established by the agreement. As told by Peter Swenson, employers would have in time accepted, and many would have even welcomed, centralized bargaining over wages and working conditions in exchange for the unions relinquishing their job-control objectives. Employers "slammed the door shut for all time, however, because union militants used the strikes to impose the closed shop … and rules prohibiting men from operating more than one machine at a time, working for piece rates, and instructing unskilled workers."[38] The IAM leadership did not approve the strikes and in fact had agreed to management's demand for the open shop and the right to manage. Thus, the objective of taking wages out of

38 Peter Swenson, *Capitalists Against Markets: The Making of Labor Markets and Welfare States in the United States and Sweden* (Oxford: Oxford University Press, 2002), 53.

competition came to founder on the IAM's inability to control local militancy and designs on job control.

At almost exactly the same time, in 1905, an almost identical experiment in the identical industry led the Swedish labor movement in a very different direction. Confronted with a metal-workers' strike, the employers' association in the engineering industry responded with a lockout at eighty-three member firms. The conflict led to the "first industry-wide multi-employer wage settlement for any industry in the country." The agreement "allowed no restrictions on manning of machinery or hiring of unskilled workers and apprentices … [and] the union agreed to an open shop clause." The metal workers' counterpart in the United States, "[m]ilitant skilled craftsmen" in the IAM, "would have regarded the deal with dismay and disgust." The next year, this industry agreement was followed by a multi-industry, national agreement known as the "December Compromise." A key section of the agreement prohibits closed-shop agreements and establishes management control over "decisions involving hiring, firing, and supervising work."[39] Yet what workers gave up in firm-level "production politics" they gained in power over the labor market itself. Centralized bargaining has come to deliver high union density, the lowest level of wage dispersion in the advanced capitalist world, and most critically, high inclusivity, encompassing virtually all wage earners.

The IAM's attempt at establishing industry-wide bargaining vividly demonstrates how the US labor movement's workplace-centered unionism acted as an obstacle to broader and more inclusive forms of worker organization. Centered at the workplace, and pursuing a job-control strategy, US unions had significant power to contest the employer's domination of the labor process. Unfortunately, for exactly those same reasons, this constellation of power was too weak, too uncoordinated between firms, to contest the domination of the

39 Swenson, *Capitalists Against Markets*, 78, 79, 81.

market. As the comparison of the IAM with the Swedish metal workers shows, local power generated conflict but obstructed efforts to develop self-regulation. Following decades of the "labor problem," the state stepped in as regulator. As a result, "[g]overned by this state-operated regulatory agency [i.e., the NLRB], organized labor no longer shaped its own destiny—it was dependent on this agency."[40] O'Brien is therefore correct to insist that it was the progressives' statist vision rather than the AFL's voluntarist philosophy that prevailed. Nevertheless, we should not overlook how historically given forms of labor organization frustrated other possible forms of labor-relations regulation. This gives us another reason why voluntarism *per se* was not the culprit in labor's current legal and existential crisis. Scandinavian self-regulation is, after all, another kind of voluntarism. At the same time, as the IAM example demonstrates, the institutional and organizational narrowness of craft unionism left the door open to a statist regime of labor law.

The Consequences of Ignoring the Legal Form

Because of unions' strong workplace presence but weak capacity for coordinating activity across workplaces, the regulation of labor relations was achieved by recourse to the law. This claim cuts directly against the thrust of a tradition of "critical" labor law. The story told by critical labor law scholars is of a potentially "anticapitalist" National Labor Relations Act that was "deradicalized" by conservative judges and narrow-minded intellectuals.[41] In these approaches there is never any question whether the law should be used to regulate labor relations. Rather, the line of attack is to challenge the particular *content* of the labor law, not the *form* of regulation itself. Not only is this a mistake as a method of analysis but, as I will also demonstrate, it

40 O'Brien, *Workers' Paradox*, 176.

41 Klare, "Judicial Deradicalization of the Wagner Act."

also commits an instrumentalist error about the nature of the law and the state within capitalism.

A content critique of law obscures the way that law does more than simply help or hinder the labor movement achieve various, specific objectives. As a form of social regulation, the law also allocates determinate material and ideological resources as a means to achieve these ends. These means threaten to substitute for the working class's own material and ideological means of regulation. This would not be an issue if labor unions or other working-class organizations were *merely* means of achieving gains for workers. But they are not. Whatever their limitations, unions are moments in the process by which workers constitute themselves as a class. Thus, the law — not in its content, but as a form of social regulation — always presents the danger of undermining this process through mechanisms of dependency and displacement.

Let me demonstrate these problems with a few examples. First, left and liberal criticism of labor law has duly taken note of the stunning raft of restrictions on worker economic action under the NLRA. One of these is the prohibition on picketing an employer when the objective is to get the employer "to recognize or bargain" with a labor union, unless the union is already "currently certified" by the NLRB as the employees' representative. Falling under this ban are not only pickets where a well-known and well-funded labor union demands recognition from an employer; the ban also covers pickets where workers themselves have formed their own, independent union, and demand either recognition or, more simply, a raise in wages, shorter hours, or any other change in the terms and conditions of employment.

The practical — or what I will describe as the sociological — effect of this ban is to compel workers and unions, in lieu of concerted activity, to instead make use of the Board's election and certification procedures, which are slow, cumbersome, and allow the insertion of the employer, via its free speech rights, into the union-formation process. As research has shown, union success in certification elections

began to fall once "employers gained significant access to employee decision-making in representation proceedings in the mid-1940s …."[42] The Board's election procedure transforms what would otherwise be an organic process of worker *self*-organization into a mechanical (and legalistic) one where, ultimately, the formation of a union depends on the singular, individual act of voting. Undoubtedly, this amplifies the ubiquitous employer rhetoric that fashions unions as "third parties" intent on upsetting the intimate decorum of the familial (or, should we say, paternalistic) employer-employee relationship.

While I agree, emphatically, with left critics of labor law, the mistake is to interpret this sorry state of affairs as the result of ideologically motivated judicial decision-making. The ban on recognition or bargaining picketing is not intended to quash worker self-organization. Rather, it exists *because* the law already provides a legally protected *right* to be represented by a union, a right made effective through a "fair," "independent," and "neutral," government-supervised election procedure. Viewed through the lens of the law itself, recognition and bargaining picketing is incongruous, even intrinsically *lawless* insofar as it undermines existing, legally ordained procedures. Indeed, although this picketing ban was added by the anti-union Taft-Hartley Act, the Board had already withdrawn protection for strikes "to compel an employer to recognize or bargain with a union other than that certified by the Board" before Taft-Hartley's passage.[43]

Even invoking the category of "ideological" to explain distortions in the Board's election procedure runs into difficulties. However laudable the goal that employers should also remain neutral in the election process — employees' decision to form a union should be theirs alone — "legally, the Board clearly found the imposition of strict

42 Christopher Tomlins, "The Heavy Burden of the State: Revisiting the History of Labor Law in the Interwar Period," *Seattle University Law Review* 23 (2000): 618.

43 Christopher Tomlins, *The State and the Unions: Labor Relations, Law, and the Organized Labor Movement in America, 1880–1960* (Cambridge, UK: Cambridge University Press, 1985), 262.

neutrality difficult to defend against free speech claims advanced in the same discourse of legalities that it had chosen as its language."[44] Lawyers, labor law administrators, and especially federal judges don't spend their time thinking about the sociological implications of legal rules nor the complexities of class formation, nor are they really equipped to do so. They *do* think about accommodating conflicting rights when presented with claims between formally equal, distinct and private, legal personalities within an adversarial process. This too, of course, is "ideological" but it is intrinsic to, even identical with, the legal form itself, not an extrinsic, corrupting influence to some supposed "anticapitalist" legislation.

A second recurring target for left critics of labor law is the ban on strikes during the life of a collective agreement. Not only are strikes banned, but also an employer may turn to a federal court and have the strike immediately enjoined, rather than wait for a damage award following a lengthy trial. On first appearance, this seems like an open-and-shut case: not only is the ban particularly harsh in its method of enforcement, but also as a direct prohibition on worker self-activity, it "clearly" reflects "a repressive, antilabor spirit," according to labor law scholar Karl Klare.[45]

A closer look reveals some problems with this perspective. First, as many of these same critics are forced to acknowledge, labor "peace" can often also work to the advantage of workers.[46] Why should an employer grant wage concessions, or for that matter ever concede to an agreement, let alone tolerate the existence of a union, if the union doesn't "uphold its end of the bargain"? Furthermore, courts will enforce the strike "ban" only where the union has explicitly agreed not to strike during the term of the agreement or when the union has

44 Tomlins, "The Heavy Burden of the State," 619.

45 Klare, "Judicial Deradicalization of the Wagner Act." See also Joe Burns, *Reviving the Strike: How Working People Can Regain Power and Transform America* (New York: Ig Publishing, 2011), 56.

46 Klare, "Critical Theory and Labor Relations Law," 557. Consider also the effects of "peace obligations" in the Nordic context, discussed briefly above.

agreed to arbitrate disputes under the contract (implying, according to the courts, an agreement not to strike). Moreover, federal labor law explicitly empowers federal courts to enforce these agreements to arbitrate on *unions*' behalf. Indeed, the Supreme Court decided that injunctive relief was available to an employer to enforce a no-strike agreement in part because unions had been able to obtain similar remedies to enforce *their* rights under the contract.[47]

Labor-relations history in France provides an instructive example here. In law there is no prohibition of strikes during the term of a collective agreement and unions as a matter of principle have refused to agree to "no-strike" or "peace" clauses. But, if anything, such unrestrained strike power has contributed to the inability of unions to gain much through collective bargaining. Instead, as illustrated in the previous section, it is the state that has assumed the central role in governing working conditions and workplace representation.

Most critically, US law already provides for enforcement of labor contracts — strikes are *legally* redundant. Writing for the majority, Justice Brennan stated, "Indeed, the very purpose of arbitration procedures is to provide a mechanism for the expeditious settlement of industrial disputes without resort to strikes, lockouts, or other self-help measures. This basic purpose is obviously largely undercut if there is no immediate, effective remedy for those very tactics that arbitration is designed to obviate."[48] Of course, *sociologically*, self-help and arbitration are *not* redundant: if strikes are the means by which workers build solidarity and develop class consciousness, then the substitution of the strike with the other means of reaching working-class objectives may — intentionally or unintentionally — undermine working-class interests. But, again, the point is that the existence of a legal right itself entails a restriction on the ability to strike to protect the same interest.

47 *Boys Markets, Inc. v. Retail Clerk's Union, Local 770*, 398 US (1970), 252.

48 *Boys Markets*, 249.

A third example concerns the legal status of concerted activity taken in response to an employer's unfair labor practices. The Supreme Court addressed this issue in a widely cited and discussed decision, *NLRB v. Fansteel Metallurgical Corp*.[49] In that case, the employees responded to a series of the employer's unfair labor practices — recognizing only an "independent," company-dominated union, and employing a labor spy to engage in espionage within the bona fide, "outside" union — by "seizing the employer's property" in a sit-down strike. The employer countered by announcing that "all of the men in the plant were discharged for the seizure and retention of the buildings." The employer then appealed to the local sheriff, who with an "increased force of deputies" evicted the workers from the plant and arrested them; most of the workers were eventually fined and given jail sentences. As a remedy for the employer's unfair labor practices, the Board ordered "'immediate and full reinstatement to their former positions,' with back pay." However, the Supreme Court denied enforcement of this order, concluding that the workers had been legitimately discharged for illegally seizing the employer's property.

The court's decision has been widely criticized for taking a narrow view of "concerted, protected activity," and ignoring the workers' claims to be acting in self-defense against the employer's violation of their rights granted to them by the Wagner Act. According to Karl Klare, the language of the *Fansteel* decision reinforces the role of workers as sellers of labor power and consumers of commodities, rather than as producers, and obstructs an alternative perspective presaged by the "'dereifying' explosion of repressed human spirit" expressed in the sit-down strike.[50] According to James Gray Pope, the *Fansteel* decision inverts appropriate legal hierarchies, placing the employer's common-law property rights above those of the employee's statutory right to engage in collective action, a conclusion that can

49 *NLRB v. Fansteel Metallurgical Corp.*, 306 US 240 (1939).

50 Klare, "Judicial Deradicalization of the Wagner Act," 321.

only be justified by an unstated appeal to a discredited interpretation of the Constitution.[51]

Both critics, however, overlook the *very first words* of Chief Justice Hughes's decision following its statement of facts: "For the unfair labor practices of [the employer] the Act provided a remedy. Interference in the summer and fall of 1936 with the right of self-organization could at once have been the subject of complaint to the Board."[52] Once again, using the strike to enforce workers' statutory rights is legally duplicitous *because* the Board already possesses the power to enforce those rights. The court continued, "To justify such conduct because of the existence ... of an unfair labor practice would be to put a premium on resort to force instead of legal remedies and to subvert the principles of law and order which lie at the foundations."[53] Responding to this language, Klare is correct to draw attention to the inherently peaceful nature of workers' concerted activity in general and the sit-down strike in particular.[54] But it is not the court's hysterics that are most interesting; instead, it is the overlooked rationale that, whether violent or not, concerted action to enforce rights *already subject* to Board administration and enforcement subverts the appropriate scheme of rights enacted by the NLRA. Thus, it is not (or not just) ideologically freighted judicial reasoning that has undermined the labor movement, but the very *rights* themselves, created and enforced by the state apparatus, that have justified restrictions on concerted worker activity.

We might be content simply to revise the ideological critique of labor law to include the insight that there is "something integral to the law itself, and its purposes" that has contributed to the weakness of the contemporary labor movement.[55] But the ideological critique

51 James Gray Pope, "How American Workers Lost the Right to Strike, and Other Tales," *Michigan Law Review* 103, no. 3 (December, 2004), 518–553.

52 *Fansteel*, 495.

53 *Fansteel*, 495.

54 Klare, "Judicial Deradicalization of the Wagner Act," 324.

55 Tomlins, "The Heavy Burden of the State," 619.

of labor law also has prescriptive drawbacks for labor strategy. As I will now show, an analysis of these critiques reveals an implicit and problematic view of the nature of the state and law. This view is an instrumentalist one, not in the sense of "a conspiratorial model of political and legal decision making, in which all outcomes consciously serve the interests of identifiable business elites,"[56] but rather in its "tendency to assume that the state as an instrument … can be used with equal facility and equal effectiveness by any class or social force."[57] This is because these critics focus on the *content* of labor law rather than the *form* of regulating labor relations. Implicit in that kind of critique is an acceptance that law *is* the appropriate form of regulation.

Let me illustrate this claim with a couple of examples. An almost universal complaint is the allegation of "voluntarism" as the defining feature of US labor law. We have already rejected this as *the* defining feature of US labor law, but it certainly has its place. Thus US labor law lacks any substantive criteria for regulating the content of collective agreements made by unions and employers. As Karl Klare describes it, voluntarism is simply the importation of a broader idea of contractualism, necessary for a capitalist economic order, into the collective bargaining relationship:

> The central moral ideal of contractualism was and is that justice consists in enforcing the agreement of the parties so long as they

56 Tomlins, *The State and the Unions*, xiii. Although Klare rejects both the crude instrumentalist view of the state ("It is not suggested that the Supreme Court engaged in a plot or conspiracy to defeat or co-opt the labor movement, nor do I think that the Court can adequately be understood as an instrument of particular economic interests.") as well as the liberal theory of the neutral state ("Liberal political theory has always conceived of the state as being radically divorced from, or rising above, civil society, the realm of private and group interest."), the straightforward implication of his analysis implies that "state regulation" can be wielded with equal effectiveness by different classes holding power in government. Klare, "Judicial Deradicalization of the Wagner Act," 269, 310.

57 Bob Jessop, *State Theory: Putting Capitalist States in Their Place* (University Park, PA: Pennsylvania State University Press, 1990), 27.

> have capacity and have had a proper opportunity to bargain for terms satisfactory to each. Contractual justice is, therefore, formal and abstract: within the broad scope of legal bargains it is disinterested in the substantive content of the parties' arrangements.[58]

According to Klare, the Supreme Court's landmark decision in *NLRB v. Jones and Laughlin Steel Corp*. determined that "the wage-bargain would remain fundamentally within the contractualist, private ordering framework" of contract.[59] In that decision, Chief Justice Hughes wrote that the Act "does not compel any agreement whatever," but leaves the making of agreements and their contents to the parties themselves.[60] Therefore, the Supreme Court rejected, in Klare's view, the choice of "state regulation of the substantive terms of the wage bargain."[61]

Hold that thought for a moment. Later, Klare examines what he calls the "public right doctrine." In the Supreme Court decision, *American Federation of Labor v. NLRB*, the majority held that an employer could not challenge in federal court the Board's decisions in representation proceedings, such as the determination of the bargaining unit, "unless and until the employer was charged with an unfair labor practice" and raised a bargaining-unit issue as a defense. According to Klare, "This decision implicitly rested on the idea that the statutory scheme does not protect private entitlements but protects certain public interests." Although initially seen as a victory for labor, that assessment was short-lived. If the party aggrieved in a representation proceeding was the union, and the union lost an election because of the definition of the bargaining unit, it would have *no* remedy under the Act, because it would be impossible to file a refusal-to-bargain unfair labor practice — because the union lost the election, the

58 Klare, "Judicial Deradicalization of the Wagner Act," 295.

59 Ibid, 298.

60 *NLRB v. Jones and Laughlin Steel Corp.*, 301 US 1 (1937), at 45.

61 Klare, "Judicial Deradicalization of the Wagner Act," 287.

employer would *not* be obligated to bargain. Klare attacks these and other decisions for creating

> an intellectual justification for the dependency of labor on the state, thereby reinforcing the cultural hegemony of liberal political theory. This dependence hindered labor from conceiving itself, or acting, as an autonomous movement capable of fundamentally transforming the established social relations of production.[62]

One can only agree with Klare's diagnosis of dependency — I have argued that this is a hallmark feature in Anglophone labor law. But it is difficult to reconcile Klare's assessment in this case with his earlier conclusion in *Jones & Laughlin*. In *Jones & Laughlin*, he criticizes the Court for embracing private-ordering, for *not* inquiring into the substantive terms of collective agreements, for *not* remedying any power imbalances, for *not* licensing state regulation of the wage bargain. But later, when interrogating the public right doctrine, he complains about the state determination of bargaining units and even questions why the Board should have "the power to define the balance of opposing economic forces on which the substantive outcome of collective bargaining depends" and thereby the power to delimit the "contours of legitimate class struggle."[63] In other words, Klare criticizes the Court in *Jones & Laughlin* for not substantively regulating labor relations; but then he criticizes the court in *American Federation of Labor* for doing exactly that. Would not "substantive regulation of the wage bargain," for precisely the same reasons, prevent the labor movement from acting as an "autonomous movement capable of fundamentally transforming the established social relations of production"?[64] As we

62 Klare, "Judicial Deradicalization of the Wagner Act," 313, 317-318.

63 Ibid, 317.

64 Klare does express some skepticism about "substantive regulation of the wage-bargain," but hardly in the terms of "autonomy" and "dependency" that he uses to criticize the public right doctrine. Ultimately, Klare concludes that "had the Court permitted and encouraged the Board to assume such powers, a potentially radicaliz-

saw in the case of Australia, there is good evidence for precisely that expectation. We can agree with Klare about the dangers of dependency, but his content-centered critique of the law prevents him from consistently carrying this argument through. This or that legal rule may or may not favor workers' immediate objectives, but the law, as a form of social regulation, may undermine working-class self-organization because such self-organization is not simply a means toward achieving working-class objectives but is itself an alternative form of social regulation.

A second example of instrumentalism comes from the labor law rule allowing employers to *permanently* replace workers striking for wages or other economic objectives. The origin of this rule can also be traced to an early Supreme Court decision.[65] As several labor law scholars contend, the employer's ability to permanently replace workers has had a devastating impact on the labor movement. These consequences have led to habitual calls to ban the use of permanent replacements, either through legislation, as was unsuccessfully attempted in the early 1990s,[66] or through case-law adjudication, on the theory that the Supreme Court's decision was wrongly decided and is inconsistent with the language and policy of the NLRA.[67]

Suppose that the US Congress was to pass legislation or the Supreme Court to overrule precedent banning the use of permanent

ing force would have been introduced into the law by the making of a *public political issue* of the substantive terms of the wage-bargain." Ibid, 308 n. 151 (emphasis in original). That radicalizing potential seems remote, given the history of substantive wage regulation in Australia and other countries, for example.

65 *NLRB v. Mackay Radio & Telegraph Co.*, 304 US 333 (1938). To clarify, workers are not terminated under this rule, perhaps a distinction without much of a difference to workers who have been permanently replaced. However, it does mean that such workers will have priority should replacement workers quit and those positions again open up. This is not *entirely* meaningless in the workplace-based unionism of the US, where union and nonunion differences between otherwise identical jobs can be substantial.

66 Burns, *Reviving the Strike*, 68–69.

67 Julius Getman, *Restoring the Power of Unions: It Take a Movement* (New Haven, CT: Yale University Press, 2010), 231.

replacements during a strike. Why stop with permanent replacements? If the use of permanent replacements is harmful to the labor movement, certainly the use of *temporary* replacements is as well? If temporary as well as permanent replacements were banned, workers' bargaining power would certainly be strengthened. But, of course, it is not really *workers'* collective activity that is the source of the bargaining power — rather, it is the government that compels the employer not to hire replacements. And if we agree that it is acceptable, or even better, to substitute state power for workers' power in this case, why limit the use of state power just to strikes? Why not simply let the state, rather than unions, set wages and working conditions? Why bother with unions at all? In the concluding section, I will offer my own solution to this problem. But by now the point should be clear that labor law critics have yet to offer any rationale, justification, or guiding principle whatsoever about when to substitute law for worker collective action. I am not claiming that some justification, however rough or fine, cannot be found. Rather, I am claiming that, because their analysis is limited to a critique of the content of labor law, they have ignored the ways that the law, as a form of regulation, can unwittingly undermine those essential processes of class formation for the sake of immediate objectives. If these dangers are present for working-class formation in a way that they are not for capitalists, it should also be clear why both these examples betray an instrumentalist view of the state and law.

