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## Roberto Unger and the Politics of Empowerment

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The largest industrial power of the Southern hemisphere has recently completed one of the most protracted and divisive processes of constitution-making in modern history. The fruits of nineteen months of labour by the Constituent Assembly of Brazil have already aroused violent reactions. 'Clauses on employment worthy of Cuba, on foreign enterprise reminiscent of Romania, on freedom of property fit for Guinea-Bissau. Not the faintest odour of civilization' – so said Roberto Campos from the Right, Minister of Planning and Ambassador in London for the generals, today Senator of the cattle-barons of Mato Grosso, on the practical shape of the new charter. By coincidence, the same months have seen the publication in the Northern hemisphere of a uniquely ambitious exercise in constitutional theory by a Brazilian-American, which seeks to lay out the design not only of a polity but of a concomitant economy and society. Its author, Roberto Mangabeira Unger, comes from one of the most famous political families of Bahia. His grandfather Otavio was Foreign Minister under the Old Republic, an oligarch of legendary eloquence who oscillated between fascism and liberalism in opposition to Vargas, while his grand-uncle João founded and led the small Brazilian Socialist Party. Roberto, a by-product of his grandfather's exile in the USA under the Estado Novo, had a mixed upbringing in the two countries. For the past decade he has taught critical legal theory at Harvard Law School, with recurrent forays into his native land – where he has been an acute critic of the new constitution from the left, for multiplying fictive welfare rights while legalizing further military fiat: Unger to his US audience, Mangabeira to his Brazilian. Like Edward Said or Salman Rushdie, he forms part of that constellation of Third World intellectuals, active and eminent in the First World without being assimilated by it, whose number and influence are destined to grow.

The originality of Unger's enterprise lies in its combination of aims:

'*Politics* presents an explanatory theory of society and a programme of social reconstruction. The theory works towards a radical alternative to Marxism. The programme advances a radical alternative to social democracy.'<sup>1</sup> It is the surprise of this two-edged challenge that gives the work its peculiar force. The vehicle chosen for it, however, does not always serve this purpose best. Crisply defined at the outset, Unger's project subsequently waylays and disperses itself through sheer multiplication of topics and repetition of themes. The huge spread-eagled text of *Politics* stretches over (so far) a thousand pages. The nominal organization of its three books by no means corresponds to its real architecture, whose foundation actually lies in a preceding work, *Passion – An Essay on Personality*, and whose lantern – as it were – will presumably be the ethics promised as 'Part II' of the whole in *False Necessity*. Intellectual ambition has won an expensive victory over political communication in such gigantism. In virtually any work of practical advocacy, there is some trade-off between length and effect. Here the impact of often striking programmatic proposals is inescapably reduced by the extravagant mass of unbound ideation surrounding them.

Unger's prose, unusual in the intensity of its rhetorical pressure, does not really relieve this difficulty. It displays an unremitting stylistic energy in the quest for a vocabulary free from every theoretical jargon or political cliché, with many memorable and felicitous results. But it can also resort to a less fortunate, quasi-revivalist register: 'Try to understand, reader, by an act of imaginative empathy, the bitterness a person might feel when he discovered that doctrines invented to emancipate and enlighten had now become instruments of confusion and surrender . . . It was an instance of illusion passing into prejudice. You wanted to write a book to set things right' – 'When the larger argument falls into confusion and obscurity, when I stagger and I stumble, help me. Refer to the purpose described in this book and revise what I say in the light of what I want.'<sup>2</sup> Disdaining any conventional apparatus of references, Unger appends instead an omnibus reading-list to *False Necessity*, whose concluding recommendation for the study of

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1. *Politics, a Work in Constructive Theory* is the general title of Unger's opus, of which three volumes have appeared so far: *Social Theory: its Situation and Task*, or 'A Critical Introduction'; *False Necessity*, or 'Part I: Anti-Necessitarian Social Theory in the Service of Radical Democracy'; and *Plasticity into Power*, or 'Variations on Themes – Comparative–Historical Studies on the Institutional Conditions of Economic and Military Success'. All were published by Cambridge University Press in late 1987. Henceforward ST; FN; PP.

2. ST, pp. 78–79; 9.

cultural revolution (after Hegel or Kierkegaard) is: 'See *TV Guide*' – an unwise flourish, liable to bring recent preachers of the screen too readily to mind. It would be wrong to make overmuch of this histrionic side of the work; but vibrato interpellations intended to heighten attention risk distracting it from the serious core of Unger's argument.