What then should be the attitude of the labor movement toward the law? The very existence of the state and law requires some engagement with it, if only to avoid it. I address these issues in the next section.

LABOR LAW AND UNION STRATEGY

I have argued that the regulation of labor relations need not always assume the form of law, and that in fact it does not always assume the extreme form of legalism that we find in the United States. I have

also demonstrated the contradictory nature of rights in the regulation of labor relations. What kind of labor legal strategy emerges from this analysis?

The introduction drew the distinction between *rights* and *freedoms*.[68] Rights are those interests or actions that are protected by the coercive power of the state. Freedoms on the other hand are those interests or actions that are not prohibited by the state, but also with which others may interfere; freedoms are neither *legally* protected nor prohibited. My contention is that the labor movement should advance labor freedoms and be wary about labor rights.

This contention follows from the previous analysis. Since rights are distinguished by the fact that they are protected by the coercive power of the state, bureaucrats, judges, and legislators can use that fact to restrict labor's own means and powers to enforce these interests and claims, subordinating society to the state. Indeed, as I have shown, state officials, with interests and power of their own, are likely to view labor's competing power as legally redundant and particularly subversive. Labor freedoms restrict the coercive power of the state in a way that gives priority to labor's autonomous sources of power, subordinating the state to society.

Advancing labor freedoms is hardly an unambitious strategy, since direct prohibitions on concerted activities are abundant. The three most restrictive prohibitions on strike activity are those directed to (1) mass picketing,[69] (2) organizing and bargaining strikes,[70] and (3) secondary strikes and boycotts.[71] Each is an affirmative *ban* on worker collective action, by which an employer may have the actions enjoined

68 This analytical distinction is owed to Wesley Newcomb Hohfeld's classic article, "Some Fundamental Legal Conceptions as Applied in Judicial Reasoning," *Yale Law Journal* 23, no. 1 (November, 1913), 16–59.

69 National Labor Relations Act, §8(b)(1)(A); Ahmed A. White, "Workers Disarmed: The Campaign against Mass Picketing and the Dilemma of Liberal Labor Rights," *Harvard Civil Rights-Civil Liberties Law Review* 49 (2014): 59–123.

70 National Labor Relations Act, §8(b)(4).

71 National Labor Relations Act, §8(b)(7).

and the union fined. As such, they are restraints on workers' *freedom* of action. The first ban has done the most to destroy the power of the strike and, as discussed below, to open the door to the employer's use of replacement workers. The second has done the most to squelch coordinated worker activity across firms and industries. As identified earlier, the third has done the most to derail and suppress organic worker self-organization. These restrictions could be eliminated through various means. Congress could amend the National Labor Relations Act, and remove the offending provisions. Some labor law scholars have argued that these provisions violate the First Amendment and therefore should be declared unconstitutional. The labor movement should entertain all options, but I have little doubt that massive civil disobedience though direct worker confrontation with these legal barriers will also be necessary to discredit and overcome them.

If such labor freedoms were achieved, employers would be under no state-imposed duty to refrain from interfering with workers engaged in such activities. Workers could be terminated for engaging in mass picketing, organizing strikes, or secondary picketing. Freedoms may therefore strike some readers as insufficient. Yet, it has been the burden of this essay's comparative, historical, and legal analysis to demonstrate the self-defeating sociological effects of labor rights. Nevertheless, there is truth to the claim that certain, fundamental labor rights remain essential. Thus, insofar as it facilities worker solidarity and collective action, there seems little reason to eschew, for example, a worker's right to join a union. Even more fundamentally, the rights of workers to be free from the employer's physical assaults or from the state's interference with speech and expression are also necessary. The distinction between rights and freedoms is no talisman. Rather, the ultimate objective must be kept in mind: the collective self-organization of the working class.[72]

72 Moreover, I would still insist on the historically limited nature of these rights; their desirability and even existence depends on capitalist social relations.

To convince the reader that this proposal is not merely wishful thinking, we should recall the self-regulation models of Scandinavia. In Denmark and Sweden, the regulation of labor relations — including such fundamental matters as union recognition and minimum wages — falls within the purview of unions and organized employer associations. Strikes that are banned in the United States remain viable options in Scandinavia. Enforcement of the rules and agreements depends primarily (though not exclusively) on the economic weapons of labor and employers, rather than the physical compulsion administered by the state. Labor courts, unlike the NLRB, operate outside the hierarchy of the bureaucracy and courts of the state apparatus.

While the Scandinavian experience demonstrates the viability of a regime of labor freedoms, one may also raise the objection of Nordic exceptionalism. There are several responses to this objection. In the main, however, my proposal does not call for a wholesale replication of the Nordic model. In fact, that model ultimately demonstrates the inherent limitations of social democracy. Instead, the self-regulation model establishes the viability of governing the labor market through workers' own organizations, autonomous from the state. This experience will be absolutely vital, whatever specific path the revitalization of labor takes — and not only for rebuilding the labor movement, but also during a period of a "lower-stage of communism," where labor is still compensated according to differential ability, but becomes increasingly independent of the competitive labor market and market criteria. There is no reason why we cannot learn, replicate, or even build on particular features of this history.

This proposal to favor labor freedoms over labor rights also implies some skepticism toward other proposals for labor law reform. Richard D. Kahlenberg and Moshe Marvit double-down on a labor-rights strategy in their *Why Labor Organizing Should Be a Civil Right*.[73] James Gray Pope, Ed Bruno, and Peter Kellman have also advanced a

73 Richard D. Kahlenberg and Moshe Marvit, *Why Labor Organizing Should Be a Civil Right*, (The Century Foundation, 2012).

rights-centered proposal in the *Boston Review*.[74] Alex Gourevitch has recently made a compelling case specifically for the "right to strike."[75] My concerns with each of these proposals should be clear by now.

Focusing on Gourevitch's proposal is instructive. In order to restore the power of the strike, his proposal would prohibit an employer from hiring permanent replacement workers during a strike. Above, I raised some hesitations about this idea. But there is another solution to the problem of permanent replacements, one that depends directly on worker solidarity and of which labor once made extensive use. Although the Supreme Court announced the rule allowing permanent replacements in 1938, in *NLRB v. Mackay Radio & Telegraph Co.*, employers initially made little use of it. The reason was that in the period of labor upsurge in the 1930s and 1940s, mass picket lines effectively deterred the hiring of temporary, let alone permanent, replacement workers. These actions contributed to an "unofficial norm" that prevented employers from hiring replacement workers, although the official law permitted them to do so.[76] Therefore, from the standpoint of labor freedoms, the real problem with permanent replacements is the decline in the unofficial norm that prevented the police from interfering with picket lines and dissuaded employers from hiring strikebreakers. And on this score the prohibition and erosion of workers' freedom to engage in mass picketing — the activities that established the unofficial norm in the first place — were paramount.[77] The legal solution to labor's problems should then be directed to rolling back the prohibition on mass picketing, rather than to the creation of a right to reinstatement immediately after a strike.

74 James Gray Pope, Ed Bruno, and Peter Kellman, "The Right to Strike," *Boston Review*, May 22, 2017.

75 Alex Gourevitch, "The Right to Strike: A Radical View," *American Political Science Review* 112, no. 4 (November, 2018): 905–917; Alex Gourevitch, "Quitting Work but Not the Job: Liberty and the Right to Strike," *Perspectives on Politics* 14, no. 2 (June, 2016): 307–323.

76 Pope, "How Workers Lost the Right to Strike," 533, 533–534.

77 White, "Workers Disarmed."

Finally, my proposal should be distinguished from a kind of myopic syndicalism that can be found on the radical labor left. On the one hand, this essay shares much in common with the syndicalist approach, particularly on the need to reengage mass worker collective action. There is, however, a key difference between *self-regulated* and *unregulated* labor relations. This essay's proposal falls into the former category, syndicalism into the latter. Syndicalism's view eschews *any* restriction on concerted activity — even in cases where unions *voluntarily* agree not to strike during the term of the collective agreement.

Another important difference is that syndicalism frequently overlooks the organizational dimensions of union power, both ignoring the decentralization and lack of coordinating capacity that, as I have argued, are serious problems for labor in the US, and chaffing against union and bargaining centralization found in places like Sweden.[78] In terms of actually accomplishing gains for workers, however, it is hard to ignore the Nordic experience. At the same time, the glaring shortcomings of the militancy-above-all-else syndicalism in France and the workplace-centered, decentralized bargaining in the US are all too real. From my perspective the organizational question is at least as important one as the legal question, but lack of space requires me to defer this topic for later discussion.

A final point of distinction to make is that my perspective hinges on the specific historical *conjuncture*. Currently, in the United States, a working class barely exists — in the class-for-itself sense. We are in a war of position, which requires that we develop a long-term strategy to build the strongest, most cohesive working class possible. That is, we need to build labor unions' *capacity* for *autonomous, class-wide* action. If a war of maneuver emerges at some future point, perhaps a primary emphasis on militancy will be required. The kind of political movement and organization that unions are allied with in these

78 Interview with Erik Helgeson, "Worker Power on the Swedish Docks," *Jacobin*, February 27, 2019.

circumstances, rather than unions' specific organizational form, will then become the most decisive issue. But until then, our project should be a counter-hegemonic one.

CONCLUSION

This essay has sought to demonstrate three distinct points. First, the institutional history of unions in the US is unique. In particular, the timing of unions' development within capitalism and their lack of coordinating capacity set them apart from unions on the Continent and in Northern Europe. Second, the organizational weakness of unions is an important factor explaining why the regulation of labor relations in the US assumed such a highly statist and legal form. Third, this legalistic regime of regulation has been inimical to the labor movement. Judges, bureaucrats, and legislators have often cited statutorily conferred rights as reasons for restricting workers' concerted activities. Just as damaging, these same, negative effects of labor rights have been obscured by critics who have focused on the content of labor law rather than the legal form itself. As a strategy to overcome this history, I offer the legal right/freedom distinction as an organizing principle that can guide the labor movement's attitude toward the law. It should not serve as an inviolable distinction, much less one that assumes an independent life of its own. Nevertheless, it is, I submit, a compelling way to capture Marx's idea of law and politics: the idea of converting the state from an organization superimposed on society, to one subordinate to it, an objective inseparable from building a socialist society. Echoing this sentiment are the words penned by Christopher Tomlins at the end of his book, *The State and the Unions:* "[A] counterfeit liberty is the most that American workers and their organizations have been able to gain through the state. Its reality they must create for themselves." ⊬

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December 7 is, as Franklin Delano Roosevelt explained to us in 1941, "a date which will live in infamy." It is also Noam Chomsky's birthday. When the Japanese attack on Pearl Harbor took place, Chomsky was thirteen years old. For purposes of a series of discussions we had before and after his ninetieth birthday, on December 7, 2018, this is a particularly significant detail, as the man who in many senses defined the modern understanding of what it is to be a public intellectual was already commenting on global affairs by the time he entered his teens. The following interview was conducted by John Nichols in coordination with *Catalyst*. In it, Chomsky touches on the rise of the far right today, relating it to interwar fascism, and then moves on to a wider discussion of the conjuncture.

INTERVIEW

"THERE ARE REASONS FOR OPTIMISM"

NOAM CHOMSKY
INTERVIEWED BY JOHN NICHOLS

JN When you were ten years old, you wrote a short essay on your concerns about the rise of fascism. You were writing after the fall of Barcelona to Francisco Franco's fascist forces in the closing days of the Spanish Civil War. The Americans who fought in that war, as members of the Abraham Lincoln Brigade, were disparaged as "premature anti-fascists," as they dared to raise arms against the allies of Hitler and Mussolini before the US entered World War II on December 8, 1941. At ten, you aligned yourself with the antifascists. Do you recall the article?

NC The article was for the fourth-grade newspaper. I was the editor and the only reader as far as I recall, aside from maybe my mother. Luckily for me, she didn't save anything. I'm sure it would be quite embarrassing. All I remember about it is the first sentence, which described what I was thinking at the time. The first sentence was: Austria falls, Czechoslovakia falls, Toledo falls and now Barcelona falls.

I was writing after the fall of Barcelona, February 1939. And it just

seemed at the time that the spread of fascism was inexorable. Nothing was going to stop it. The article was concerned with what was going on in the world, which was frightening. I was old enough to listen to Hitler's speeches at the Nuremberg Rallies — not understanding the words, but it was easy enough to pick up the tone. You could just see what was happening as this plague spread all over Europe and seemed to have no end.

When Barcelona fell that was not only pretty much the end of the Spanish liberal democratic state but, for me, more importantly it was the end of the social revolution. [The Spanish Civil War] wasn't just a simple war between fascism and liberal democracy; there was an amazing social revolution going on in a large part of Spain and it was crushed by … the joint efforts of the Communists, the fascists, and the liberal democracies. They didn't agree on much, but they agreed that the social revolution had to be crushed. Barcelona was just the last symbol at that point. People just kind of fled to France if they could get away.

JN Was it clear to you that a greater war was coming?

NC Well this, as I say, seemed like it was unstoppable. This was going to spread over all of Europe, over the world. I learned much later that US planners, at the same time, were already meeting — the State Department, the Council on Foreign Relations — and had study groups working on what the war would be like and what the postwar period would be like.

And by this period, 1939, they were already anticipating that the war would end with a split between two worlds, a US-dominated world and a German-dominated world. That was the picture. So my childish perception was not entirely unrealistic.

JN Was your perception informed by your own experience growing up in Philadelphia?

NC It was connected with local experiences. We happened to be the only Jewish family in a mostly German and Irish neighborhood. And the Irish hated the British and the Germans liked the Germans … and I can remember beer parties when Paris fell. The kids in the street went to a local Jesuit school and I hate to think what they were being taught there, but they came out raving antisemites. It took a couple of hours before they'd calm down and you could play ball in the streets and that sort of thing.

So it did combine personal experiences, which incidentally I never mentioned to my parents. They had no idea about it to the day of their death; it's just that, in those days, you just didn't talk to your parents about things like that. That's personal. But it was a combination of these things that led to this [article].

JN With the experience of commenting on fascism for eighty years, what's your sense of where we stand today? There's a great deal of discussion of fascism, and fascist threats. Stacks of books are being written on the topic. How should we think about what's going on now?

NC Well, I'm a little reluctant to use the word "fascism." It's used quite loosely now. It's used to refer to anything hideous. But fascism really meant something back in the thirties. In fact, it's worth remembering that even liberal opinion had a kind of a moderate appreciation of fascism. So, for example, Roosevelt described Mussolini, the original Fascist, as "that admirable Italian gentleman."

The fascists had succeeded in crushing the labor movement and the social-democratic and the Communist left, and that was something that Western opinion was pretty much in favor of. Western business and the State Department in 1937 was describing Hitler as a moderate and George Kennan, our consulate in Berlin at the time and later one of the most respected statesmen of the post-period, was writing back from Berlin that we shouldn't be too tough on these guys.

There are things wrong with them, but they're doing some things that are pretty good, so we can probably get along with them.

Fascism was understood as something different back then. It wasn't just anything horrible, it had a particular social and economic policy. It was to be a powerful state which would coordinate all sectors of society. It would dominate; business would flourish but under the control of a powerful state. Labor would be accommodated as a subsidiary of this overall system. It's not what we refer to as fascism today.

JN What's your sense of what people refer to as fascism today?

NC What's called fascism today is anything rotten.

JN That's a broad definition.

NC Broad definition.

JN Is there any place, when you look around the world today, and I know you do, where you see threats emerging in stark terms?

NC Well I think Brazil maybe is the most extreme case right now. Brazil is in the hands of the new president [Jair Messias Bolsonaro]. Bolsonaro has taken over. Brazil, as you know, had a horrendous military dictatorship: torture, murder. Bolsonaro praises the military dictatorship. To the extent that he does criticize it, he says the military dictatorship in Brazil didn't kill enough people. They should have been like the Argentines, who had the worst of these kind of neo-Nazi national security states. They killed 30,000 people.

There's been a coup going on, a right-wing coup going on in Brazil for several years. The first state of it was a totally fraudulent impeachment of the president, Dilma Rousseff [a longtime leader of the Partido dos Trabalhadores, or Workers' Party]. When Bolsonaro voted for the

impeachment, he dedicated his vote to the chief torturer of the military regime, who had been personally responsible for the torture of Rousseff. That's the kind of guy who's there.

Bolsonaro's policies are essentially to wipe out the indigenous population, to totally sell off the country. His economics minister, Paulo Guedes, is kind of an ultra-University of Chicago neoliberal, who worked in Chile under the Pinochet regime. And his goal, as he put it, is: privatize everything, sell off the whole country to foreign investors. He wants to open up the Amazon to exploitation for mining and agribusiness, which is a kind of death knell for the world, as the Amazon is one of the main lungs of the world.

JN Talk about how Bolsonaro came to power.

NC The way he got elected is pretty remarkable. We should pay attention to it. We'll see more like this in our next election. It's kind of an experiment. The first thing they did was to go after the person who was going to win the election. Judging by polls, that was Lula da Silva, the former president who presided over a period that the World Bank called the Golden Decade of Brazil, with substantial poverty reduction, opening up of educational opportunities for minorities, for other people — quite effective policies. Plenty of mistakes too, but he was in fact probably the most respected political figure in the world. He was also supporting the role of the Global South and its effort to escape from the legacy of colonialism, which was still very severe.

So, what they did with Lula da Silva, who was ahead in the polls, [was to put him] in jail for twenty-five years, in solitary confinement. Not permitted to read anything and not permitted to make a statement. My wife, Valeria, and I visited him in jail. Twenty-five years of solitary, that's a death sentence essentially. But, crucially, he was not permitted to make a statement — unlike murderers on death row, who are allowed to talk. His favorite grandson just died and after a lot of

negotiations they permitted him to leave to attend the funeral for one hour, but not to say anything .... If he survives, it'll be amazing. He's easily the most important political prisoner in the world.

JN You have noted that there's been very little attention to Lula's circumstance in most US media. Or, really, to Bolsonaro. That's part of a broader problem with US media not covering the world. But you are especially concerned about the neglect of what's happening in Brazil.

NC This guy is about as close to something like fascism — not in the technical sense, but in the sense of bitter, vicious, deeply authoritarian, and brutal — as I can see.

JN How he came to power is not just troubling in and of itself. It's an indication of how politics is changing around the world.

NC The way the election was won — and this is what I had in mind by saying we might think about it — is by an incredible campaign on social media, which is the only thing that most Brazilians have as a source of so-called "information." You know, WhatsApp? It was just flooded with the most unbelievable lies, distortions, fabrications about the supposedly hideous things that the PT [Workers' Party], the opposition, was going to do ... I suspect that in our next election, say if Bernie Sanders runs [against Trump in the November election], that's what you're going to see. These are the kinds of accusations you can't answer. You know, it's just gross, ugly, vilification. It's already beginning, you know, with the charges of socialism.

I noticed that in President Trump's State of the Union address, there was a rather lengthy soliloquy on socialism and clearly that has become a big touchstone for many of the criticisms of folks within the Democratic Party. There are a handful of democratic socialists who have risen in the Democratic Party: Bernie Sanders, Alexandria Ocasio-Cortez, Rashida Tlaib, and others. And so there is a reality

there that we have for the first time in a very long time, a rise of a democratic-socialist presence in our discourse.

JN Could you talk about how the president and some of his political allies may take advantage of the term.

NC Well we should bear in mind that the United States is a very isolated country, culturally and intellectually. I mean, in the rest of the world, socialist is a normal term. Communist is a normal term. People can be communists, the Communist Party can participate in elections. To be a socialist is just to be a kind of a modern person. Here in the United States, socialism is a curse word — so to call someone a socialist is to say they must be some total monster, like a Nazi, maybe like Stalin. But that's unique to the United States.

Take Bernie Sanders. His positions would not have surprised [former President Dwight] Eisenhower. You go back and you read Eisenhower's statements, when he suggested that anybody who questions the New Deal just doesn't belong in our political system. Or that anyone who thinks that laborers should be denied the opportunity to form unions freely — and should be returned to being the huddled, pathetic masses of the past — simply just is not part of the civilized world.

JN In fact, Eisenhower delivered the "Cross of Iron" speech, in 1953, in which he said that every war plane that we build could be money that could go for a school. That sounds an awfully lot like a Bernie Sanders.

NC The country has moved very far to the right during the neoliberal period, since the Reagan years — the Carter-Reagan years. So when these people who call themselves "democratic socialists" come along, they're essentially going back to a tradition which is pretty much like the New Deal. It's very healthy, I think, but it has really nothing to do with socialism or anything like the traditional sense of the word.

Remember what socialism meant once. Socialism meant, at the very minimum, control over production by the workforce, control over other institutions by participants, democratic control over the whole social and economic system.

[Most of the prominent democratic socialists in contemporary US politics] are not calling for that. They're calling for what in Europe would be called moderate social-democratic measures — which for the United States is very important. So, I think it's a very good thing. But it will be tarred with tirades of vilification and demonization and denunciation. You can be pretty sure of that. And what happened in Brazil, I think, is worth looking at as a kind of experimental model of what may be coming.

JN If by chance Bernie Sanders is nominated for president of the United States, what's your sense of how that campaign would play out? At the risk of making Noam Chomsky a pundit, what do you think would happen?

NC I think he's going to be subjected — and this is true if he runs or if almost anyone else like him runs — to a very vicious, vulgar campaign over social media, over cable news, over radio. Remember all of these instruments have been taken over by the very far right. I don't know if you listen to talk radio? I do every once in a while. It's really shocking. I mean, it makes Fox News look liberal, you know? And this reaches lots of people. Rush Limbaugh reaches 20 or 30 million people, telling them for example that there are — what is his famous phrase? — four corners of deceit, institutions that exist on the basis of deceit: government, media, academia, and science. He's telling people: don't believe a word that comes out of that. Things like this are reaching a huge part of the population.

JN You have always reminded us that the elites put great energy into constraining and narrowing the political discourse.

NC Social activism is considered by the political class and the business classes kind of like a cancer. If it gets too malignant, they think, you have to stop it by force. But it's much more cost effective in the case of a cancer to prevent it. And [there are] all these means to prevent the rise of organized social movements which will challenge the developments that are taking place.

Diverting people's attention to other directions is another way this is done. So, you know, there's [messaging from Trump and his allies] about the hordes of rapists, murderers, terrorists just about to pour over the border and invade us and destroy us. Okay, so they want us to pay attention to that and not to the fact that our real wages haven't increased in thirty years, that we're losing benefits, that the political system is collapsing — that every act taken by the administration is an attack on the workforce and the poor. The message is "Don't look at that. Look at these guys coming across the border. Worry about your guys or something else."

There are very extensive means for distracting people. They've been developed for many years. They're a big part of the advertising industry — one of the biggest industries in the country — and they're being applied now to prevent people like you, especially young people, from getting the "wrong idea," getting organized, getting active, and doing the kinds of things that Ocasio-Cortez is doing. Trying to stop it, nip it in the bud, don't let it get started.

JN They don't seem to be doing very well at that, though because Ocasio-Cortez, if I'm right, has more than 3.3 million Twitter followers. And she and the other young women who have been elected to Congress are becoming political stars. There is a phenomenon there. Polling shows that people under thirty have positive opinions about democratic socialism — at least as opposed to capitalism as it's currently practiced. Bernie Sanders ran very well in 2016 and he seems to be running very well as 2020 approaches. So isn't there some evidence that progressives are breaking through? That a shift is taking place?

NC Well, I'd put it the other way. It's because of the effects of the neoliberal era that you're getting this reaction. There's a reaction worldwide, and it's in two directions. Sometimes it's the kind of thing that you're describing. Sometimes it's neofascist.

There's a real question now as to which way it's going to go. In Europe and in the United States, and other places, there's a tremendous rise of anger, bitterness, resentment about something. And the question is, what is that something going to be?

From the point of view of the political elites in the business world, they want that something to be "rapists coming across the border." From the point of view of Ocasio-Cortez, or Bernie Sanders, they want it to be the social and economic policies that have been instituted and that are marginalizing people, casting them aside, undermining the political system.

So that's a struggle in the United States and all over Europe, as well. But the anger and bitterness are there and the different [political players] want it to be focused in different ways. Some want you to divert attention from the causes, so they can control you better. Others want you to pay attention to the causes, so you can do something about them. This is a major struggle that's building up in much of the world. I mean, the capitalist system took up kind of a savage form in the last thirty or forty years. People are suffering from it and they're angered, and they're reacting.

The question is: How will they respond? In this respect, it's a little bit like the 1930s. It could have gone in other directions. So for example, in the 1920s and the 1930s, there were very lively, activist labor and social-democratic movements, communists and other left movements. There were also rising fascist movements. And there was a question: Who's going to win? Unfortunately, we know how that turned out. I don't think it's quite that dramatic today, but it's similar structurally.

JN The great British parliamentarian, Tony Benn, said that in the 1930s, when he was a young man and he looked around the world, there were countries that could have gone either way. Benn said that one of the great things that happened was that the United States got a Roosevelt, whereas in some other countries far more dangerous and destructive figures came to power.

Now, we find ourselves in a different era, but certainly a very turbulent time. We're thirty years into globalization, which is changing everything about how we relate to the world, we're twenty years into a digital revolution that is changing everything about how we communicate, we're eight to ten years into an automation revolution that is beginning to change everything about how we work. People are clearly jarred by all of this. My sense is that the Democratic Party in the United States has failed to provide many answers for how to deal with these changes. Is that a fair assessment?

NC Well we have to remember that the two parties reconstructed along quite different lines back in the early 1970s. At that time there was kind of a major shift in the whole socioeconomic system. We moved from a period of embedded liberalism, regimented capitalism, where the New Deal measures were still essentially governing policy. Now this was a period of enormous growth. It's the highest growth period in American history, the 1950s and the 1960s. It's called sometimes the "Golden Age of Capitalism." It was egalitarian growth, the lowest quintile as well as the highest quintile. There were achievements in civil rights, other aspects of human rights.

That all kind of stopped in the early 1970s. And there's a regression, what's called the neoliberal period, which went in very different directions and the parties changed. The Democratic Party had maintained a kind of an uneasy coalition between racist Southern Democrats and Northern workers and liberals. That fell apart at the time of the Civil Rights Movement.

The next strategy [advanced by President Richard Nixon and his political aides] was to try to pick up the racist elements of the South and bring them to the Republican Party. Meanwhile, the Democrats shifted. They had been a party based at least in part on the working class and maintaining some commitment to working-class interests and values. By the 1970s, that changed. The Democrats simply abandoned the working class, essentially handed them over to their class enemy. That's essentially what happened. The last gasp of the Democratic Party, of its kind of moderate liberalism, was the Humphrey-Hawkins Full Employment bill, which passed Congress in 1978 but which Carter actually watered down. After that, there isn't even a gesture to the working class. So, they're essentially abandoned.

JN Abandoned by the Democrats, while the Republicans tried to attract at least some of the votes.

NC The Republicans were able to pick them up and mainly by this technique of diversion. And it's still working. But it hasn't always worked. It's interesting when Obama came along, he did get working-class votes. A lot of the working-class people who voted for Trump actually also voted for Obama. They believed the talk about hope and change. But they very quickly found out it's not going to be change and there's no hope.

Remember the bailout after the 2008 crash. The congressional legislation for the bailout had two parts. One was bailing out the criminals who created it, the financial institutions. And the other was help for the victims, the people who lost their homes — their homes were foreclosed as wealth disappeared and so on. Well, you could have guessed which part was going to be implemented. In fact, the inspector general of the Treasury Department, Neil Barofsky, was so outraged by this that he wrote an interesting book about it [*Bailout: An Inside Account of How Washington Abandoned Main Street While Rescuing Wall Street*]. But working people could see

what was happening. Their reaction was: "We're being thrown to the wolves. They don't care about us. It's just nice talk." So the next thing you do is vote for your class enemy, Trump, who's doing everything he can to shaft them but manages to keep some kind of a base by, you know, bringing up the "rapists" and the "murderers" or whatever will be next.

But this is a very uneasy situation. And people like Bernie Sanders, Ocasio-Cortez, and others are trying to bring the Democratic Party back to, in fact, what it once sort of was — but without the millstone of the Southern Democrats, which was a very serious problem for Roosevelt and the New Deal and up until the Civil Rights Movement.

JN You see this as a moment of political crisis.

NC In fact, we're going to face a constitutional crisis. If you look at what's happening now. Just look at the numbers. By now, states with about 25 percent of the population run the Senate — the most important of the institutions .... [The Senate is dominated by members representing] mainly a rural, traditional, older, often white supremacist, very religious sector that's diminishing demographically. But they are going to maintain their power. Now that's almost certain to lead to a constitutional crisis. And notice that it can't be changed by any constitutional means. It can't be changed by amendment because they have enough power to block any amendment.

JN They have the power to block democratizing amendments. But you worry about amendments favored by the elites.

NC You should watch very carefully about amendments. The most vicious of the business lobbies, and in my opinion the strongest of them, ALEC, the American Legislative Exchange Council, is [working] to get state legislatures to agree to a constitutional amendment which will establish a balanced budget limit on the federal government. What

does a balanced budget limit mean? It means you end all welfare programs. You end anything that's of any benefit to ordinary people. Of course, you keep the Pentagon budget up in the stratosphere — and no doubt you keep big subsidies to agribusiness, energy, and financial institutions. But forget Social Security or Medicare or education. Now that's what a balanced budget is. You can see it working in the states that have balanced budgets.

There's a real, major class war going on, right below the surface. Bits and pieces of it are visible, but it's going to lead to, I think, major crisis in the near future.

JN Yet so much of it goes uncovered, or under-covered, in our media. You consume a lot of media, and you have ideas for how to glean information from unexpected sources.

NC You can read the articles in the business press saying that the big banks, JPMorgan Chase, the biggest banks are increasing their investment in fossil fuels. Now that's very interesting. When you read these things you start, you can begin to think. Suppose, put yourself in the position of Jamie Dimon, CEO of JPMorgan Chase. He knows everything we know about global warming and its extremely hazardous, imminent effects. But he's still putting money not only into fossil fuel extraction, but the most dangerous of the fossil fuels, Canadian tar sands.

So what's going on in his head? Well if you think about it, it's not very complicated. He has two choices. One choice is to do exactly what he's doing, try to increase profit for JP Morgan. The other choice he has is to resign and be replaced by somebody else who will do exactly the same thing. This is a deep institutional problem.

There's no point just talking about these bad guys who do this and that. In the institutional structure, they just don't have choice, which tells us what we ought to be looking at: the institutional structure. It's one of those things you don't want to be diverted away from. So,

you read the *New York Times*, you learn a lot. You read the business press, the *Wall Street Journal*.

JN At ninety, it seems as if you are still reading everything, taking everything in, trying to influence every debate. We're speaking roughly fifty years after the publication of your essay on the role of an intellectual in society. It's been republished by the New Press as "It is the Responsibility of Intellectuals to speak the truth and to expose lies."

In that essay, you wrote: "With respect to the responsibilities of intellectuals, there are still other, equally disturbing questions. Intellectuals are in a position to expose the lies of governments, to analyze actions according to their causes and motives and often hidden intentions. In the Western world, at least, they have the power that comes from political liberty, from access to information and freedom of expression. For a privileged minority, Western democracy provides the leisure, the facilities and the training to seek the truth lying hidden behind the veil of distortion and misrepresentation, ideology and class interests, through which the events of current history are presented to us. The responsibilities of intellectuals then are much deeper than what has been suggested and what they call the responsibility of people given the unique privileges that intellectuals enjoy."

It strikes me that throughout your life you have tried very hard to live up to that duty. And I think there has to be an element of optimism in that.

NC Well, if you want to be optimistic just think back to the period to when that was written. It happened to be 1966. It was a talk for, of all things, the Hillel Foundation at Harvard University. It was published in their journal, picked up by the *New York Review of Books*.

What was this place like in 1966? Just think back to what it was. First of all, one of the worst wars in history was going on. At this point, the United States had practically wiped out South Vietnam. The leading historian of Vietnam, Bernard Fall, highly respected by

the government and everyone else, wrote at that time that he didn't know whether he was a Vietnamese scholar. He didn't know whether Vietnam would survive as a cultural and historic entity under the assault of the worst, most vicious attack that had ever been launched against an area that size.

There was almost no protest in the United States. I was living in Boston. It's a liberal city. October 1965 was the first international day of protest. So we tried to have a march in Boston, go to the Cambridge Common, the place where you give talks. I was supposed to be one of the speakers. It was broken up by counter-demonstrators, mostly students who didn't want to hear this kind of commie rat talk about Vietnam.

The next international day of protest was March 1966, right before this was written, incidentally, right before the talk was given. We knew we couldn't have it on the Boston Common. We wanted to have the meeting in a church, okay? We met in the Arlington Street church. The church was attacked. Tomatoes, cans, counter-demonstrators, police outside to keep it from blowing up. This is what was going on in 1966. And what else was going on in the country? Well, we still had federal housing laws which required segregation, required pure white federal housing. And we had miscegenation laws, anti-miscegenation laws that were so severe that the Nazis refused to accept them. When the Nazis were looking for models for the Nuremberg Laws, the racist laws, they looked around the world. About the only ones they could find where the American laws. But the US laws were too severe for the Nazis. The US laws were based on what was called "One Drop of Blood." So if your great, great, great-grandmother was black, you're black, you know? That was too much for the Nazis. [Those laws] were still in place in the late 1960s. Anti-sodomy laws, of course.

There was no women's movement to speak of. Women had not yet been recognized by the Supreme Court as legal peers, as persons. That didn't happen until 1975, when [the court] granted the right to serve on federal juries as a peer. We can go on. I mean, the country was much worse than it is now.

What changed? There were no gifts from the heavens. What changed is a lot of people, mostly young people, began to get organized, began to get active, struggled, made it a much better country.

JN And you believe it's happening again right now.

NC Take Ocasio-Cortez's Green New Deal, which is now a very serious proposal. It's now right in the middle of the agenda. A year ago, maybe, it was ridiculed. How did it happen? How did that change take place? Well a bunch of young people from the Sunrise Movement sat in at [House Speaker] Nancy Pelosi's office, [and their issue was] picked up by a couple of legislators. Pretty soon it became a major issue. [Washington Governor] Jay Inslee just announced his candidacy for the Democratic presidential nomination, with his top priority being the danger of climate change. This is now an issue you can talk about, you can do something about. We don't have a lot of time. Well, all of these are reasons for optimism. A lot of things have improved and they've improved by active, organized, committed people who went to work on it and changed the world. That's a reason to be optimistic.

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The German international broadcasting service Deutsche Welle observed last year that Noam Chomsky is "arguably the foremost political dissident of the last half a century." Chomsky reminds us that intellect and dissent go together, and that the vital challenge of our times is to maintain "an independent mind." That's not easy in an age of manufactured consent, but it is possible, as Chomsky reminds us — by continuing to speak, as consistently and as agilely as ever, about the lies of our times.

He relishes dissent. Yet the academic and activist, whose outspoken opposition to American imperialism earned him a place on former-president Richard Nixon's "enemies list," well recognizes

that independent thinkers face challenges in these perilous times.

During one of our conversations, I asked Chomsky about those challenges. He smiled, and recalled a preface that George Orwell wrote for *Animal Farm*, which was not included in the original editions of the book.

"It was discovered about thirty years later in his unpublished papers. Today, if you get a new edition of *Animal Farm*, you might find it there," he recalled. "The introduction is kind of interesting — he basically says what you all know: that the book is a critical, satiric analysis of the totalitarian enemy. But then he addresses himself to the people of free England. He says: You shouldn't feel too self-righteous. He said in England, a free country, I'm virtually quoting: Unpopular ideas can be suppressed without the use of force. And he goes on to give some examples, and, really, just a couple of common-sense explanations, which are to the point. One reason, he says, is: The press is owned by wealthy men who have every reason not to want certain ideas to be expressed. And the other, he says, essentially, is: It's a 'good' education."

Chomsky explained: "If you have a 'good' education, you've gone to the best schools, you have internalized the understanding that there are certain things it just wouldn't do to say — and I think we can add to that, it wouldn't do to think. And that's a powerful mechanism. So, there are things you just don't think, and you don't say. That's the result of effective education, effective indoctrination. If people — many people — don't succumb to it, what happens to them? Well, I'll tell you a story: I was in Sweden a couple years ago, and I noticed that taxi drivers were being very friendly, much more than I expected. And finally I asked one of them, 'Why's everyone being so nice?' He pulled out a T-shirt he said every taxi driver has, and the T-shirt had a picture of me and a quote in Swedish of something I'd said once when I was asked, 'What happens to people of independent mind?' And I said, 'They become taxi drivers.'"

Or Noam Chomsky. ⊬

The international spread of American capital has subsumed workers around the world to its imperatives, unleashing a global race to the bottom. This global offensive of capital undermines labor as a whole, and has intensified the overall rate of exploitation. It is a mistake for the Left to pit the interests of low-wage workers in the periphery against those in the United States. The mechanisms of imperialist hegemony bind workers in both the center and the periphery in common chains of exploitation.

THE GLOBAL CLASS WAR

RAMAA VASUDEVAN

Workers slaving overtime in cramped, airless garment sweatshops in Dhaka, forging metal and plastic into electronic parts in grueling twelve-hour shifts in electronics factories in Shenzen, or producing auto parts under repressive and hazardous conditions in maquiladoras in Juárez are linked in their common experience of subjugation and exploitation by the global network of corporate capital. Is there a link between the experience of workers in Bangladesh, China, and Mexico and that of coal miners working on subcontract arrangements in West Virginia, contract workers building cell towers and networks for large mobile carriers like AT&T in Wyoming, the newly employed autoworkers at a plant in Michigan, packers in an Amazon warehouse in Pennsylvania, temporary workers filling shelves at a big-box retail store in Alabama or flipping burgers at a fast food outlet in Florida?

Following Engels and Lenin it is argued that the upper stratum of the working class in the advanced capitalist core, in particular in the US, constitutes a labor aristocracy that draws its relatively higher

standard of living from the exploitation of workers in the less developed periphery.[1] A different argument that has been put forward recently is that the advanced capitalist countries extract imperialist super-profits by subjecting workers in the periphery to super-exploitation.[2] US imperialism in these formulations systematically subjects workers in the US and workers in Bangladesh, China, and Mexico to *different* rates of exploitation. The US worker faces a lower rate of exploitation, and this lower rate hinges on the super-exploitation of workers in the latter countries. Instead of workers across the world finding common cause against the onslaught of capital, these arguments place workers in the US and workers in the periphery in structurally separate positions, and also implicate US workers in the mechanisms of imperialist rents.

Are these accounts of the relationship between imperialism and labor in the core and periphery a valid characterization of the contemporary world? Do US workers, in the advanced capitalist core of the global economy, actually benefit from the country's exercise of imperial power? Are the interests of workers in the US at odds with those of workers in Bangladesh, China, and Mexico?

The answer to these questions is critical to political strategy. It is a mistake to pit the interests of low-wage workers in countries in the periphery against those in the US (or other advanced capitalist countries). The global economy has been drawn more tightly into the web of corporate capital in the past few decades. In the process, capital has subjected workers across the globe to the full force of competitive pressures that divide and fragment the working class. This pressure,

1 Zak Cope, "Global Wage Scaling and Left Ideology: A Critique of Charles Post on Labor Aristocracy" in Paul *Contradictions: Finance, Greed and Labor Unequally Paid: Research in Political Economy* 28, Paul Zarembka (ed.) (Emerald Group Publishing Limited, 2015): 89–129.

2 Samir Amin, *Modern Imperialism, Monopoly Finance Capital, and Marx's Law of Value* (Monthly Review Press, 2018); John Smith, *Imperialism in the Twenty-First Century* (Monthly Review Press, 2015).

imposed by capital in its drive for profits, has subjected these workers to increasingly vulnerable and impoverished livelihoods. Capital is united in its onslaught against labor — globally. Workers' wages and living standards may be lower in the developing world, but the fact that they are part of a common pool of labor from which global capital wrests its profits means that their induction into the global labor pool also strengthens the power of capital over workers in the imperial center.

THE GLOBAL EXPANSION OF US CAPITAL

Recent decades have seen a dramatic expansion of the scale and global sweep of corporate capital. Bailouts brokered by the IMF-World Bank and trade and investment treaties pursued by the US have enforced the systematic dismantling of trade protections and constraints on international capital flows across borders — sucking countries in different regions of the world into global corporations' logic of accumulation. As countries in the periphery opened their economies to the vicissitudes of global capital markets, they have also become more tightly integrated in the dominion of global corporate power. Greater capital mobility gives capital access to markets across the globe, buttressing the ability of global corporate capital to orchestrate a global division of labor most conducive to the demands of profitability.

The processes of concentration and centralization are also no longer constrained by national borders. The 1990s saw the first significant wave of cross-border mergers and acquisitions.[3] Figure 1 displays the values of such mergers and acquisitions and foreign direct investment outflows since that decade. The surge of cross-border mergers and acquisitions, and the huge expansion of foreign direct investment flows through this period, have been instrumental in integrating financial markets globally and establishing an international

3 Richard Du Boff and Herman Edward, "Mergers, Acquisitions and the Erosion of Democracy," *Monthly Review* 53, no. 1 (2001): 14–29.

production system under the control of global corporations.[4] The information and communications technological revolution and the imposition of favorable regulatory and policy regimes around the globe enabled this expansion of the foreign operations of global corporations in their pursuit of profit.

At the same time, the dominance of US corporations over this global network of corporate control has also been entrenched.[5] A recent analysis of the interconnected web of control and ownership of global corporations revealed that a core of 147 corporations controls 40 percent of the entire corporate network.[6] A related study underscored both the dominant role of US corporations within this global network and the centrality of finance in forging this network.[7] Control is exercised through the diffuse structure of interlocking share-ownership. The disciplinary power of finance — the threat of takeover — has been wielded to enforce control and concentrate power. The forces of technology, trade, and finance that have been unleashed in the neoliberal period have thus entrenched the power of global corporations, with US transnationals at the helm.

US multinational enterprises have, as a result, become increasingly embedded in a globally dispersed production network of affiliates, and are drawing an increasing share of their profits from abroad. US corporations have profited significantly from the new global division of labor that has been established as a result of this integration.

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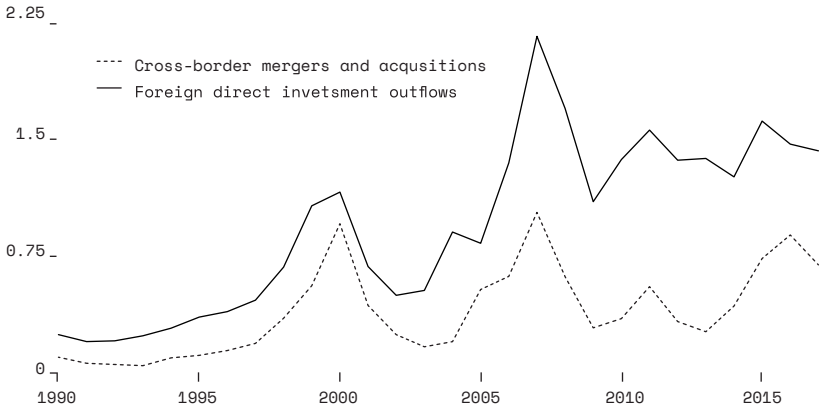
4 UNCTAD, *World Investment Report 2017: Investment and the Digital Economy*, 2018; UNCTAD, *World Investment Report 2000: Cross-Border Mergers and Acquisitions*, 2001.

5 Gérard Duménil and Dominique Lévy, *The Crisis of Neoliberalism* (Harvard University Press, 2010); Gerard Dumenil and Dominique Levy, *Managerial Capitalism: Ownership, Management, and the Coming New Mode of Production* (Pluto Press, 2018); Ramaa Vasudevan, "The rise of the global corporation and the polarization of the managerial class," *Review of Political Economy,"* 29, no. 2 (2017): 1–27.

6 Stefania Vitali, James B. Glattfelder, and Stefano Battiston, "The Network of Global Corporate Control," *PLoS One* 6, no. 10 (2011): e25995.