The central premise of *Politics* is that 'the present forms of decentralized economies and pluralistic democracies (markets based on absolute property rights, democracies predicated on the sceptical quiescence of the citizenry) are neither the necessary nor the best expressions of inherited ideals of liberty and equality. They frustrate the very goals for whose sake we uphold them.'<sup>3</sup> The aim of the work is to develop a persuasive alternative beyond the limits of social democracy to these congealed forms – 'a particular way of reorganizing governments and economies that promises to realize more effectively both aspects of the radical commitment: the subversion of social division and hierarchy and the assertion of will over custom and compulsion.' Such institutional reconstruction is for Unger inseparable from cultural transvaluation, or a 'radical politics of personal relations' that will 'allow us to connect leftism and modernism'.<sup>4</sup>

These contemporary political purposes are set within a much vaster theory of history, from which they receive their warrant. Unger constructs this vision from a double rejection: principally of Marxism, for adhering to a vision of the past composed of a limited number of modes of production, conceived as integrated orders capable of replication in different epochs or environments – if also all other variants of 'deep structure theory'; and secondarily of sociological or historiographic positivism, for tending to deny the existence of societal totalities or qualitative discontinuities at all. Against the latter Unger insists that distinct and decisive structures do indeed exist – what he calls 'formative contexts', as opposed to the 'formed routines' subject to them. Against the former he argues that each such structure is at once internally dissociable and historically unique – the elements that comprise it do not have to fit together, and the combination of them never recurs. Formative contexts, so understood, exercise a formidable constraint over all social practices, forcing them into a specific mould of predictable routines. But they also embody a fundamental contingency, since there is no intrinsic logic binding their constituent parts

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3. ST, pp. 6–7.

4. Ibid.

together. The conventional opposition in modern politics between reform and revolution, or piecemeal versus overall change – the one potentially ineffectual, the other hypothetically lethal – is therefore misguided. Formative contexts can be disassembled by bits, in partial moves that by the same token effect basic alterations. The real contrast is between ‘context-revising’ and ‘context-preserving’ conflicts. But there is no unbridgeable gulf between these. Rather they form a continuum, in which disputes over routines can always suddenly escalate into battles over structures.

Why is such escalation perpetually possible? Unger’s answer appeals to a transhistorical attribute of the species which he calls its ‘negative capability’. The meaning he attaches to this term is virtually the opposite of that intended by Keats. What it denotes is active will and restless imagination pitted against all circumstance or convention, a constitutive human capacity to transcend every given context by negating it in thought or deed. As such, Unger argues, its exercise has gradually expanded since the dawn of civilization, giving history what cumulative (though not irreversible) direction it appears to have. Today the goal of politics must be to increase the space of that negative capability, by creating institutional contexts permanently open to their own revision – so diminishing the gap between structures and routines, and ‘disentrenching’ social life as a whole.

Such disentanglement represents both a pragmatic and a moral value. In the past, the economic and military success of states always depended on the degree to which they achieved what Unger terms ‘plasticity’, or the ability to promote a ‘pitiless recombination’ of the factors of production, communication or destruction to meet changing conditions or opportunities. But this kind of institutional flexibility typically consorted with predatory or despotic power – the rule of nomadic conquerors, agrarian bureaucracies, or mercantile oligarchies. Once modern popular sovereignty starts to emerge, however, it acquires normative force as a principle of social emancipation as well as material prosperity. For now the fixity of all traditional hierarchies and dependencies may be seen as a false necessity that can be undone by the general will. The advent of the *Rechtsstaat*, universal suffrage and social security are only the hesitant beginnings of this process. Unger looks beyond them towards a more radically ‘empowered democracy’, capable of freely remaking every dimension of its common life. His own programme for empowerment includes proposals for the reorganization of government, property, work, and personal relations alike, in a spirit intended to dispel the ‘received, superstitious contrast’ between liberalism and socialism.