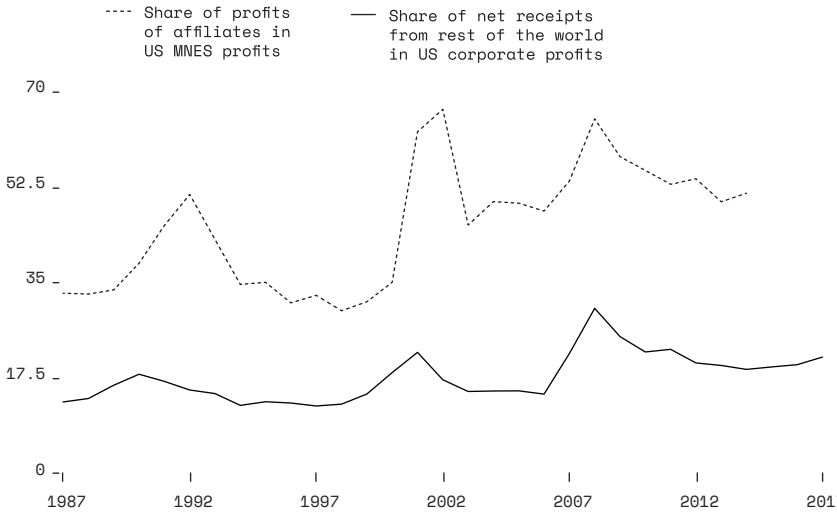
7 Stefania Vitali and Stefano Battiston, "The Community Structure of Global Corporations," *PLoS One* 9, no. 8 (2014): e104655.

FIGURE: 1 CROSS-BORDER MERGERS AND ACQUISITIONS AND FDI OUTFLOWS (IN TRILLIONS OF DOLLARS)



Source: UNCTAD, World Investment Report 2018 Annex Tables.

FIGURE 2: SHARE OF US PROFITS COMING FROM ABROAD



Source: US Bureau of Economic Analysis, International: Direct Investment and Multinational Enterprises, NIPA Tables 6.16.

US corporations have also been investing, increasingly, in intangible assets like patents, copyrights, trademarks, and brand names, cornering a larger share of globally produced surplus through the acquisition of such assets.[8] The returns reaped from this disproportionate control over intangible assets have become an important dimension of the hegemony of US corporations.

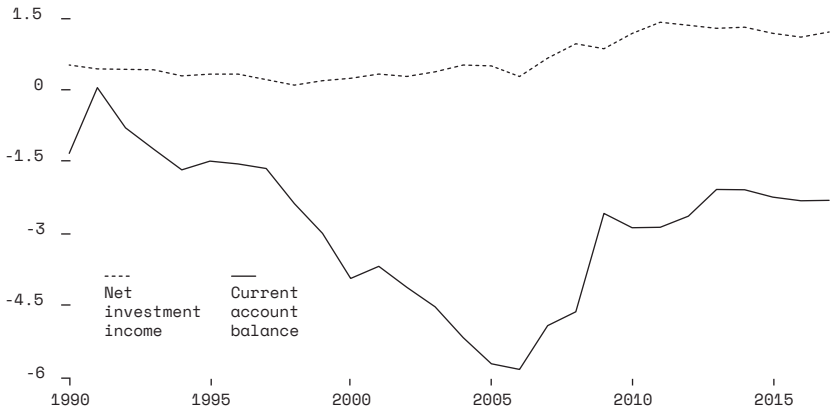
Figure 2 presents both the share of receipts from the rest of the world in total corporate profits in the US (a broad measure of foreign returns in the corporate sector profits) and the share of profits from overseas affiliates in total profits of US multinational enterprises (a narrower measure for US transnationals and their affiliates abroad). Both trends display an upward trajectory, with the share of profits from affiliates in the profits of US transnationals rising more sharply since the turn of the century.

The fact that the US is reaping the benefits of a distinctive position in the global corporate network can also be seen if we look at the net income it draws from its investments abroad. Figure 3 presents net investment income from abroad, which is the difference between the income the US earns from foreign investments and the income it pays to foreigners investing in US assets. The US has been drawing a net positive return on its foreign assets, receiving more on the foreign assets it holds than what it pays out to foreigners holding US assets. What is striking is that this positive return has accrued despite its persistent current account deficits and the fact that the US has remained a net debtor to the rest of the world throughout this period. The US has been earning a premium from its privileged position in the global economy.

What does the privileged position of the US imply for workers in the US economy? Have they benefited from the global dominance of its corporations?

8 Özgür Orhangazi. "The role of intangible assets in explaining the investment–profit puzzle," *Cambridge Journal of Economics*, 2018.

FIGURE 3: US NET INVESTMENT INCOME FROM ABROAD AND CURRENT ACCOUNT BALANCE (PERCENT OF GDP)



Source: US Bureau of Economic Analysis.

WHERE DID THE GAINS GO?

Far from being part of a labor aristocracy, the mass of wage earners in the US do not enjoy the benefits of gains of labor productivity. The share of labor in total national income — the share of economic output that workers claim as compensation in exchange for their labor — declined from about 63 percent in 1980 to about 60 percent in 2014.[9] If we focus solely on the trend in the non-farm sector, the share of labor has fallen even more sharply, from about 64 percent in 2001 to 58 percent in 2016 (Figure 4).

The falling share of labor reflects the growing disparity between the growth in labor productivity and real wages per worker since the 1980s. In contrast to the golden age period between 1947 and 1973, when labor productivity growth was just 0.23 percent faster than hourly

9 Robert C. Feenstra, Robert Inklaar, and Marcel P. Timmer, "The Next Generation of the Penn World Table," *American Economic Review*, 105, no. 10 (2015): 3150–3182.

compensation, labor productivity grew by about 0.8 percent over the period 1973–2014. But this gap widened particularly sharply after 2000, growing by about 1.2 percent between 2000–2014 (excluding the impact of the gap between prices of consumer goods and total output).[10] This growing disparity signifies that the fruits of increased labor productivity are being denied to US workers. This implies an increase in the rate of exploitation, since the workers are working harder and producing more without any commensurate rise in their wages. The broad working class in the US has evidently not benefitted from country's imperial dominance over the global economy.

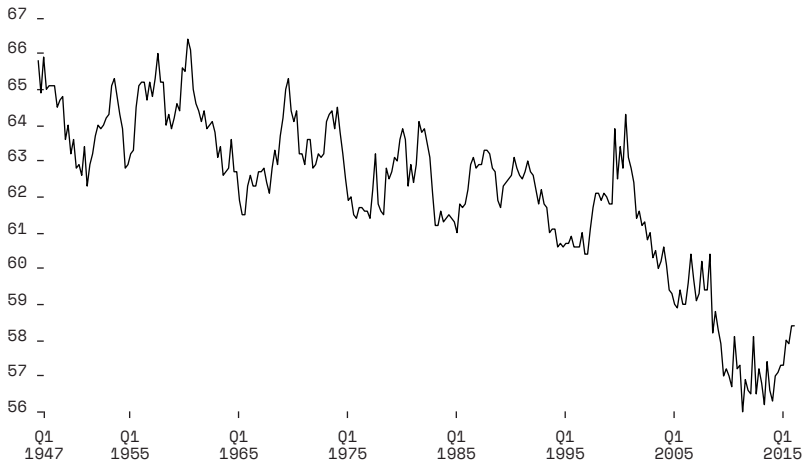
The labor aristocracy argument, however, was originally meant to characterize the relation of the upper echelons of workers in the imperialist center with workers in the periphery. This upper stratum is said to benefit from the privileged position of the imperialist country in the world economy and claims a higher wage share at the expense of workers in the periphery. At first sight, the growing polarization of the labor market in the US might seem to lend credence to this argument. Growing wage inequality has been a significant driver of inequality in the US.[11] But digging a little deeper, leads to a different conclusion.

The top 10 percent of the wage distribution is where we might plausibly seek evidence for a labor aristocracy. Figure 5 presents the average salary of segments of this decile relative to the average salary of the bottom 90 percent of the distribution in order to investigate whether this segment gained at the expense of the broader mass of workers. The top decile is broken up to investigate the trends for each of three distinct groups: the percentiles from 90 to 95, 95 to 99, and the top 1 percent.

10 Josh Bivens and Lawrence Mishel, "Understanding the Historic Divergence Between Productivity and a Typical Worker's Pay: Why It Matters and Why It's Real," Economic Policy Institute, September 2, 2015; Josh Bivens, Lawrence Mishel and John Schmitt, "It's not just monopoly and monopsony: How market power has affected American wages," Economic Policy Institute, April 25, 2018.

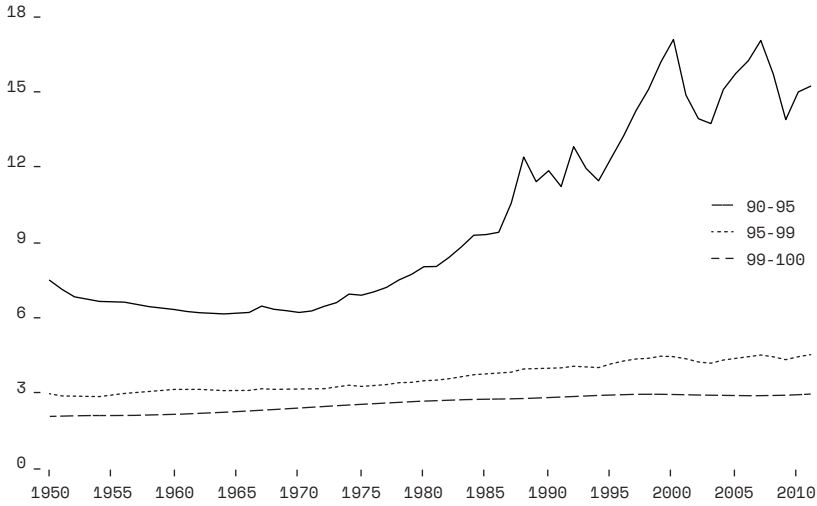
11 Gérard Duménil and Dominique Lévy, *The Crisis of Neoliberalism* (Harvard University Press, 2010); Thomas Piketty, *Capital in the Twenty-First Century* (Harvard University Press, 2014).

FIGURE 4. SHARE OF LABOR IN THE NON-FARM SECTOR



Source: US Bureau of Labor Statistics.

FIGURE 5: AVERAGE EARNINGS WITHIN THE TOP DECILE OF THE WAGE DISTRIBUTION (RATIO TO BOTTOM 90%)



Source: Saez and Pikkety data set: Tables and Figures updated to 2017 in Excel format, March 2019 (https://eml.berkeley.edu/~saez/).

The average earnings of the 90 to 95 percentile grew from around 2.2 times to about 2.9 times the average earnings of the bottom 90 percent, while average earnings of the next segment — the 95 to 99 percentile — grew from 3.1 times to 4.5 times the average earnings of the bottom 90 percent, between 1950 and 2012. These sections are also plausibly constituted by managers-supervisors, professionals, and possibly a section of high-skilled workers. While these two tiers of the wage hierarchy enjoyed moderately higher earnings than those below them in the distribution, their earnings displayed a fairly stable relation to the average wages of those in the bottom 90 percent, growing only modestly through the entire period. The fact that the ratio has remained fairly constant suggests that even though this group is earning, on average, more than the broader working class, it has not *gained* relative to the broader worker class in the period of rising wage inequality.

We have already seen that workers have been receiving a declining share of total income and have not shared in the gains of domestic labor productivity. There is also little evidence then that this more privileged section of workers — comprising professional, managerial, and high-skilled workers — benefited from the growing returns of the US's global hegemony. So where did the benefits of the country's imperial position go?

If we look at the wage distribution, it is clear that the top 1 percent has captured much of the gains from the US's global hegemony. The share of the top 1 percent in the overall wage income distribution rose from 6.4 percent in 1980 to 11 percent in 2012.[12] The average compensation of the top 1 percent, in sharp contrast to that of the rest of the top decile, rose from being 6 to 7 times the average earnings of the bottom 90 percent at the beginning of the period to levels of between 15 to 17 times those of the bottom 90 percent in the 2000s (Figure 5). Looking more closely at the composition of the top 1 percent, this top bracket of the income distribution is dominated by financial and non-financial

12 Saez and Pikkety data set: Tables and Figures updated to 2017 in Excel format, March 2019 (https://eml.berkeley.edu/~saez/).

corporate executives, and professionals (including lawyers, non-financial business operations, and engineering, computer, and technical professionals). The growth in income of managerial executives explains 60 percent of the increase in the share of the top 1 percent of the income distribution between 1979 and 2005.[13] These trends are an expression of the growing concentration of incomes within the uppermost echelons of the managerial-professional hierarchy.

A leaked Citibank memo characterized the dominance of salaried managers and executives at the top percentile of the income distribution as the transformation of the richest 1 percent in the US "from coupon-clipping, dividend-receiving rentiers to a managerial aristocracy indulged by their shareholders."[14] But despite the rising share of wage earnings in the top 1 percent's income, a significant part (40–45 percent) of the income of the top percentile of households in the income distribution continued to be derived from ownership and control of businesses and assets and not from "working" in the period between 2010–2017.[15]

Further, while the growing concentration of wages and salaries within the top 1 percent with the soaring pay and huge bonuses claimed by Piketty's super-managers is indisputable, a significant and increasing proportion of executive pay and bonuses, in both the non-financial and financial sectors in the US, is in the form of stock-related compensation.[16] The average share of stock-related pay in the compensation of the Forbes 800 list rose from about 54 percent in the

13 Jon Bakija, Adam Cole, and Bradley Heim, "Job and Income Growth of Top Earners and the Causes of Changing Income Inequality: Evidence from US Tax Return Data," Working Paper, April 2012, https://web.williams.edu/Economics/wp/BakijaColeHeimJobsIncomeGrowthTopEarners.pdf.

14 Citibank, "Plutonomy: Buying luxury, explaining global imbalance," Industry Note, October 16, 2005.

15 Saez and Pikkety data set: Tables and Figures updated to 2017 in Excel format, March 2019 (https://eml.berkeley.edu/~saez/).

16 Gérard Duménil and Dominique Lévy, *The Crisis of Neoliberalism* (Harvard University Press, 2010); Thomas Piketty, *Capital in the Twenty-First Century* (Harvard University Press, 2014).

1990s to 73 percent in the 2000s.[17] This suggests that these earnings are more appropriately viewed as income accruing from ownership and control of assets rather than wages paid for work. In fact, the huge pay-packets of top managerial executives are simply a device to capture surplus from the working class.[18]

The super-managers in the top 1 percent are thus analytically distinct, as a class, from the rest of the top deciles. This class polarization has been investigated by distinguishing the managerial-supervisory class from the capitalist class (including a section of executives) empirically, on the basis that the latter class draw the bulk of their income from asset ownership and control, rather than in return for labor.[19] The study, based on tax return data from the Internal Revenue Service, finds that while the share of the managerial-class category in the total tax units has remained relatively stable at around 35 percent since the 1970s, that of capitalists-executives rose from around 8 percent in 1980 to around 23 percent in the 2000s. The average earnings of the capitalist class as a ratio to workers' earnings shot up from 12 times to more than 30 times in this period, while that of the managerial-supervisory worker rose only slightly from 2.7 times to about 3.5 times.[20]

The polarization at the upper decile of the wage hierarchy — the spectacular divergence of the top 1 percent — is imbricated in the structural transformation that the corporate landscape underwent through the 1990s.[21] The wave of cross-border acquisitions that entrenched the dominance of US corporations over the global network of capital was one aspect of the transformation. The other

17 Forbes, "Two Decades of CEO Pay," 2012.

18 Gérard Duménil and Dominique Lévy, *The Crisis of Neoliberalism*. (Harvard University Press, 2010); Gérard Duménil and Dominique Lévy, *Managerial Capitalism: Ownership, Management and the Coming New Mode of Production* (Pluto Press, 2018).

19 Simon Mohun, "Class Structure and US Personal Income Distribution: 1918–2012," *Metroeconomica* 67, no. 2 (2016): 334–363.

20 Ibid.

21 Ramaa Vasudevan, "The Rise of the Global Corporation and the Polarization of the Managerial Class in the US," *Review of Political Economy* 29, no. 2 (2017): 1–27.

aspect has to do with the managerial and technological revolutions that were key to the aggressive rationalization and restructuring of enterprises in the wake of corporate consolidation.

The sharp rise in the claims at the top of the managerial hierarchy — the top 1 percent — on aggregate value added in the US economy needs to be comprehended in the context of the global reach of the web of US corporate control. The processes of corporate consolidation placed the top corporate executives at the helm of these global corporations, in control of surpluses generated across the global affiliates of said corporations. The corporate executive overseeing the globally organized enterprise is not simply an embodiment of capitalist functions, but is more significantly representative of the interests of corporate capital. The top executive is the face of corporate capital. The concentration of income in their hands is a direct expression of their claims to a share of the growing global surpluses appropriated by the corporations they control.[22]

The rising share of income of the top 1 percent in the wage distribution is thus a reflection of its capture of an increasing portion of the surplus value created within global production networks. But this is a return to assets, property ownership, and control rather than an inflated return to labor. It cannot therefore be understood as the consolidation of a labor aristocracy. It is an outcome of a different class dynamic deriving from the rise to dominance, and polarization, of the managerial class. One dimension of this process has to do with the global reach and control of larger US corporations, and the new global division of labor that they have forged as parts of their operations have been relocated abroad. The other dimension has to do with the leaner and tighter managerial control of the domestic workforce, and the increasing resort to subcontracting, outsourcing, and offshoring of segments of the production process. These strategies are part of capital's offensive against labor and have had stark consequences for the squeeze on wage share in the US.

22 Ibid.

COMPETITION AND CONTROL

How was this squeeze on labor engineered? What explains the downward trend in the labor share within the US? Economists have put forward a host of different explanations.

One explanation is that the information and communication technology revolution, automation, and mechanization have propelled the replacement of workers with machines, particularly in sectors like mining and manufacturing.[23] Another explanation hinges on the impact of trade competition, and the offshoring of manufacturing to lower-wage countries.[24] Other explanations point to growing market concentration and the assertion of monopoly power in product markets with the rise of superstar firms like Amazon and Apple in technologically dynamic sectors.[25] The monopsony power exercised by large dominant employers over workers and the labor market in order to suppress wages has also been ascribed a key role of falling wage share.[26]

But monopsony — the special position of the dominant buyer of "labor" for a large employer like Walmart — is simply an ahistorical, sanitized way of characterizing the collective organized power of capital over labor. The squeeze on the share of labor ultimately boils down to a concerted deployment of this collective power of capital to clamp down on the working class and engineer an increase in the rate of exploitation. The forces of technology and globalization have been harnessed as part of capital's offensive to step up the degree of

23 Loukas Karabarbounis and Brent Neiman, "The Global Decline of the Labor Share," *Quarterly Journal of Economics* 129, no. 1 (2014): 61–103.

24 Michael W. Elsby, Bart Hobijn, and Aysegul Sahin "The decline of the US labor share," Working Paper Series 2013-27, Federal Reserve Bank of San Francisco, September 2013.

25 David Autor, David Dorn, Lawrence Katz, Christina Patterson, and John Van Reenen, "The fall of the labor share and the rise of superstar firms," NBER Working Paper No 23396, 2017; Autor et al., "Concentrating on the Fall of the Labor Share" *American Economic Review: Papers and Proceedings* 107, no. 5 (2017): 180–185.

26 Eric Posner, Glen Weyl, and Suresh Naidu, "Antitrust Remedies for Labor Market Power," *Harvard Law Review*, 132, no. 2 (2018): 536–601.

exploitation. The logic of finance — what is also called the ideology of shareholder value — has enforced a brutal regime of downsizing and distributing that leads to successive rounds of layoffs and closures, while handing out large bonuses and dividends to shareholders and top managers.[27] These mechanisms suck a larger share of globally produced surpluses into the hands of the corporate elite in the US and other advanced capitalist countries. Instead of being reinvested in building productive capacity and buttressing job creation, the huge returns from this new global division of labor have been used to accumulate financial and intangible assets, effect mergers and acquisitions, fund share-buybacks, and have also been captured by the corporate executives and professionals overseeing the corporations' global operations.

One of the key imperatives driving top corporate executives is the competition for a greater share of the pool of globally created surpluses. As top executives engage in a competitive battle to claim a larger share of this pool, managerial and supervisory professionals lower down the hierarchy (the 90–99 percentile of the wage distribution) enforce strategies to continually ratchet up the rate of exploitation of the workers under their control. This managerial-supervisory class mediates the functions of capital within the corporate structure — in particular, the functions of disciplining and supervising of workers.[28]

Managers and supervisors working under the top corporate executives are responsible for implementing strategies to boost returns and extract larger productivity gains from labor. They are the instruments for ramping up the exploitation of the workers under their supervision. But they are also answerable to the executives at the helm of the corporate ladder and are more constrained in their capacity to push

27 William Lazonick and Mary O' Sullivan, "Maximizing shareholder value: A new ideology for corporate governance," *Economy and Society* 29, no. 1 (2000): 13–35.

28 Gérard Duménil and Dominique Lévy, *The Crisis of Neoliberalism* (Harvard University Press, 2010); Thomas Piketty, *Capital in the Twenty-First Century* (Harvard University Press, 2014); Ramaa Vasudevan, "The Rise of the Global Corporation and the Polarization of the Managerial Class in the US," *Review of Political Economy* 29, no. 2 (2017): 1–27.

up their compensation to the same degree as managerial executives at the top who oversee them. The more stable relation of the wage earners in the 90- 99 percentiles, to the 90 percent at the bottom of the distribution reflects this constraint. Unlike the executives above them in the top 1 percent, who claim a share of surpluses generated within the global network of the corporations they head, the claims of this section of the managerial and supervisory class are tied to the wages of workers under their direct control, domestically.[29]

Driven by the compulsions of competition and the threat of hostile takeovers, the stage was set in the 1980s for the systematic restructuring of industry. This involved layoffs and the casualization of workers and the stripping away of overheads and benefits domestically along with offshoring and relocation of parts of the production process overseas. Tighter control over workers was buttressed by the strategies of divide and rule that segmented the workforce.[30] The pervasive adoption of the methods of work organization associated with lean production systems — including the pressures of "continuous improvement" — escalated the pace and stress of work.[31] Workers were retrenched, and jobs were outsourced and subcontracted to casual or temporary workers as part of this pursuit of "efficiency gains" and cost-cutting. These practices were key to the productivity gains of the 1990s. The flexibilization of contracts and the fissuring of the workplace with the adoption of subcontracting and franchising arrangements has led to deteriorating working conditions and a downward pressure on wages and benefits.[32] The new managerial practices that unleashed the lean production systems and such workplace fissuring have thus been instrumental in intensifying the exploitation of US workers.

29 Vasudevan, 2017.

30 Vasudevan, 2017; Duménil and Lévy, 2018.

31 Kim Moody, *Workers in a Lean World: Unions in the International Economy* (Verso: 1997).

32 David Weil, *The Fissured Workplace: Why Work Became So Bad for So Many and What Can Be Done to Improve It* (Harvard University Press, 2017).

The displacement of workers from manufacturing and the expansion of the pool of workers seeking jobs, further cemented the power of capital. The labor market in the US has been refashioned in a manner that serves the imperatives of capital — specifically corporate capital. As secure jobs in manufacturing (and wholesale trade) disappeared, workers spilled into low-wage sectors like business services, food, education, and health.[33] The slow growth of employment in higher-productivity sectors in manufacturing has thus led to the flooding of workers into the low-wage service sectors.[34] This structural transformation has created a periphery of marginalized workers within the US, who also play a key role in driving the broader trends of wage repression.[35] Cheap imports have fueled deindustrialization and a decline in employment in sectors exposed to such competition within the US. But going beyond this direct impact on workers in sectors exposed to import competition, these structural transformations have had an impact on wage repression for the US working class as a whole.

Wage repression has been reinforced by the steady erosion of legal protections and benefits for workers, the trend of casualization, and the concerted attack on unionization and collective bargaining rights since the mid-1970s, including the spread of "right to work" laws and the promotion of an anti-labor bias in the functioning of the National Labor Relations Board. Union membership declined from 20.1 percent in 1983 to 10.1 percent in 2018.[36]

The concerted deployment of the collective might of capital is visible in explicit strategies of wage repression. It is not just the big

33 Servaas Storm, "The New Normal: Demand, Secular Stagnation and the Vanishing Middle Class," Institute for New Economic Thinking, Working Paper 55 (2017).

34 Ibid.

35 Lance Taylor and Özlem Ömer, "Where Do Profits and Jobs Come From? Employment and Distribution in the US Economy," Institute for New Economic Thinking, Working Paper 72 (2018); Taylor and Ömer, "Race to the Bottom: Low Productivity, Market Power, and Lagging Wages," Institute for New Economic Thinking, Working Paper 80 (2018).

36 US Bureau of Labor Statistics.

Silicon Valley tech firms like Apple and Google who use no-poaching agreements to suppress wages. Non-compete clauses are also rife in the low-wage sector of fast food companies like McDonald's, which use these clauses to prevent franchisees from hiring labor away from each other. The bloating gig economy, from Uber to TaskRabbit, that has fastened onto new technology-based labor market platforms is absorbing surplus workers thrown out of regular employment or juggling multiple low-wage jobs. By reclassifying workers as independent contractors and transferring both risks and overhead to the employees, these platforms have further buttressed the domination of the working class by capital.

State policy has also been suborned in service of the interests of capital, and policies and institutions that protect workers have been systematically dismantled since the 1980s.[37] The fight against inflation that was heralded with the steep hike in interest rates in 1979 served as a tool for restructuring class relations domestically. The smashing of the air-traffic controllers' strike in 1981 was a decisive moment in the breakdown of the capital-labor accord that had underpinned the wage share of workers in the immediate postwar period — as wages kept up with productivity gains. That accord, instituted as a response to the Great Depression and Second World War, was also an acknowledgment of the potential of the organized power of workers. Its breakdown signaled a corporate backlash against the collective organization of workers. This launched the decline in labor's share in income even as the capitalists of the top 1 percent — all part of the ruling class — cornered all the gains from the global expansion.

The falling share of labor in the US and the widening gap between labor productivity and the wages of US production workers is thus an outcome of the competitive imperative to cut costs and ratchet up the exploitation of workers domestically. It reflects the growing power of capital. This growing power of US corporate capital over labor

37 Josh Bivens, Lawrence Mishel, and John Schmitt, "It's not just monopoly and monopsony: How market power has affected American wages," Economic Policy Institute, 2018.

domestically is, however, organically bound up with the processes by which US capital absorbed and subsumed workers globally into its accumulation trajectory.

THE GLOBAL RACE TO THE BOTTOM

The global offensive of capital led by US corporations has polarized the top managerial class, and also riven the working class within the country. It has done so not by creating a labor aristocracy, but rather by unshackling corporate capital from domestic constraints that might compel it to respond to the claims of domestic workers. This has empowered corporate capital to squeeze domestic workers, as workers within the US are pitted not just against each other, but also against workers across the world. Corporate capital's expansion to subsume workers in different parts of the globe towards its own imperatives has thus unleashed a brutal, global race to the bottom.

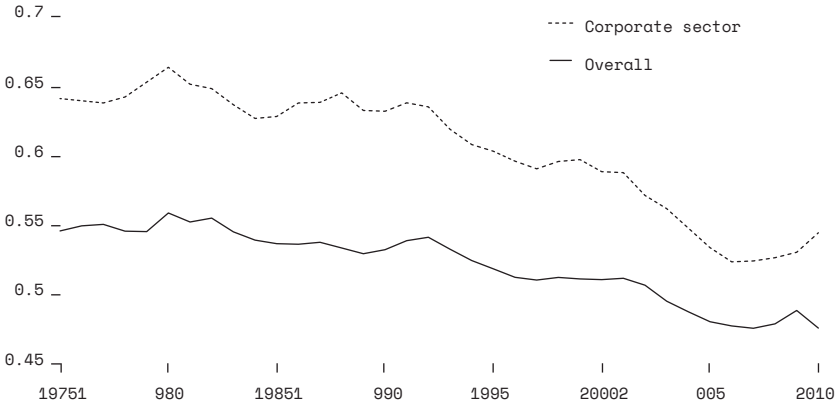
The relentless quest for cheap labor — what is called global labor arbitrage[38] — has, in effect, expanded the pool of labor that is available for corporate capital to collectively exploit. Corporate capital is not constrained by national borders in such exploitation. The neoliberal decades promoted the unfettered mobility of capital that has enmeshed countries in different parts of the globe into the ambit of control of US-led global corporate capital. The impetus to integrate trade, production, and financial markets was further accelerated with the accession of China into the World Trade Organization in 2000. The global labor market has been fundamentally transformed, as more and more workers from developing countries have been drawn into the reach of corporate capital.

The focus here is not the processes of dispossession, de-peasantization, and the dismantling of the welfare state through the neoliberal period that have swollen the ranks of workers. It is on the

38 Stephen Roach, "How global labour arbitrage will reshape the world economy." *Global Agenda Magazine*, 2004.

orchestration of closer economic interconnections across borders creating a more integrated global economy (including the integration of Eastern Europe and China) so that US-led corporate capital now confronts and exploits a global pool of labor. As US-led corporate capital spreads and tightens its web of control across borders to directly or indirectly exploit lower-wage workers in Latin America, Asia, and Africa, it has at its disposal a significantly larger pool of labor from which surplus value can be extracted and claimed. The access to this vast and growing global pool of labor, and the heightening competition between workers in this pool, enables US corporate capital to raise the overall rate of exploitation. This is the true significance of the global expansion of US corporate capital and global labor arbitrage. Far from sharing any gains from this global expansion with workers within their own country, the reach of corporate capital is the basis on which it reinforces workers' exploitation.

FIGURE 6: THE GLOBAL DECLINE IN THE SHARE OF WORKERS



*Source: Karabarbounis and Neiman data set (https://sites.google.com/site/loukaskarabarbounis/research).**

* I am grateful to Huong Le for assistance with the data for this figure.

The consolidation of the power of capital over labor, across the world, is evident in the clear decline in the share of labor globally since the 1990s. Figure 6 displays an approximate representation of this persistent trend. More precisely, it is estimated that the global share of labor in the value added in the corporate sector declined by about 5 percentage points in the past thirty-five years.[39] These trends are not explicable in terms of labor shifts from high-wage-share to low-wage-share sectors, but reflect a persistent decline of the labor share across all sectors.[40]

It is argued that developing countries in the periphery are subject to super-exploitation, theorized either in terms of a squeeze of wages below the value of labor power[41] or as an increase in the rate of exploitation of workers in the periphery above the "global rate of exploitation."[42] But the account of how US capital cemented its power points to another, more powerful, foundation for the expansion of US corporate power in the recent period. This is the intensification of the global rate of exploitation of labor, as workers in different regions are compelled to compete with each other. The profound impact of the scaling up of the pool of labor available for capital to exploit also strengthens the capacity of capital to enforce greater disciplinary power over workers, forcing them to work harder and faster without making any claims on the additional income they generate.

The global decline in the share of labor is a stark manifestation of this tendency. This decline in the labor share is evident in developing countries to different degrees and can be discerned irrespective of

39 Karabarbounis and Neiman, 2014.

40 Francesco Rodriguez and Arjun Jayadev, "The Declining Labor Share of Income," Human Development Research Paper, 2010-36, United Nations Development Programme (2010); IMF, *World Economic Outlook, April 2017: Gaining Momentum?* (2017).

41 John Smith, *Imperialism in the Twenty-First Century* (Monthly Review Press, 2015); Andy Higginbottom, "'Imperialist Rent' in Practice and Theory," *Globalizations* 11, no. 1 (2014): 23–33.

42 Samir Amin, *Modern Imperialism, Monopoly Finance Capital, and Marx's Law of Value* (Monthly Review Press, 2018).

the level of per-capita income in the country.[43] Differences in concrete conditions, particularly in terms of the nature of organization and protection of the working class, the degree of financial and trade integration with global capital, and the particulars of the policy regime adopted shape differences in the specific trends across these countries.[44]

Technological changes driven by information and computer technology that cheapened investment goods, fueled automation, and promoted labor outsourcing have played a role in the global decline.[45] The squeeze on labor has been further reinforced by the deliberate adoption of policies of trade and financial liberalization around the world.[46] States in the developing world seeking to attract global capital are more aggressive in implementing domestic labor market reforms that exacerbate the vulnerability of workers by ripping away labor market protections and regulations. They also adopt policies that favor the entry of corporate capital from abroad, including tax rebates, preferential treatment, and access. As producers and suppliers in developing countries were subject to intense global competition, the bargaining power of workers was also severely undermined. The threat of relocation and capital flight with financial integration eroded the capacity of workers in different countries and regions to protect their wage share. A higher degree of financial openness further consolidates the power of capital over labor, and is associated with a lower labor share.[47] It is this growing power of global corporate capital over

43 Rodriguez and Jayadev, 2010; IMF, 2017.

44 Anne Harrison, "Has Globalization Eroded Labor's Share? Some Cross-Country Evidence," MPRA Paper No. 39649, 2005; Rodriguez and Jayadev, 2010; IMF, 2017.

45 Karabarbounis and Neiman, 2014.

46 Elsby, Hobjin, and Sahin, 2013; UNCTAD, *Trade and Development Report 2018: Power, Platforms, and the Free Trade Delusion* (Geneva, 2018).

47 Arjun Jayadev, "Capital account openness and labor share of income," *Cambridge Journal of Economics* 31, no. 3 (2007): 423–443; Davide Furceri. Prakash Loungani, and Jonathan David Ostry, "The Aggregate and Distributional Effects of Financial Globalization: Evidence from macro and Sectoral Data," IMF Working Paper 18/83 (2018); Furceri, and Loungani, "The distributional effects of capital account liberalization,"

labor that is, in the final analysis, the critical driver of the decline in the global labor income share.

The top 2,000 transnationals that dominated global trade expanded their asset base from 115.8 percent of world GDP in 1996–2000 to 229 percent in 2011–15, and the volume of their profits grew at a rate of about 8.5 percent per year.[48] There are two other trends that bear out the crucial role of global corporate capital in driving the decline of the share of labor. The first is the fact that the share of total global profits remains relatively stable if we *exclude* the profits of the top 2,000 transnationals — suggesting that the trend is driven by these transnationals. The second is the strong correlation of the profit share of the top 2,000 transnationals with the decline in the global share of labor. The accelerated expansion of the profits of the top 2,000 transnational corporations accounted for about two-thirds of the decline in the labor share.[49]

Neoliberal policies and the sharp reduction in the costs of coordination and transport enabled the fragmentation and unbundling of production processes either through the setting up of foreign subsidiaries or through arms-length contracts with production units in other countries. With this development, vast swathes of the working class in countries around the world were brought into the ambit of control of the dominant transnational corporations of the advanced capitalist countries. The relocation of the low-skilled and labor-intensive segments of the production process to developing countries and the establishment and spread of global production networks — through what are called global value chains — allowed global corporate capital (in the form of transnationals) to forge a global division of labor that served its needs. Financial integration has been pivotal to

Journal of Development Economics 130C (2018): 127–144; Petra Dunhaupt, "Determinants of Labor's Income Share in the Era of Financialization," *Cambridge Journal of Economics* 41, no. 2 (2017): 283–306.

48 Pierre Kohler and Francis Cripps, "Do Trade and Investment (Agreements) Foster Development or Inequality?" Global Development and Environment Institute Working Paper 18-03 (2018).

49 Ibid.

this development. This fragmentation of production through global value chains is an important dimension of the concentration of global corporate capital's power.

Higher earnings from the global value chains are concentrated in design and R&D, marketing, and related tasks. All these operations are concentrated in the corporate headquarters of the lead firms, located in the advanced countries. Fabrication and assembly operations that have been relocated to developing countries account for much lower shares of value-added and profit. There are thus significant asymmetries between the lead firms in advanced capitalist countries and production and assembly units in developing countries. But the most significant aspect of the internationalization of production through these global assembly lines is that capital as a whole has gained at the expense of labor. Offshoring is associated with a higher share of corporate profit in total value added.[50]

Between 1995 and 2008, the share of labor in total income estimated for 560 global manufacturing value chains fell by 6.5 percent. Much of this decline is associated with a declining share of low- and medium-skilled labor.[51] A more recent and comprehensive estimate of global value chains concludes that the total share of labor declined by 3 percent between 2000 and 2014, driven largely by the falling share of low- and middle-skilled workers. Disaggregating further, the share of labor declined by 3 percent in high-income advanced capitalist countries, while it fell by only 0.2 percent for developing counties (excluding China, where the share of labor within the global value chain actually increased as a result of growth in employment rather than wages).[52] The share of labor declined more sharply in

50 William Milberg, "Shifting sources and uses of profits: sustaining US financialization with global value chains," *Economy and Society* 37, no. 3 (2008): 420–451; William Milberg and Deborah Winkler, "Financialisation and the Dynamics of Outsourcing in the USA," *Cambridge Journal of Economics* 34, no. 2 (2010): 275–293.

51 Marcel P. Timmer, Abdul Azeez Erumban, Bart Los, Robert Stehrer, and Gaaitzen J. de Vries, "Slicing Up global Value Chains," *Journal of Economic Perspectives* 28, no. 2 (2014): 29–118.

52 UNCTAD, *Trade and Development Report 2018: Power, Platforms, and the Free*

high-income countries than in low-income countries, despite the concentration of higher-skilled operations in these countries. At the same time, these global value chains have enabled the lead firms in the advanced capitalist countries to reduce unit costs and capture a rising share of the profits, while transferring some of the risks and costs of adjustment to workers in the periphery through value chains. Workers in the periphery are subject to abysmal working conditions, forced overtime, extended layoffs, and the evisceration of legal protections and regulations.

But what is especially significant is how the integration of developing countries into the trade, production, and financial networks of global capital has undermined labor *as a whole*, subjecting workers in both the US and developing countries to a global race to the bottom. This is the fundamental consequence of imperialist expansion under the hegemony of US capital. The proponents of the super-exploitation thesis are right to point to the absolute degradation of the lives and livelihoods of working people in the periphery. They are also right to call attention to the impact of the expansion of the global reserve army of labor at the service of corporate capital.[53] But the real significance of the globalization of capital is that it has buttressed a hike in the *global* rate of exploitation. The decline in the global share of labor is its simplest manifestation.

Global labor arbitrage is thus not only about the search for cheap labor in the periphery. It is also instrumental in depressing wages in the US and other advanced capitalist countries.[54] Beyond the US, a decline in the share of labor has been noted since the 1980s in other advanced OECD countries, and is particularly acute in Europe.[55] The

Rrade Delusion (Geneva, 2018), 51.

53 John Bellamy Foster, Robert W. McChesney, and R. Jamil Jonna, "The Global Reserve Army of Labor and the New Imperialism," *Monthly Review* 63, no. 6 (2011).

54 Stephen Roach, "More Jobs, Worse Work," *New York Times*, July 22, 2004.

55 OECD, "Labour Losing to Capital: What Explains the Declining Labour Share?" in OECD *Employment Outlook* (OECD, 2012); ILO-OECD, "The Labour Share in G20 Economies," paper prepared for G20 Employment Working Group, 2015.

unrelenting competitive pressure to cut costs that has reshaped the global division of labor, relocating chunks of the production process to developing countries, also tightened the stranglehold of corporate capital over workers in the US and other advanced capitalist countries. The sharpening polarization in these countries is part of the same process that engenders marginalization and informalization in developing countries. Technological change enabled the speeding up of work and intensified the replacement of labor — in particular in the manufacturing, transport, and communications sectors where tasks and operations are more easily routinized — and decimated middle-skill jobs in the advanced capitalist countries.[56] The observed pattern where the high-skill segments of the global value chain are retained in the advanced capitalist countries while the lower-skill segments are farmed out to developing countries fundamentally reshaped labor markets in the US and in other advanced capitalist countries. The limited demand for labor in manufacturing paved the way for the assault on worker organization and pushed workers into low-wage service jobs, pulling down the overall share of workers within these countries.

Given the pervasive global decline in labor share, it is this trend that merits more attention as it signifies the accentuation of corporate capital's control over the global labor force. The anemic response of wages to the recent tightening of the labor market that is now preoccupying central bankers in the advanced capitalist world reflects this tightening control. As corporate capital draws its web to capture workers from around the globe into its relentless drive for profits, the overhang of this global reserve army of labor exerts a depressing effect on the claims that the fragmented workforce can make.

The restructuring of the global division of labor by corporate capital has therefore increased its capacity to reduce labor costs

56 Maarten Goos, Alan Manning, and Anna Salomons, "Explaining Job Polarization: Routine-Biased Technological Change and Offshoring," *American Economic Review* 104, no. 8 (2014): 2509–2526; Mai Chi Dao, Mitali Das, Zsoka Koczan, and Weicheng Lian, "Why is Labor Receiving a Smaller Share of Global Income? Theory and Empirical Evidence," IMF Working Paper 17–169 (2017).

by exacerbating exploitation across global production in *both* the advanced capitalist countries and the developing countries in the periphery. The threat of relocation, to a country where labor costs are lower or regulations more lax, has been wielded to deter and defang working-class action. The integration of workers in different parts of the world into the network of corporate capital is the basis for the intensification of the global rate of exploitation. This escalation of the global rate of exploitation, rather than the super-exploitation of workers in the periphery or any concessions or gains granted to workers in the imperialist core, is the essence of mechanisms of imperialism in the contemporary world. Far from benefitting from the global scope of its corporate capital, workers in the US and other advanced capitalist countries are in fact being pummeled by the reshaping of the global division of labor.

At the same time, corporations in the US capture a disproportionate share of the surplus value produced in the global economy. The argument about the expanding web of exploitation by corporate capital does not, in any way, imply a negation of global asymmetries perpetuated though the exercise of imperialist hegemony. Rather, it suggests that capitalist expansion and the mechanisms of imperialism bind workers in both the center and the periphery in common chains of exploitation.[57]

LABOR AGAINST CAPITAL

The processes of centralization and concentration that have consolidated the global power of capital against workers and fashioned a new global division of labor through these production networks have led not only to "the growth of the cooperant forms of the labor process," and with this the development of the social productivity of labor that Marx had pointed to on a global scale, but also to "the entanglement

57 Ramaa Vasudevan, "The Network of Empire and Universal Capitalism: Imperialism and the Laws of Capitalist Competition," *mimeo* (2019).

of all peoples in the net of the world market, and with this the growth of the international character of production."[58]

While elaborating the laws of capitalist competition, Marx had demonstrated how the individual capitalist participates in the exploitation of the entire working class by *capital as a whole*, and thus also in the *overall* level of exploitation — "not just in terms of general class sympathy, but in a direct economic sense," since the average rate of profit depends on this *overall* level of exploitation of labor by *capital as a whole*.[59] So that, "The capitalists, no matter how little love is lost among them in mutual competition, are nevertheless united by a real freemasonry vis-a vis the working class as a whole."[60]

The labor aristocracy thesis and the super-exploitation thesis miss this central process, the intensification of the overall degree of exploitation of workers in different parts of the world, as capital concentrates its power and integrates workers globally into its control. The world is quite literally the oyster of global corporate capital.

The integration of workers in different parts of the world into the network of global corporate capital under US hegemony has enabled a significant hike in the global rate of exploitation. Far from being part of an alliance with capitalists and managers of their own country and benefiting from the imperialist domination of workers in the periphery, workers in the US, and also in Europe and Japan, are in fact facing deteriorating working conditions, job losses, and a squeeze of their share of income under the competitive imperatives of cost-cutting unleashed by corporate capital. Equally important, even if the workers in the periphery might be facing absolutely lower wage levels and even more dismal working conditions than workers in the advanced capitalist countries, their declining share of income is not contingent on super-exploitation, but arises more significantly from

58 Karl Marx, *Capital Volume I* (Penguin: 1976): 929.

59 Marx, *Capital Volume III* (Penguin: 1981), 299.

60 Marx, *Capital Volume III* (Penguin: 1981), 300.

an overall increase in the rate of exploitation globally as corporate capital extends its reach to the vast pool of global labor.

The surplus labor latent in the informal economy in countries in the periphery and that which is absorbed in the low-productivity sectors or the "gig economy" of the US both buttress the power of capital to squeeze labor. The simultaneous decline of the labor share in the US and that of labor globally is organically linked to the same processes of concentration and centralization of corporate power that are pitting workers in different regions and countries against each other in a global competitive race to the bottom. This race subjects workers in the US, in other advanced capitalist countries, and in the rest of the world to increasingly precarious livelihoods and fissured workplaces.

It is also important to recognize that despite its resilience, corporate capital is also more vulnerable precisely because of its heightened interconnectedness. Upheavals in different parts of this global network can ricochet around the entire network, disrupting its machinery of accumulation. This fundamental insight is critical to any working-class strategy to organize in the face of the degradations of the global race to the bottom that corporate capital seeks to impose, as it forces workers all over the world to adapt and mold themselves to the continually changing demands of the social division of labor. This was also, in some senses, the spirit animating the Seattle protests in 1999 before 9/11 and its aftershock dispersed the movement's momentum.

Twenty years later, in the aftermath of the great financial crisis, capital continues to sharpen the divisions within the working class and deepen inequalities. This has profound political consequences. The growing frustration and rage of working people around the world, who have been marginalized by an accumulation paradigm that has allowed a small corporate elite to corner the gains of economic growth, is creating a groundswell of unrest. It is even more critical to keep a focus on organizing against the "freemasonry" of capital.

Edward Said's *Orientalism* was greeted with great enthusiasm upon its publication. But there were also powerful critics, many from the Global South, who viewed it as an intellectual retreat. We publish here a text hitherto unavailable in English, in which Mahdi Amel argues that while Said's work is a critique of Orientalist ideology, it nonetheless trades in the cultural essentialism that it claims to reject.

EDWARD SAID'S FOLLY

MAHDI AMEL

CATALYST INTRODUCTION

BASHIR ABU-MANNEH

Using the pen name Mahdi Amel, Hassan Hamdan was a prolific Marxist writer and member of the Lebanese Communist Party from 1960 onward. He was born in 1936 and was assassinated in Beirut on May 18, 1987. That same year, his comrade Hussein Muruwwa (1910–1987) had been gunned down in bed. He too was a Marxist writer and a prominent member of the Lebanese Communist Party. Religious Shia militants (widely believed to be Hezbollah) murdered both as part of an orchestrated attack on communist activists who hailed from Shia families in South Lebanon.

Their deaths spoke volumes about the increasing clout of conservative political forces emerging then in the Arab world. If Amel and Muruwwa sought to separate state and religion, and advance both socially progressive causes and working-class organizations, their

rivals sought the opposite. Organized religious Shia participation in the Lebanese Civil War sharpened and entrenched (rather than diluted) sectarian and confessional identities. With the defeat of the PLO by Israel in 1982 and the weakening of the left nationalist alliance, the Lebanese political terrain changed. Militant communalism edged out both communism and nationalism. In the South, Shia fundamentalism came to carry the mantle of anti-imperialism and to struggle against Israel's occupation of Lebanese lands. The Left thus lost its role as leading anti-imperialist force. With its demise, a whole tradition of radical Arab thought fell by the wayside.

Amel speaks to this whole radical conjuncture between the 1960s and early 1980s — when the Left was actively formulating theories and strategies of emancipation in the Arab world. His work is steeped in this progressive tradition. After completing a PhD in philosophy at the University of Lyon and teaching for several years in Constantine Teachers College in Algeria, he returned to Lebanon in 1967 and got involved in national politics. His numerous books show a profound engagement with core questions of Third World development and politics: the role of socialism in national liberation, the nature of what he called "a colonial mode of production" and a weak bourgeoisie, and the impact of imperialism on social structure and class politics. He also wrote about distinctly Lebanese problems, such as the power of the sectarian state and the role of the Palestinian resistance movement in Lebanon, as well as on issues of Arab history and thought, like Ibn Khaldun and materialism in the Arab world.

What marks out his writings from that of many others is that he aimed to advance an original Marxist analysis of the Arab world. Even though he wrote in a dense Althusserian style, the consistency of his work and its unique formulations capture crucial problems of Arab capitalist development. Here the Arab nation is understood through its historical specificity and class struggle, not through a nationalized variant of Marxism (like Anouar Abdel-Malek's "national Marxism") that conceded too much to non-materialist categories. Amel's is a

Marxism constantly wary of the distortions of bourgeois thought and its various cultural permutations. His materialism requires linking ideas to their social basis as well as producing emancipatory forms of knowledge independent of bourgeois dominance. Neither monolithic nor unitary, culture is crisscrossed by struggle and conflict, and class contradiction is key to understanding historical process.

These themes and emphases are evident in the selection from his work reproduced below. The specific occasion is the translation of Edward Said's *Orientalism* into Arabic. Amel responds by writing a short but forceful book of critique. He does so not only to defend Marx *against* the charge of being an Orientalist, leveled at him by an Arab compatriot, but also to show that the structure of Said's thought itself is deeply flawed — that his understanding of culture as the uncontested effect of bourgeois class dominance is idealist, and that Marxism is oppositional, not identical, to Orientalism.

Said's mistake, Amel argues, is he assumes that a dominant national culture is the culture of *all* classes in society. Dominance is, in fact, wall-to-wall: no individual or movement can escape it. For Amel, Said here misconstrues the nature of a dominant culture, and misreads history and political possibility as a result. Such a conception of elite culture eliminates class difference and contradiction. Indeed, it ultimately posits the nature of culture as "imperial and terroristic" [*irhabi imbriali*], as Amel concludes his book.

Does Said allow for exceptions to his blanked indictment? Is it possible for Western minds to escape the Orientalist frame? Yes. But only on the basis of individual genius, not social collectivity. Even those exceptions, however, are not evident on the level of mind and reason — where Orientalism clearly dominates — but only on the level of feeling: either in spirituality (Massignon) or in sympathy for the colonized oppressed (Marx). What this basically means is that the West equals reason and Orientalism, while the East equals feeling and spirituality. Conflict plays itself out on this terrain, with no outside to this logic.

Amel thus disagrees with Said's conception of Orientalism by arguing that no dominance can exist without its antithesis, rooted in antagonism and contradiction. He also argues that, contra Said's idealism, there is an outside to Orientalist representation: a materialist perspective can provide the foundation for an alternative form of knowledge that is based on truth and science. If Amel does not clarify the exact workings of science and proletarian struggle, and assumes that science simply emanates from a counter-hegemonic class position, what is clear is that for him class conflict gets manifested not only in actuality but in theory as well. If classes exist, he posits, then so does theoretical contestation.

Amel's critique of Said is part of a long tradition of Arab critical engagement with *Orientalism*. It includes Sadiq al-Azm's "Orientalism and Orientalism in Reverse" (1980) and Gilbert Achcar's recent elaborations in *Marxism, Orientalism, Cosmopolitanism* (2013). Here Said is criticized for not acknowledging how much his critique of Orientalism owes to two Marxists: Anouar Abdel-Malek and Maxime Rodinson. His inability to overcome methodological idealism, related to his repudiation of the most radical antidote to that idealism (i.e., Marxism), made him unable to supersede the essentialism that is the key component of Orientalism itself. Fall back on what al-Azm called a mere "Orientalism in reverse" he thus did. That's what Amel described as the critiquing of Orientalism, but on its own terrain.

What this Marxist tradition clearly recognizes is the profound error and huge intellectual and political costs involved in handing over Marx and Marxism to Orientalism. By doing that, Said undercut the whole basis of socialism in the Arab and Third worlds, and totally ignored its anti-imperialist history and legacy. In one brushstroke, he demonized a whole political movement that spanned two hundred years and numerous countries, and accused it of spreading imperialism — when it did the complete opposite. What surprised Amel most about Said is the flimsy manner in which Marx and his tradition is placed in the Orientalist hall of fame: based solely on a distortive

reading of one short journalistic text on India.

We publish Amel in *Catalyst* in order to show that such distortion did not go unchallenged in the Arab world. As Amel emphasized, Arab Marxism has its own forms of imperialist critique that come with an active political alternative rooted in class struggle and antagonism against both imperialism and its subservient Arab elite. Amel's work and the nature of his death should elicit further conclusions: That religious fundamentalism is a historically constituted movement in the Arab world, not its spiritual or national essence; that a radical democratic alternative to authoritarianism and sectarianism has existed (and now reemerged) there; and that the materialist tools for analyzing Arab society are as indigenous as Ibn Khaldun and Mahdi Amel. To ignore that or to argue that materialism is epistemologically foreign to the East is to falsify its history and undermine its emancipatory forms of knowledge.

Arab Marxism and National Liberation
Selected Writings

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Translated by Angela Giordani
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AMEL

Does the Heart Belong to the East and the Mind to the West? *Marx in the Orientalism of Edward Said*

In a four-page segment of *Orientalism*,[1] a work that continues to be discussed with great interest in the Arab world and beyond, Edward Said considers Marx's relationship with the Orient and Orientalist thought. It is a passage worth pausing to reflect upon. My aim in this article is to discuss this single excerpt, limited to pages 170 to 173 out of the 366-page Arabic edition.[2]

1 Edward Said, *Orientalism*, trans. Kamal Abu-Deeb (Beirut: Mu'assasat al-Abhath al-'Arabiya, 1981).

2 153–157 in the English edition (Vintage Books, twenty-fifth anniversary edition).

THOUGHT OF THE NATION OR THE DOMINANT CLASS?

In the Saidian text, we read the following, "... what the early Orientalist achieved, and what the non-Orientalist in the West exploited, was a reduced model of the Orient suitable for the prevailing, dominant culture and its theoretical (and hard after the theoretical, the practical) exigencies."[3]

I begin with this passage to introduce the reader to the framework of the basic argument which guides Said's thought throughout his book. The Orient discussed by Orientalism is not the actual Orient, but an "Orient" that is produced by Orientalist thought in its own image, and as such is "suitable for the prevailing, dominant culture." In the West, this is the culture of the dominant bourgeoisie. Rather than explicitly specify this culture's historical class character, the Saidian text describes it as Western European culture. It is "prevailing" and "dominant" [according to Said] because it is Western culture rather than the fact that it is the culture of the dominant bourgeoisie. In disavowing this culture's historical class character, Said's definition disavows the possibility that there may exist an antithesis to it. This culture thereby acquires [in Said's definition] a universal character that suggests it constitutes all that is [denoted by the word] culture. This is precisely what this particular culture strives for from its position of dominance. Indeed, it aspires to nullify all that is other than itself, and to make itself appear as culture per se. There is, however, a difference between its real historical existence as dominant bourgeois culture (i.e., the culture of the dominant class) and the form that it endeavors to take as "culture" writ large, or as the culture of the nation (*umma*) as a whole. In the process of struggle and contradiction between dominant class thought and its antithesis, viewing history from the position of

3 153; 170 in the Arabic edition.

dominant class thought, even if through a critical lens, eliminates this difference. Viewing history from the point of view of thought opposed to dominant thought, asserts this difference.

This is why it is necessary for historical thought to be materialist in order for it to be scientific. Thought that equates the external form of something with the thing itself, on the other hand, elides the contradiction and conflict between ideas in the history of thought. In so doing, it accepts a unitary [conception] of culture because it sees culture itself in "prevailing, dominant thought" and thereby leaves no potential for its antithesis to exist. At the very least we should call this thought idealist for viewing history from the vantage point of dominant thought, even if it attempts to oppose this thought.

As I see it, this kind of thinking governs Said's perception of Marx and Marx's relationship with Orientalist thought. Directly after the previously quoted passage, Said writes: "Occasionally one comes across exceptions, or if not exceptions then interesting complications, to this unequal partnership between East and West. Karl Marx identified the notion of an Asiatic economic system in his 1853 analyses of British rule in India, and then put beside that immediately the human depredation introduced into this system by English colonial interference, rapacity, and outright cruelty. In article after article he returned with increasing conviction to the idea that even in destroying Asia, Britain was making possible there a real social revolution. Marx's style pushes us right up against the difficulty of reconciling our natural repugnance as fellow creatures to the sufferings of Orientals while their society is being violently transformed with the historical necessity of these transformations …"[4]

Let us take a moment to examine this passage before turning to the text by Marx that Said discusses.

Said's argument runs as follows: There is an unequal partnership between East and West constructed by Orientalist thought. No Western

4 153 in English edition; 170 in Arabic edition.

scholar — even if he is not an Orientalist — escapes this. What this means is that all Western thought sees the Orient through the lens of Orientalism. This "Orient" is not the Orient itself, but the Orient that Orientalism has constructed. It follows that the relationship between the West and the Orient is governed by the logic of Orientalist thought and there is no escaping it for any [Western] thought, not even Marx's. The afore-cited excerpt from *Orientalism* clearly affirms this *general principle*, which — according to Said — holds true for Marx as it does for others. The problem is not, therefore, a problem of this or that individual thinker. At its core, it is a matter of principle. The dominant thought in a given nation is this nation's thought that governs the thinking of all its individuals. This is true for Orientalist thought, according to which all Western scholars think, as "No scholar [...] can resist the pressures on him of his nation or of the scholarly tradition in which he works."[5]

This is the general law of thought formulated by Edward Said. It rests on the erasure of the historical class character of ideas, and thus also on the erasure of the movement of struggle and contradiction between them. As he portrays it, the intellectual field is that of dominant thought alone, and the structure of this field is simple. This is because it is confined to the structure of the [supposedly] only thought there is, i.e., dominant thought. The structure of this field does not therefore reflect its material, sociohistorical reality, which is a complex structure of many contradictory, conflicting intellectual structures that exist in a historical movement unified by the struggles between social classes. In Said's formulation, by contrast, it is a monolithic structure — namely that of the dominant class — synonymous with the entire nation's thought. By such a proposition — in which the reader can discern some features of what, in our political parlance, is called "nationalist thought" — the internal relation of contradiction in the ideological struggle between conflicting intellectual structures is

5 271 in English edition; 273 in Arabic edition.

turned into an external relation of contradiction between the thought of the nation and the thought of the individual. The individual is incapable of using his own thinking to resist his nation's dominant thought. This dominant thought always prevails in the end because it imposes itself upon the individual, as mandated by the general law that governs the history of thought [as Said sees it]. According to this law, no individual can escape the dominance of nationalist thought except "occasionally," which is to say, in *exceptional* cases. If such a case does in fact exist, it proves rather than undermines nationalist thought. Indeed, the exception proves the rule insofar as it is an aberration. In the field of thought, this exception is actually the antithesis of dominant, prevailing thought. The following question might present itself: Why should dominant thought of the dominant class be deemed the rule, while its antithesis is rendered the exception? The answer lies in the very law or general principle that the author of *Orientalism* presents for thought in general. Indeed, the logic governing Said's thinking is none other than the logic of identification. ...

DOES THE HEART BELONG TO THE EAST AND THE MIND TO THE WEST?

It is helpful for the reader to understand which of Marx's ideas are defined [by Said] as the exception to the [Orientalist] rule, and which of them count [as Orientalist]. Returning to the Saidian text, we find that Marx [is said to] depart from Orientalist thinking with his denunciation of Easterners' suffering [under British imperialism]. He is then said to submissively fall back in line with Orientalist thought in his statement about the historical necessity of the transformations underway in Eastern societies. This interpretation should give us pause not only because it is a misunderstanding of Marx, but also for what it reveals about the structure of thought underlying Edward Said's interpretation of these Marxian texts. According to Said, Marx

breaks away from the structure of Orientalist thought when he speaks of feelings, emotion, and sensitivity; in short when he speaks from the heart. As soon as Marx, however, applies reason, he reverts back into an Orientalist mode of thinking. It is as though Marx [as interpreted by Said] is caught in a battle between the mind and the heart, with his heart belonging to the East and his mind to the West. If the heart speaks and the mind is silent, Orientalist thought is overcome. But as soon as reason is evoked, [Orientalist] thought is reaffirmed via the affirmation of historical necessity by Marxist thought. A seemingly unresolvable contradiction emerges between what Edward Said calls "human sympathy"[6] and objective, scientific analysis of historical necessity. They are mutually exclusive. If thought affirms the former, it stands in defense of the East against Orientalism, and if it affirms the latter, it affirms by extension Orientalism, i.e., it adopts a Western standpoint opposed to the East. It is as though every scientific or rational approach to the Orient necessarily falls into the logic of Orientalism, which is to say the logic of Western thought. It is as though this thought is rational insofar as it is Western thought. Meanwhile, the only approach to [understanding] the East capable of delivering the thinker from the danger of falling in the logic of Western thought is a heartfelt *spiritual*, as opposed to rational, approach, i.e., an approach from the standpoint of identifying with "the vital forces" informing "Eastern culture," and from a position of "identification" with it. According to Said, herein lies "Massignon's greatest contribution" to the field of Oriental studies, with [the French Orientalist's] approach to the Orient based on "individual intuition of spiritual dimensions."[7] This is what sets Massignon apart from all other Orientalists: his spirit identified with the spirit of the East. This approach [according to Said] enabled Massignon to overcome the structure of Orientalist thought, or to occasionally transgress the boundaries of its structure. We say "occasionally" here so as not to put words in the author's mouth and

6 English, 163; no page number given in Arabic.

7 English edition, 265. Arabic edition, 268.

accuse him of saying something that he did not. Despite his intense admiration for Massignon's spiritual ability to identify with the "vital forces" of the East in his scholarship, Said sees that "in one direction [Massignon's] ideas about the Orient remained thoroughly traditional and Orientalist, their personality and remarkable eccentricity notwithstanding." Yet Said does not specify, at least in this text, which direction of Massignon's thinking he is referring to. To prove this, we will reproduce the relevant passage in its entirety, even though we have already quoted some parts: "No scholar, not even Massignon, can resist the pressures on him of his nation or of the scholarly tradition in which he works. In a great deal of what he said of the Orient and its relationship with the Occident, Massignon seemed to refine and yet to repeat the ideas of other French Orientalists. We must allow, however, that the refinements, the personal style, the individual genius, may finally supersede the political restraints operating impersonally through tradition and through the national ambience. Even so, in Massignon's case we must also recognize that in one direction his ideas about the Orient remained thoroughly traditional and Orientalist, their personality and remarkable eccentricity notwithstanding."[8]

As we have seen, the text begins by laying out a general principle for nationalist thought that [it claims] is as true for Massignon as it is for Marx. We are citing these two names together because they are the only two possible exceptions alluded to in *Orientalism*, and because each is given as an example that sheds light on the other. They also shed light on *Orientalism*'s method of analysis and the general logic of its author's thinking. The critique of this logic is what constitutes the critique of the Saidian critical interpretation or reading of the Marxian text. *Orientalism* insists that no one, not even Massignon or Marx, is excluded from this principle of nationalist thought. The text, however, qualifies its earlier claim and opens the window of possibility for an exception. It does so in suggesting, on an abstract level of

8 English edition, 271; Arabic edition (as cited by Amil), 273.

thought, the possibility that individual genius may be capable of violating the principle that governs the thought of the nation as a whole. But this possibility is not necessarily existent; rather, it is arbitrary or accidental. In other words, the existence of such genius is beyond the scope of reason and rational principles, since individual genius is only defined in contradistinction to the thought of the nation, which is one and the same as thought writ large. It is as if *Orientalism*'s author is implicitly invoking in this vein a common premise of prevalent, i.e., dominant thought in the nineteenth century. That premise substituted class-based *contradiction* at the heart of the social relationship, whether in the field of thought, politics, or economics, with another contradiction that is *individual in nature*, which is to say that it exists between the individual and society, i.e., between the individual and the nation or state. The individual-nation contradiction is only possible according to the [logic] of nationalist thought. Within the limits of this field of nationalist thought, the movement of this contradiction can take no path other than that determined by one component of the contradiction, the nation, to the exclusion of the other component, the individual. Nationalist thought thereby is always in a dominant position within such a contradiction. The thought of the nation thus maintains constant dominance in this contradiction, thanks to the very nature of this contradiction. The unfolding of this contradiction is what perpetuates this dominance. Even when individual thought breaks away from it. In a contradiction between individual and nation — whether in the realm of thought or not — the individual is always going to be crushed into [*sic*] the nation, even if he is an anomaly. As for the nation, it is eternal as though it were an ever renewable or essentially permanent absolute. History, in the movement of this contradiction, is nothing more than the history of a nation constantly asserting itself against individual opposition. Viewed through this lens, history does not appear to be history given that the West is the West — one and the same since ancient Greece until the present. Alternatively, history appears as though it is the antithesis of history in the sense that

nationalist thought, for instance, does not allow for or tolerate novelty. This is because all new thought comes from the individual, but the individual is incapable — even if he has the genius of Massignon or Marx — to "resist the pressures of his nation" (these pressures being at once intellectual, political, and nonpolitical) or to break away from the structure of this nation's dominant thought. Indeed, the individual cannot escape this structure of thought at work in his national context. According to this theory of nationalist thought (the sources of which we will discern later), all change falls within an existing intellectual structure and works to preserve it. Change is not actually change, therefore, but the form in which this intellectual structure is forever renewed and maintained. Change from without is thus necessarily individual in character dominant thought of the nation, which is national in character. Individual thought is incapable of changing national thought, even if it breaks away from it.

In discussing Massignon and Marx as two exceptional cases in the history of Orientalist thought, Edward Said attempts to prove this theory of nationalist thought. While both thinkers oppose their nation's thought in their hearts, they return to it in their minds. Massignon is spiritually united with the East through his spiritual approach to it, which enables him to escape from the traditional structure of Orientalist thought. Yet in one line of thinking about the East [as Said informs us in the following quote,] Massignon falls back into this structure: "... Massignon's implication is that the essence of the difference between East and West is between modernity and ancient tradition. (Author's note: We did not find this sentence in the French text). And indeed in his writings on political and contemporary problems, which is where one can see most immediately the limitations of Massignon's method, the East-West opposition turns up in a most peculiar way."[9]

In this text, Said clearly determines the realm in which Massignon's thought remains traditional and Orientalist — namely in his

9 English edition, 269–70; Arabic edition, 272.

treatment of modernity and, specifically, of [modern] politics. In this manner, Said affirms the impossibility of an individual opposing national thought and of resisting its political pressures. This excerpt, we should note, also contains another, more dangerous, idea, namely that [Massignon's] ideas about modernity and those about the [premodern Eastern] heritage are different. If those of the former were Orientalist, those of the latter offer a valid representation of their subject. The spiritual approach is thereby affirmed as solely capable of converging with its subject. Is there not something of an affirmation in this statement of the traditional Orientalist idea which distinguishes between the spiritualism of the East and materialism of the West? Is there thus not an indication that the Saidian text does not succeed in escaping the logic of Orientalist thought, but remains beholden to it in critiquing it?

MARX IN THE SAIDIAN INTERPRETATION

Marx fares far worse than Massignon in the Saidian critique, receiving none of the commendation bestowed upon the latter. What Marx's writings on the East reveal [for Said] is that Marx is only seemingly an exception to the rule and departure from Orientalist thought. Said relies on a single text of Marx to make his argument in a confident manner devoid of any doubt. He reads Marx's statement with the same analytical logic that guides his general approach to Orientalism and its intellectual structure. The following is Marx's text in question:

> Now, sickening as it must be to human feeling to witness those myriads of industrious patriarchal and inoffensive social organizations disorganized and dissolved into their units, thrown into a sea of woes, and their individual members losing at the same time their ancient form of civilization and hereditary means of subsistence, we must not forget that these idyllic village communities,

> inoffensive though they may appear, had always been the solid foundation of Oriental despotism, that they restrained the human mind with the smallest possible compass, making it the unresisting tool of superstition, enslaving it beneath the traditional rules, depriving it of all grandeur and historical energies…
>
> England, it is true, in causing a social revolution in Hindustan was actuated only by the vilest of interests, and was stupid in her manner of enforcing them. But that is not the question. The question is, can mankind fulfill its destiny without a fundamental revolution in the social state of Asia? If not, whatever may have been the crimes of England, she was the unconscious tool of history in bringing about that revolution.
>
> Then, whatever bitterness the spectacle of the crumbling of an ancient world may have for our personal feelings, we have the right, in point of history, to exclaim with Goethe:
>
> Should this torture then torment us
>
> Since it brings us greater pleasure?
>
> Were not through the rule of Timur
>
> Souls devoured without measure?[10]

This excerpt, as we can see, comprises three paragraphs. In the first and second, Marx outlines his view of the historical relationship between English colonialism and India, as well as the effects of this relationship on the Indian social structure. In the third paragraph, he supports this view with a verse from Goethe. A sound reading of this passage would contextualize this quote [from Goethe] by considering its meaning in light of what was said before it, i.e., the content of the first two paragraphs, as this content determines the meaning of the quote and not vice versa.

10 Editor's note: See Karl Marx's dispatch to the *New York Daily Tribune* titled "The British Rule in India," June 25, 1853.

What does Marx say in these paragraphs? If the reader were to ask himself this question, which we would also pose to the author of *Orientalism*, he would look for the answer in the paragraphs written by Marx rather than what he quotes of Goethe. Inverting the relationship between text and quotation distorts both. Yet, Edward Said's reading hinges on this very inversion. Indeed, his interpretation of the Marxian text drops its first two paragraphs and leaves nothing of the third save for Goethe's verse, which he removes from its context in Marx's thought to place in the context of his own thought, where they take on a meaning different from that which it has in its original context. In such an interpretation, Marx is eclipsed by Goethe, and Said is content to use the latter's poetry to understand the former.

If we return to the original [Marxian] text, we see the objective dialectical movement characteristic of historical materialism in the first two paragraphs, specifically in their discussion of the dissolution of "patriarchal social organizations" in India under the aegis of English colonialism and capitalist expansion. In this discussion, Marx disparages colonialism as "sickening [...] to human feeling." But it is not a *descriptive* discussion, which is to say that it is not limited to describing either colonialism's destructive effects or the disgust it elicits. Rather, this text is concerned most of all with the question explicitly raised [in the second paragraph]: "Can mankind fulfill its destiny without a fundamental revolution in the social state of Asia?" The central issue at the heart of Marx's text is this question of revolution and its necessity as a condition for human liberation in Asia.

If we were to read the first paragraph of this text in a calm and reasonable manner, we would see that, [according to Marx], "the patriarchal social organizations" which "had always been the solid foundation of Oriental despotism" and depleted "its historical energies" stand in the way of this liberation. This means that the liberation of history through which humankind itself is liberated requires, by historical necessity, the demolition of these societies. There is no means for history and humankind to escape this necessity — which

is in history, the necessity of revolution. Marx considers the movement of Asian societies' demolition and breakdown out of concern with the objective trajectory of historical necessity, and not from a position of *ethical* or *humanist* thinking. This concern also informs his assessment of the relationship between this movement and British colonialism whereby he identifies England as "the unconscious tool of history in bringing about that revolution." It is worth noting here that the Arabic translation of this phrase is inaccurate. The original English does not speak of the "successful achievement of the revolution" mentioned in the Arabic. Rather, the English [verbal noun] in this passage is "to bring about."[11] If not for the distortion of the Marxian text in its Saidian interpretation, we would not have alluded to this [discrepancy], but the imprecise Arabic translation of this phrase fits into this interpretation. There is a huge difference between bringing about revolution and accomplishing it. It is the very same difference that separates a material, objective movement of history — which establishes the new in its destruction of the old itself — from an *intentional* movement of history. The latter is characteristic of the idealist conception of history, which eliminates the material contradiction at its core as though history is the movement of "regenerating a fundamentally lifeless Asia," a phrase found in the Saidian interpretation [quoted below].[12] There is thus a huge difference between [the reading of] England as "the unconscious tool of history" in the Marxian text, which situates it within an objective movement where history moves according to a dialectical material logic and thus outside of — and indeed in spite of — human consciousness and will, and the [Saidian] interpretation of England as a master [agent] of history situated within an intentional movement where history moves according to an ideological logic of Orientalist or colonialist consciousness. This is the difference between a materialist

11 Editor's note: The following phrase was cut from this sentence, which is rendered accordingly in the French as "susciter."

12 English edition, 154; Arabic edition, 171.

versus an idealist and subjective view of history. It is wrong to interpret the Marxian text according to the second view, as Edward Said does, especially in light of the fact that the third paragraph of this text — in which Marx invokes Goethe — affirms that he is speaking "in point of history" and, on that note, quotes the lines of poetry. The Saidian interpretation not only drops the first two paragraphs of the text, but also drops this phrase ("in point of history") from the last paragraph, a phrase that encapsulates the meaning of the entire text and explains [Marx's understanding of] Goethe's verses.

Having pointed that out, what does the [Saidian] interpretation say? Let us read it closely. Said says:

"The quotation, which supports Marx's argument about the torment producing pleasures, comes from the *Westölicher Diwan* and identifies the sources of Marx's conceptions about the Orient. These are Romantic and even messianic: as human material in the Orient is less important than as an element in a Romantic redemptive project. Marx's economic analyses are perfectly fitted thus to a standard Orientalist undertaking, even though Marx's humanity, his sympathy for the misery of people, are clearly engaged. Yet in the end it is the Romantic Orientalist vision that wins out, as Marx's theoretical socio-economic views become submerged in this classically standard image:

> England has to fulfill a double mission in India: one destructive, the other regenerating — the annihilation of the Asiatic society, and the laying of the material foundations of Western society in Asia.[13]

The idea of regenerating a fundamentally lifeless Asia is a piece of pure Romantic Orientalism, of course, but coming from the same writer who could not easily forget the human suffering involved, the statement is puzzling. It requires us first to ask how Marx's moral equation of Asiatic loss with the British colonial rule he condemned

13 Karl Marx, *Surveys from Exile*, ed. David Fernbach (London: Pelican Books, 1973), 306–7.

gets skewed back towards the old inequality between East and West we have so far remarked. Second, it requires us to ask where the human sympathy has gone, into what realm of thought it has disappeared while the Orientalist vision takes its place."[14]

A MORAL TRIAL

We have intentionally quoted both the Marxian text and the Saidian interpretation of it in their entirety. The latter is wholly based on the former. Not one of Marx's other writings are cited in *Orientalism* to support Said's interpretation. Considering the ambition of Said's project — an ambition we may not envy — we wonder whether critique can be conducted so lightly. Rather than introducing texts by Marx unquoted in *Orientalism*, we ask the reader to simply compare the quoted Marxian excerpt with Said's interpretation of it [to judge for themselves]. In the Marxian text, the reader finds an articulation of a materialist outlook on history concerned with events and the relations between them from the standpoint of *history* and its objective movement rather than that of the *human self*. The latter would fit the Saidian theory of "torment that brings pleasure." Said's interpretation begins with a grave distortion not just of this particular text, but of the entire edifice of Marxist thought. This is because Said denies the *materialist basis* on which this thought rests and thereby denies its *revolutionary newness* against all thought which preceded it. That Said distorts Marx's text to this degree should give pause to anyone familiar with the ABCs of Marxism. First among these ABCs is the notion of history as a materialist movement governed by objective laws that determine the necessity of revolutionary change therein. For Marx, history is not governed by the human will but vice versa. Said's text does not acknowledge the novelty of this idea. Perhaps he

14 *Orientalism*, English edition, 154; Arabic edition, 171.

is unaware (or willfully ignorant) of just how new this idea was, and that Marx's concept of revolution stood against all idealist metaphysical concepts that posited revolution as a romantic Christian project to save the human soul.

The idea that Marxist thought is somehow based in Christian sources — and that its revolution is a version of the Christian [salvific] project — is a familiar theory as old as crisis-ridden bourgeois imperialist ideology and is part of the latter's struggle against revolutionary thought. I do not think any serious contemporary scholar continues to accept it. Why then does the author of *Orientalism* so eagerly and wholly give preference to this theory? Our previous and subsequent critique of Said hold the answer. Our purpose here is to point out how Said's interpretation bears not only on "Marx's conception of the Orient," but on the totality of Marxist theory. In denying its materialist character, Said denies its revolutionary newness and consequently its antagonistic contradiction with dominant bourgeois thought. His interpretation thus enables the incorporation [of Marxian thought] into the theoretical structure of dominant bourgeois thought and as one of its elements. By reiterating this implicit epistemic basis [of bourgeois thought], this interpretation affirms that individual thought, including Marx's, is incapable of transcending the dominant thought of the nation to which the individual belongs. As such, dominant nationalist thought occupies the entire spectrum of thinking. If other thought were to exist, then the logic of nationalist thought as rendered by the Saidian interpretation would necessitate that it exist within the confines of dominant thought and as an element of it, no matter if this other thought attempts to transcend dominant thought or not. In such a scheme, revolution loses its historical necessity. Instead, it could only ever be a romantic project prevalent in the annals of dominant thought — a Christian project of saving the human spirit through purifying torment necessary for pleasure — dispersed throughout the various literatures of dominant thought. ⸸

Two new books mapping the road to the Vietnam War become trapped in the back alleys of an imperial fantasy world. One criticizes the best and brightest in Washington, DC, for not following the directions of psywar warrior Col. Edward Lansdale, while the other criticizes them for not being bright enough. Both fail to understand the history of state power in Vietnam.

REVIEW

THE FANTASY WORLD OF US EMPIRE

JOHN ROOSA

MAX BOOT
The Road Not Taken: Edward Lansdale and the American Tragedy in Vietnam (New York: Norton, 2018).

BRIAN VANDEMARK
Road to Disaster: A New History of America's Descent into Vietnam (New York: Custom House, 2018).

In US social memory, the Vietnam War is typically imagined to have been a civil war between two sides: South Vietnam and North Vietnam. Each side had its own military, flag, currency, capital city, and national anthem. The South called itself the Republic of Vietnam (RV) while the North called itself the Democratic Republic of Vietnam (DRV). The United States consistently claimed when sending troops to South Vietnam that it was doing nothing more than protecting that "spunky little Asian country" (as the *Saturday Evening Post* described it) from North Vietnamese aggression. Many historians in the US have not thought twice about categorizing the Vietnam War

as a civil war. It has seemed an incontrovertible fact, as obvious as the borders and names of the two countries on the maps of that time.

This long-standing civil war paradigm has been reinforced by widely watched PBS documentaries: the thirteen-hour *Vietnam: A Television History* (1983) and the Ken Burns–Lynn Novick eighteen-hour *The Vietnam War* (2017). The films present the US as a well-meaning ally of South Vietnam, motivated solely by the desire to protect it from communism. As the author of the companion volume to the first documentary put it, there was a "civil war between anti-communist and communist factions" and the US, because of ignorance and "misinformation," supported the faction that just so happened to have been "unpopular" and "incompetent."[1] A retired Air Force general says in the Burns-Novick film: "We were fighting on the wrong side." In both films, the hours and hours of footage relentlessly unspool without ever pausing for an examination of the initial premise: that the war was, at its roots, a civil war.

US writers, obsessed with drawing lessons from such an unexpected defeat, typically find fault with the US government's series of decisions to involve itself deeper and deeper in a civil war. The critiques of US policy are by now all-too predictable to anyone familiar with even a small part of the voluminous literature. The US did not understand the weaknesses of its chosen side and kept increasing the levels of its support even when that side was going down to defeat. The US became stuck in a "quagmire." It did not have "an exit strategy." It provided the wrong kind of support as the technocratic hubris of "the best and brightest" overemphasized raw military power rather than a political struggle for "the hearts and minds" of the South Vietnamese. Not being candid with the public about the prospects of a military defeat, the government generated a "credibility gap."

In these standard critiques of US policy, the origins of South Vietnam are glossed over and an all-important fact goes unrecognized:

1 Stanley Karnow, interview with Center for American Progress, April 29, 2005.

the RV was created by the US. The maps showing two separate states divided at the 17th parallel, with the territories shaded different colors, misrepresent their different natures. The DRV, proclaimed in September 1945, was already a powerful, entrenched state by the time the US began building the RV state in 1954. The DRV had already built a cohesive, nationwide bureaucracy while fighting the French military over that eight-year period from 1945 to 1954. By contrast, the RV was a façade of a state, a kind of hastily assembled Potemkin village wholly financed by US funds, constructed on territory in which hundreds of thousands of DRV personnel already operated. From the moment of its conception, the RV came bearing the label "Made in the USA." The war was not internal to Vietnamese society; one side was a foreign import.

The DRV, as it led the nationalist struggle against French colonial rule, became a remarkably effective state that gained the cooperation of many Vietnamese villagers. Under Ho Chi Minh's leadership, it commanded hundreds of thousands of soldiers and commandeered large quantities of resources from the populace. It formed a standing army with six divisions of troops and mobilized 1.7 million villagers to serve as porters to carry weapons and supplies. A land reform program (1953–56) redistributed about 2 million acres of land. Whatever the program's murderous violence that the DRV leaders regretted when calling it off, the program helped the state win popular support. Many villagers became willing to sacrifice their lives for a state that was committed to building a more prosperous future for their families.[2]

Judging from its ability to collect taxes, spend the tax revenue, direct economic development, and wield coercive powers, one can say that the DRV's "state capacity" was high. It achieved impressive feats of logistical coordination using rudimentary means of

2 Christopher Goscha provides an overview of the DRV's state formation in *The Penguin Modern History of Vietnam* (London: Penguin, 2017), 268–278, 315–324. A detailed study of the process in one strategically significant region is Christian Lentz's *Contested Territory: Dien Bien Phu and the Making of Northwest Vietnam* (New Haven: Yale University Press, 2019).

communication and transport. While reliant on economic and military aid from China and the USSR, it had its own internal integrity. It was able to effectively use that foreign aid because it had a bureaucratic apparatus that reached down to the village level. The French military, bankrolled and advised by the US, lost the infamous set-piece battle of Dien Bien Phu in March–May 1954 precisely because it did not believe that the DRV was capable of transporting enough troops and weapons to overwhelm its far-flung fortress in the hills near Laos.

The lesson that US policymakers should have drawn from France's unexpected defeat in May 1954 was that they should not underestimate the state capacity of the DRV. Of course, they did not learn that lesson. In response to the first military defeat of a European colonial power by its own colony, they persisted in the belief that the Vietnamese were backward, pre-political, and premodern. They faulted the French military and credited the external backers — the USSR and China — rather than the DRV. They imagined that the US, with enough dollars and guns, could build a brand-new state in Vietnam that could rival the DRV, which was already in full control of 60 percent of the country and partial control (to varying degrees) of the other 40 percent.

For Eisenhower and the Dulles brothers in the 1950s, Vietnam was just another small and impoverished country that could do nothing to obstruct the US juggernaut. They viewed Third World societies as putty in their palms and made a habit of overthrowing governments, fomenting successionist revolts, and assassinating political leaders.[3] In decreeing that a state should be built in the southern half of Vietnam, they assumed that any resistance from the DRV would be overcome, somehow or other. The particularities of a "raggedy-ass, little fourth-rate country," as LBJ later described Vietnam, hardly needed to be considered.

3 The CIA during the Eisenhower years carried out 170 covert operations in 48 countries. Alfred McCoy, *In the Shadows of the American Century: The Rise and Decline of US Global Power* (London: Oneworld, 2018), 83.

US officials began designing a new anticommunist state for Vietnam even before the defeat at Dien Bien Phu in May 1954. Abandoning the eight-year-long project of funding the French recolonization effort, they decided to cobble together all the Vietnamese organizations that had been collaborating with the French. The puppet state that the French had established in 1949, the Associated State of Vietnam (ASV), became the nucleus of the new US-funded state. At his villa on the French Riviera where he had spent the war years, the head of the ASV, Emperor Bao Dai, appointed Ngo Dinh Diem to be the new prime minister in June 1954. Diem was already close to US officials, having spent several years in the US residing in a Catholic seminary and lobbying congressmen. He became the centerpiece of Washington's plans.

The US, working with Diem, laid the foundation for the RV state in the two-year period after the July 1954 cease-fire signed in Geneva. In accordance with the terms of the cease-fire, the DRV pulled some 120,000 of its personnel out of the southern half of the country, including all of its armed troops.[4] The supporters who remained were under strict instructions not to engage in any violence that would disrupt the plans for a national election scheduled for 1956. The DRV did not resist as the US turned the southern half of the country — meant to be a temporary regroupment zone for the French and the ASV combatants — into the territory for a new state.

Washington policymakers initially hoped that Diem would unify all the anticommunist groups — both those already in the South and those who had just moved there from the North after the Geneva Accords. These groups were numerous, but they were not unified. The French had armed some 300,000 Vietnamese in the ASV's military and patronized three different militias whose members were recruited from religious organizations: the Cao Dai, Hoa Hao, and the Catholic Church. The French officials and Bao Dai had sold off Saigon's police

4 Goscha, *The Penguin History of Modern Vietnam*, 303.

force to a mafia, the Binh Xuyen, which used its coercive powers to monopolize the city's brothels, gambling houses, and opium dens. The US wanted Diem, who landed in Saigon in June 1954, to forge some kind of anti-DRV coalition out of these disparate armed groups, each of which was operating autonomously of the others.

When Diem arrived, he had no troops of his own and did not even control Saigon. He was prime minister on paper only. The ASV's army, which was supposed to be under his command, was controlled by a Vietnamese general who refused to submit himself to Diem's authority. Each one of the militias guarded its own autonomy. Diem's only leverage over these armed groups was the money that the US supplied him. With hundreds of millions of US dollars at his disposal, he set about buying off the commanders of the various army battalions, militias, and mafias. He was fortunate that they were looking for a new paymaster since their old one, the French government, was about to leave. Still, each commander drove a hard bargain. Diem spent many hours negotiating with them and playing each one off the others. Without the money from the US, Diem would have never been able to assemble an army for his new state.[5]

Diem's consigliere and financier during this state-building process in 1954–56 was the CIA agent Colonel Edward Lansdale. Max Boot's biography of Lansdale devotes about one hundred pages to the colonel's work with Diem. That section is a convenient compendium of information about the events, though it adds little to what

5 Edward Miller's valuable, well-researched book rightly emphasizes Diem's own agency in deciding how the state of South Vietnam was to be built. It presents that agency, however, as evidence that the Diem regime was not a "puppet state." The book, by not defining the term "puppet state," engages in strawman argumentation. In narrating events and describing personalities, the book glosses over the fundamental fact that Diem was only able to build the new state of South Vietnam because of US funding. Without those dollars, Diem had no power to assemble a unified military force and civilian bureaucracy. The book shows that US advisors like Lansdale did not direct his every move; it does not show that the term "puppet state" is invalid as a description of a state that was totally dependent on US funding. *Misalliance: Ngo Dinh Diem, The United States, and the Fate of South Vietnam* (Cambridge: Harvard University Press, 2013).

is already known. Lansdale's story has been told many times before, once by Lansdale himself. He has been the subject of two previous biographies, and his operations in Vietnam have been described in most histories of the war.[6] One of his former subordinates in the CIA operations in Saigon has written glowingly of his work in setting up the Diem regime.[7]

Lansdale's strategy was to befriend Diem in the same way that he had befriended the Filipino politician Ramón Magsaysay, who won the presidential election in 1953 with the CIA's help. As a former advertising executive, Lansdale specialized in the arts of persuasion and manipulation. He treated Diem as the leader of an independent country and played the role of a loyal and patient advisor. Other US officials had no personal rapport with Diem and refused to pretend as if they were anything but his bosses whose dollars gave them the right to order him about or even fire him.

The first two US ambassadors in Saigon in 1954–55 (Heath and Collins) thought Diem was incompetent and wanted to find some other anti-DRV political leader to support. Much to their consternation, Diem followed his own strategy in dealing with the armed groups in South Vietnam. Dealing with his rivals one by one, he forced out the general in charge of the ASV and co-opted some of the militia leaders. When attacking the Binh Xuyen mafia-cum-police force in April 1955, he turned Saigon into a war zone for two weeks. Hundreds of people were killed and thousands displaced. But he prevailed in the end, and the hard-nosed World War II veteran, General Collins, had no choice but to accept him as the leader of the new state for South Vietnam. Lansdale, who had stuck by Diem throughout, felt vindicated.[8]

6 Edward Lansdale, *In the Midst of Wars: An American's Mission to Southeast Asia* (New York: Fordham University Press, 1991); Cecil Currey, *Edward Lansdale: The Unquiet American* (Boston: Houghton Mifflin, 1988); Jonathan Nashel, *Edward Lansdale's Cold War* (Amherst: University of Massachusetts Press, 2005).

7 Rufus Phillips, *Why Vietnam Matters: An Eyewitness Account of Lessons Not Learned* (Annapolis: Naval Institute Press, 2008), 3–100.

8 Jessica Chapman's book has a detailed description of these events: *Cauldron of*

Given that Lansdale was more responsible than any other US official for setting up the Diem dictatorship, Boot's title "The Road Not Taken" is misleading. The road that the US took in Vietnam might as well have been named Lansdale Boulevard. Once Diem dissolved the ASV and proclaimed the new state of RV in October 1955 (after holding a fraudulent referendum in which he won more votes than there were residents in some districts), the US became committed to defending that one-man polity, regardless of its lack of roots in Vietnam. The US kept driving down Lansdale Boulevard with single-minded determination, adopting the policy encapsulated in the rhyming slogan: "Sink or Swim with Ngo Dinh Diem." The US fantasy was that one man could create a state that could rival the already entrenched DRV.

The "road not taken," for Boot, was Lansdale's personal approach to working with Diem. Once Lansdale was sent back to the US in 1956, the US officials who dealt with Diem thereafter could not persuade him to create a more inclusive polity. Allegedly, they could not approach him as a friend and equal, as Lansdale had, and their arrogance and ethnocentrism only provoked Diem into defying their orders. Without a trusted friend like Lansdale at his side who could gently induce him to change his behavior, Diem stubbornly persisted in his dictatorial style. The "unwise influence" of later US officials led to the sinking of the Diem regime in 1963: "How different history might have been if Lansdale or a Lansdale-like figure had remained close enough to Diem to exercise a benign influence."[9]

Boot's "road not taken" turns out to be a narrow, dead-end back alley. Boot ignores the structural dynamics of Diem's state and imagines that Diem could have, with a change of policy any time between 1956 and 1963, built a state strong enough to rival the DRV. By adopting Lansdale's public relations tactics, Diem could have turned himself into a popular leader. By incorporating other anticommunists into

Resistance: Ngo Dinh Diem, The United States, and 1950s Southern Vietnam (Ithaca: Cornell University Press, 2013).

9 Boot, 297.

his government, he could have broadened the state's bases of support. Boot condemns post-1956 US policy towards Diem, as if having a "Lansdale or Lansdale-like figure" in Saigon would have — to continue the allusion to the Robert Frost poem — "made all the difference."

One can safely say that it would not have made a difference. The problems of the Saigon state were congenital, with or without Diem and Lansdale. Boot winds up with a comical counterfactual: if only the great man Lansdale had remained by Diem's side, he could have saved Diem from the baser elements of his character and built a state in South Vietnam with enough popular support to stand up to the DRV. Even with the dubious dynamism of the Lansdale and Diem duo, a separate state in the South stood little chance for success. The structural conditions were overwhelmingly against it.

In the first five years of its existence, the Diem regime convinced itself and the US that it could overcome those structural conditions. Diem was initially successful in imprisoning and killing many DRV supporters in South Vietnam. Even as he was struggling to overcome the fissiparous tendencies within his own armed forces in 1955, he was turning them loose against the communists and inflicting real damage. The repression was severe in the latter half of the 1950s, resulting in the political imprisonment of tens of thousands of people. The DRV supporters in the South pleaded with the Hanoi leadership for a change in policy before they were entirely destroyed.

As soon as the DRV leaders in Hanoi decided in 1959 to abandon their policy of passivity and authorize violent resistance by its supporters south of the seventeenth parallel, Diem's state quickly lost control over the villages. The historian David Elliott, whose detailed study of one region of South Vietnam runs to five hundred pages in the "concise edition," found that "within the space of a year, the Diem regime lost its grip on the countryside."[10] Hundreds of village

10 David Elliott, *The Vietnamese War: Revolution and Social Change in the Mekong Delta, 1930–1975* (London: Routledge, 2016), 6. On the DRV's takeover of the villages, also see the expanded edition of Jeffrey Race's classic 1972 book: *War Comes to Long*

heads appointed by the Diem regime were assassinated. State officials started treating much of the countryside as a no-go zone. Diem had only appeared great because the DRV supporters had been on their knees. Once they rose in great number, the regime was crippled. Thousands of cadre who had moved north in 1954 in accordance with the Geneva Accords trekked back to the South and helped lead a powerful insurgency. South Vietnam's army had trouble suppressing the insurgency because it was warrened from top to bottom with double agents working for the DRV.[11] Diem's regime was doomed as soon as the sleeping giant of the DRV awoke in 1959.

In response to the crisis of the Diem regime, the White House sent Lansdale back to Saigon in late December 1960 to write up a report on how the regime could be saved. He concluded, after a two-week tour, that Diem would have to remain as the leader of South Vietnam but that he would have to be persuaded to incorporate some of his anticommunist opponents into his government. A US official would have to befriend and guide him so that Diem could reform the state while appearing to be doing it all on his own. Lansdale's plan was a pipe dream. Diem had built up a dictatorship with fascist trappings (consider his Personalist Labor Revolutionary Party) and would not change course at the urgings of a kindly confidante.

US officials, having committed themselves to sustaining the state of South Vietnam, could not admit that the superior state capacity of the DRV was causing the RV to collapse. Men who viewed themselves as realists, adept in raw power politics, indulged in grand delusions

An: Revolutionary Conflict in a Vietnamese Province (Berkeley: University of California Press, 2010).

11 Perhaps the highest-ranking double agent was Colonel Pham Ngoc Thao. See the entry for him in University of Quebec's comprehensive online reference tool: *The Indochina War, 1945–1956*, *http://indochine.uqam.ca/*. Another double agent, Pham Xuan An, was Lansdale's protégé and worked for US media outlets. He is profiled in Thomas Bass, *The Spy Who Loved Us: The Vietnam War and Pham Xuan An's Dangerous Game* (Philadelphia: PublicAffairs, 2009). The protagonist of Viet Thanh Nguyen's celebrated debut novel, *The Sympathizer* (New York: Grove Atlantic, 2015), is a DRV double agent working inside South Vietnam's military.

about the power of one man to determine the fate of the RV. Diem was either, as Lansdale imagined, the greatest hope for stopping the collapse or, as others believed, the main cause of the collapse. Boot follows in their imperial footsteps. He presents Lansdale's pipe dream as the stuff of pure reason and says nothing about the real power politics: the relative state capacities of the DRV and the RV.[12]

The Kennedy administration, coming into office in January 1961, rapidly increased military aid to the Diem regime and dispatched thousands of additional troops. The Diem regime could not be reformed but it could be armed to the teeth. The regime, under the guidance of US counterinsurgency experts, began waging an all-out war against the rural population. Since DRV supporters had taken control of the countryside, Diem and his generals concluded that the only way to save the countryside was to destroy it. They followed the model of British counterinsurgency strategies in Malaya in the early 1950s and herded hundreds of thousands of South Vietnamese villagers at gunpoint into "strategic hamlets" where they could be policed.

Boot portrays Lansdale as the "guerrilla guru" — the expert on counterinsurgency strategy — whose wisdom was ignored by US officials. Supposedly, Lansdale advocated a political strategy of "winning hearts and minds" while the Pentagon's bull-headed generals and the White House's nerdy policy wonks only promoted a strategy of military repression. But Lansdale was as clueless as the other officials about the organizational strength of the DRV supporters in the countryside of South Vietnam. David G. Marr, the brilliant historian of Vietnam who gained his first acquaintance with the country as a US military officer involved in counterinsurgency, noted in 1972 that Lansdale, "who had helped establish Diem and might have known how frail the system really was, wrote policy papers for President Kennedy in early 1961 that exuded optimism and recommended simply a little more muscle for the Saigon army (ARVN) and some minor bureaucratic

12 Boot, 350–355.

reshuffling." Lansdale shared the "sublime overconfidence" of US officialdom and the inability to recognize the power of "a mass revolutionary movement."[13]

The Kennedy administration ultimately decided in 1963 that Diem, faced with protests by many Buddhist organizations, could not effectively unite the competing anticommunist forces. The CIA agent Lucien Conein, who had worked with Lansdale in setting up the Diem regime back in 1954–56, contacted military officers in Saigon and arranged a coup. The dictator upon whom the US had showered billions of dollars for nine years was unceremoniously executed in a hail of bullets. The military officers who dominated the RV state thereafter were, not surprisingly, unable to construct a more cohesive state that could counter the pro-DRV forces inside South Vietnam. Because of the strength of those forces, the RV state was collapsing in the early 1960s, well before regular troops of the DRV's army entered the South.

Boot refrains from endorsing Mark Moyar's absurd argument that Diem was on his way to defeating the pro-DRV forces in South Vietnam in 1963 before the US turned against him. Moyar, in his 2006 book, *Triumph Forsaken*, claimed that the main reason the US lost the war in Vietnam was because a cynical cabal of US officials decided to overthrow Diem just at the moment he was achieving a "triumph."[14] Moyar had no evidence for the claim and the book has been widely criticized by academic experts, even as it has become popular at military academies and right-wing think tanks. Without citing Moyar, Boot advances a similar claim, that the overthrow of Diem ended the viability of the RV state. He begins the book with

13 David Marr, "The Rise and Fall of Counterinsurgency" in *The Pentagon Papers: Senator Gravel Edition, vol. 5: Critical Essays*, edited by Noam Chomsky and Howard Zinn (Boston: Beacon Press, 1972), 205.

14 Mark Moyar, *Triumph Forsaken: The Vietnam War, 1945–1965* (Cambridge: Cambridge University Press, 2006). For critiques, see the anthology *Triumph Revisited: Historians Battle for the Vietnam War*, edited by Andrew Wiest and Michael Doidge (New York: Routledge, 2010).

the story of Diem's assassination and argues that one event extinguished the possibility of an RV state "that could win the loyalty of its people."[15] Faithfully following Lansdale's opinions, Boot argues that Diem was "the one man who might have been able to hold the country [South Vietnam] together" and that his assassination left the anticommunists "demoralized, disarrayed and divided" — as if they were not already like that under Diem.[16] Boot does not acknowledge that a state whose existence depended upon one man — a reclusive and eccentric dictator at that — could not have been much of a state.

For Boot, Lansdale was infallible. The "guerrilla guru" who enjoyed a cult following among the white men of US officialdom becomes elevated in this hagiography into a veritable mahatma. He fits into a long-standing imperial mythology about the white man who goes native and then places his local knowledge at the service of imperial conquest: Sir Richard Burton, T.E. Lawrence, Rudyard Kipling, etc. Boot notes that Fritz Kraemer, a mentor of Henry Kissinger (himself a demigod in the US foreign policy firmament), revered Lansdale as a "mystic."[17] Never imagine the self-styled masters of realpolitik are not metaphysicians with their own ideas of the supernatural.[18]

Even during his lifetime, Lansdale was a larger-than-life figure. He was the model for one of the protagonists in the novel *The Ugly American* (1958) and the Hollywood film of the same title (1963), a Colonel Hillandale who approaches Southeast Asians in a spirit of equality and friendship, willing to eat and converse with them in villages that other

15 Boot, xxiv.

16 Boot, 415.

17 Boot, 605.

18 Consider the title of an anthology of essays about Kraemer written by his admirers, such as Kissinger: Hubertus Hoffmann, et al., *True Keeper of the Holy Flame: The Legacy of Pentagon Strategist and Mentor Dr Fritz Kraemer* (London: World Security Network Foundation, 2012). Greg Grandin has insightfully analyzed Kissinger's metaphysics: *Kissinger's Shadow: The Long Reach of America's Most Controversial Statesman* (New York: Metropolitan Books, 2015).

Americans treated as filthy and dangerous. With Boot's biography, the Lansdale legend is one step closer on its way to reaching the fame of the Anna Leonowens legend: the English governess whose memoir of her time in the Bangkok royal palace in the 1860s was turned into a novel decades later, and then a Broadway musical (*The King and I*), a Hollywood film, a TV series, an animated film, and, most recently, a Hollywood remake starring Jodie Foster, *Anna and the King* (1999). The legends of both Lansdale and Leonowens contain the same mythic archetype: the white person befriending and tutoring Southeast Asian political leaders in freedom and modern life. Perhaps *Lansdale: The Musical* is already in the works.

In striving to codify the teachings of the holy one, Boot invents a new -ism: "Lansdalism."[19] It is an -ism meant to guide the proconsuls of the US empire. Boot's canon consists of three L's: "Learn, Like, and Listen." It sounds like a technique for teaching preschoolers. The US official posted to some conflict-ridden part of the world should learn the language and study the culture. (Since Lansdale himself never learned a foreign language, Boot awards points to the official who at least tries.) The official should also cultivate "influential individuals sympathetic to American interests" and demonstrate that he really likes them as close, personal friends. Finally, the official should patiently listen to these "friends" in "the developing world" and gently persuade them to follow US policies. The teachings of the mystic mahatma turn out to be the platitudes of Dale Carnegie.

The US empire today is certainly in crisis. To see Boot, a leading strategist of the empire, a senior fellow at the Council of Foreign Relations, seek wisdom from one of the men most responsible for the US debacle in Vietnam, someone who consistently misunderstood Vietnam's power politics, is to witness an act of desperation. After the prolonged wars in Afghanistan and Iraq, Boot has acquired the quaint

19 Boot, 603–605.

notion that the "key American shortcoming" today is its "inability to constructively guide the leaders of allied states in the direction desired by Washington."[20]

The reader knows from the title of the book — "American Tragedy" — that Boot has missed the boat. His three L's of "Lansdalism," with their call for empathizing with non-Americans, ring hollow when he cannot even acknowledge that the Vietnam War was a much greater tragedy for the Vietnamese than for Americans. Millions of Vietnamese were killed, and their country, about the size of New Mexico, was carpet-bombed and poisoned with chemical weapons so thoroughly that they are still suffering and dying, over fifty years later, from unexploded ordnance and genetic damage. Boot is a good American who has properly learned how not to care about the victims of American wars.[21]

VanDeMark too is a good American who sees the war as an American tragedy. The war was, as the subtitle puts it, "America's descent into Vietnam," as if Vietnam was some lower level of hell that ensnared the decent men of the shining city upon the hill. VanDeMark, a professor at the US Naval Academy, ascribes "essential decency and humanity" to Washington policymakers. They made "mistakes" and had "failures" but did not commit crimes. The mass death and destruction they left in Vietnam, Cambodia, and Laos should be chalked up to understandable mistakes, like typos in a manuscript. Whoops. "We screwed up," said Robert McNamara, who is the touchstone for VanDeMark as Lansdale is the touchstone for Boot.

VanDeMark spent many hours conversing with McNamara and co-authored his mea culpa *In Retrospect* (1995). McNamara's "pain," his "feelings of regret and sorrow," are more significant than the pain of all the Indochinese, whose experience is only represented through casual statistics and passive verbs: "The war had been lost, millions

20 Boot, 602.

21 John Tirman, *The Deaths of Others: The Fate of Civilians in America's Wars* (New York: Oxford University Press, 2011).

of lives had been lost, and in his way, McNamara was lost too."[22] The juxtaposition in that sentence between McNamara's loss and the loss of "millions" is a perfect expression of American indifference to the lives of others — the indifference that allowed the US to inflict such massive, horrific violence in the first place.

Like Boot, VanDeMark is preoccupied with personalities and cannot perceive the importance of the impersonal powers of state structures. Instead of discussing the relative state capacities of the DRV and the RV, he writes at length about Diem and Ho Chi Minh. Supposedly, America's "mistake" was to misperceive Diem as a democrat rather than an autocrat and misperceive Ho Chi Minh as a communist rather than a Vietnamese nationalist.[23] The problem, however, was not the lack of information about these two individuals. It was the lack of US interest in knowing the details of a "raggedy-ass country" while arrogating the right to determine what kind of state it should have. Many intelligence agents in the 1950s actually supplied Washington with fairly accurate assessments of the strength of the DRV and the artificiality of the RV.[24]

McNamara and the other policymakers of the Kennedy and Johnson administrations appear in VanDeMark's story as tragic figures — ordinary, innocuous men victimized by circumstances beyond their control. They made decisions with the best of intentions and then faced unexpected outcomes. VanDeMark, drawing upon the literature of cognitive psychology about decision-making, identifies the unconscious errors they made when reaching their decisions. Just about every trending term from cognitive psychology earns a mention in this book: self-serving biases, unquestioned assumptions, confirmation bias, illusion of validity, law of small numbers, choice deferral, and so on. The policymakers were just ordinary humans

22 Ibid., xxx.

23 Ibid., 120–133.

24 Harold P. Ford, "Why CIA Analysts Were So Doubtful of Vietnam," *Studies in Intelligence*, no. 1 (1997).

wrestling with unavoidable epistemological challenges.

The psychological terminology functions in this book as a smoke screen to cover the criminality of the decisions taken at the White House. Consider LBJ's all-important decision in early 1965 to send US ground troops to South Vietnam and begin near-daily bombings of North Vietnam. With that decision, the US did not escalate its involvement in a civil war; it unilaterally waged war on the civilian population of both South and North Vietnam. VanDeMark frames the decision with a discussion of "the peril of short-term thinking" and "the foot-in-the-door effect."[25] He does not mention the laws of war.

VanDeMark is in need of examining his own "unquestioned assumptions," such as the idea that US officials were "good men." What does it say about the men of LBJ's cabinet that all but one of them (George Ball) were willing to destroy Vietnam only for the purpose of saving face? McNamara's closest aide, John McNaughton, estimated the importance of "US war aims" in a memorandum of March 1965, as the Marines were landing and the bombs were falling. He wrote, in the overly statistical style admired by his boss, that 70 percent of US war aims was to "avoid a humiliating US defeat," while 20 percent was to keep South Vietnam "from Chinese hands." Only 10 percent was to "permit the people of SVN [South Vietnam] to enjoy a better, freer way of life."[26] The cynicism and racism of these men is staggering.

Boot and VanDeMark are the latest examples of US historians who follow the tropes of the Lost Cause narrative about the US Civil War when writing about the project of building a noncommunist state in South Vietnam: the RV state may have lost but its ideals were noble and just. That narrative glosses over the simple fact that US officials did not even care about the wishes of the anticommunists who were

25 VanDeMark, 203, 277.

26 *The Pentagon Papers: Senator Gravel Edition, vol. 3*, 694–702. For more on the McNaughton memorandum, see George Kahin, *Intervention: How America Became Involved in Vietnam* (New York: Knopf, 1986), 356–358.

collaborating with them, much less the rest of the population. One of their greatest fears was that the anticommunists of Saigon would negotiate a reunification deal with the DRV rather than tolerate more mass death and destruction. As the historian Fredrik Logevall puts it: "Neither LBJ nor his top aides were prepared to accept the idea that to win the people, you had to let them express themselves, which meant risking a government that might negotiate an end to the war." The state of RV had to remain in existence, not for the sake of the people of South Vietnam, but for the sake of the prestige of the US officialdom that had created it: "The self-determination Washington claimed to be defending was what it feared the most."[27] Logevall concludes that the foreign policy of the Johnson administration, unleashing massive violence only to avoid "embarrassment" and "the stigma of failure," has to be "judged immoral."[28]

The US military strategy was to steadily ratchet up the violence in Vietnam until the DRV leadership gave up and agreed to recognize South Vietnam as a separate state. As Kissinger saw it, North Vietnam could not be "the only country in the world without a breaking point."[29] US policymakers behaved like torturers, turning up the dials to deliver more powerful shocks to a screaming prisoner and then marveling that the prisoner did not break. If the DRV had given up, there would have been no "tragedy" or "disaster" for Boot and VanDeMark to lament. US policy would have been deemed a glorious success and the "victory culture" of America would not have been disturbed, even as the same number of Vietnamese civilians lay dead and dying from cluster bombs, napalm, Agent Orange, and all the other technologically sophisticated weapons the US deployed with abandon.[30]

27 Fredrik Logevall, *Choosing War: The Lost Chance for Peace and the Escalation of War in Vietnam* (Berkeley: University of California Press, 1999), 271.

28 Logevall, *Choosing War*, 412.

29 Allan Goodman, *The Lost Peace: America's Search for a Negotiated Settlement of the Vietnam War* (Stanford: Hoover Institution, 1978), 96.

30 Tom Engelhardt, *The End of Victory Culture: Cold War America and the Disillusioning of a Generation*, rev. ed. (Amherst: University of Massachusetts Press, 2007).

VanDeMark resorts to the language of cognitive psychology to avoid a confrontation with questions of morality and international law. He hopes that contemporary policymakers can avoid "mistakes" by "harnessing cognitive diversity." Never fear, technical solutions are at hand. His psychological terms provide the opiates that can allow Americans to remain blissfully ignorant of the ways that racism, masculinity, and class interests have determined US foreign policy. American readers do not have to experience a psychic shock that might arise upon encountering the unnecessary suffering their government inflicted upon millions of people in Indochina.

Boot and VanDeMark see their task as the training of a new generation of officials who will be better able to manage the US empire. In analyzing the dead-end imperial "roads" laid by the US in Vietnam in the 1950s and 1960s, both writers are concerned with laying the foundations for successful "roads" in the future. Boot has called for the US to serve as a "Globo-Cop." His dream of US officials acting as "self-confident Englishmen in jodhpurs and pith helmets" has not ended even after the debacles of Afghanistan, Iraq, and Libya. He has affirmed the message of Kipling's poem, "The White Man's Burden," the second line of which is: "Send forth the best ye breed."[31] Boot, presenting the adman Lansdale as the best of America's breed, tells the officials of Langley and Foggy Bottom to go out and make friends with a select few from among those Kipling called "sullen peoples, half devil and half child." He is concerned with their interpersonal skills (though it is hard to see many people in the world wanting to befriend a Kipling fan). VanDeMark, by contrast, is concerned with their mental skills: he tells the officials to learn the latest findings in cognitive psychology and train their minds to avoid self-serving biases and other epistemological traps.

Both writers remain trapped in the fantasy world of the US empire — a world where officials, zombie-like, march down the same

31 Max Boot, "The Case for American Empire," *Weekly Standard*, October 15, 2001.

old road, now turning their glazed-over eyes to Iran and Venezuela, all the while jabbering nonsensically about learning lessons from the past, adopting the latest innovations in social science research, and getting counterinsurgency techniques right. They repeat the mantra "we are good people" as they deploy the awesome power of the US military to bulldoze through existing social institutions. It is a world where no one reflects on long-standing racist assumptions about the malleability of foreign societies and no one stops to look at the carnage left on the road behind them or attend to the victims. ⊀

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