Within Unger's extended construction, there are three distinct theoretical planes. The first and founding one is a philosophical anthropology. It is set out not in *Politics* but in the preceding work on which much of this trilogy depends, *Passion – An Essay on Personality* (1984). There Unger postulated a twofold model of the self: as on the one hand endowed with an infinite mobility in always finite conditions, on the other possessed of a constitutive yet perilous longing for others. The external world and all character are perpetually subject to transcendence by the self; but the self is subject to an unlimited need for others that is also an unlimited danger – of 'craven dependence' or collective conformity. There is no constant human nature, only an inherent tension between attachment to and fear of others. Unger improbably presents this vision as a restatement of the 'Christian-romantic image of man', fortified by a touch of Nietzsche. In fact, what is striking is its similarity with Sartre's account of consciousness in *Being and Nothingness* – the quicksilver capacity of the for-itself to elude all given determinations and the tormented dialectic of its relations with others. But where the early Sartre remained essentially asocial, his conclusions negative, Unger seeks to give a positive resolution to the same existential premises by projecting a society based on them. 'It is necessary to enact the modernist ideal as a form of social life.'<sup>5</sup> The unifying principle of such a form would be empowerment. Unger uses this notion simultaneously for the conversion of the individual capacity for transcendence into a collective power of context-revision; and for the 'mastery' of each individual's exposure to others, which requires satisfaction simultaneously of the need for passionate engagement and the need to avoid menacing dependence in intersubjective relations. The strain of yoking together these two quite different senses of 'empowerment' – the second visibly a wilful graft on the first – is pervasive in Unger's work. The two underlying ideals remain in effect dissociated, their forcible union producing the characteristically dissonant appeals to the paired virtues of 'ardour and gentleness', 'greatness and sweetness' that are a feature of his writing.<sup>6</sup>

The dominance of the first concern, inscribed if not avowed in his existential starting-point, emerges much more unambiguously once Unger moves to the historical issues which form the second major plane of his work. For Sartre, when he shifted onto the terrain of history in *Critique of Dialectical Reason*, the 'negative motor' of human develop-

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5. *Passion – an Essay on Personality*, New York 1984, p. 17.

6. *Passion*, p. 270; FN, p. 595.

ment was scarcity. For Unger, the motor is negative only in name, through whimsical annexation of a term from Keats whose meaning he inverts. The driving force of history is actually the perpetual positive disposition of human beings to transcend their inherited contexts – development as *dépassement*. Scarcity and the practico-inert do not disappear altogether. But they are downgraded to secondary obstructions or intermissions in the pathway of this revisionary will, in the guise respectively of a need for ‘coercive surplus extraction’ (long superseded) and a persistence of ‘sequential effects’ (tending to diminish). The formal outline of Unger’s theory of history can thus be read as an optimistic transcoding of Sartre’s.

But unlike Sartre, Unger goes on to propose substantive analyses of major episodes in the course of history. Here his key conceptual instrument is the notion of formative context. This is presented expressly as an alternative to the mode of production in the Marxist tradition, rejected as too rigid and replicable. A formative context is something looser and more singular – an accidental institutional and ideological cluster that regulates both normal expectations and routine conflicts over the distribution of key resources. The contemporary North Atlantic example thus includes, for Unger: constitutional division of governmental powers, partisan rivalry incongruously related to class, market economies based on absolute property rights, bureaucratic supervision of business activity, differential unionization, taylorized work organization, vocabularies of private community, civic equality and voluntary contract.<sup>7</sup> The price for the looseness of configuration prized by its author is, in other words, vagueness of boundaries and indiscriminacy of elements. For the ‘tangible and intangible’ resources on whose control the whole definition of a formative context depends are never demarcated. The result is that the concept lacks any hierarchy of determination, and its only law of motion is cyclical – since a true dynamic has been identified from the outset not with the working, but precisely with the breaking of contexts by negative capability.

Unger provides two principal examples of such historical cycles. The first, and much the most extended, is what he calls the ‘reversion cycle’ in agrarian bureaucratic empires – Han, Roman, Byzantine, Korean, Mughal. These states, he argues, essentially rested on a monetary economy rather than coerced labour or barter. For a commercial agriculture, generating cash taxes was the precondition of the political autonomy of a central government capable of withstanding the fissi-

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7. ST, p. 152.

parous power of local magnates. The normal base of these aristocrats was the large, autarkic estate; production for the market, on the other hand, was typically undertaken by small independent cultivators. The contradiction of the imperial regime was to be socially solidary with the dominance of the nobility, but economically dependent on the vitality of the peasantry. To keep magnate pressures at bay, the state could resort to a limited repertoire of policies, found again and again in the most widely separate epochs and areas: recruitment of an upstart bureaucratic staff, creation of a service nobility, or implantation of military–agrarian colonies. But over time, aristocratic power in the countryside all but invariably prevailed. The consequence was then the fatal erosion or disappearance of smallholders, the contraction of output for the market, the decline of fiscal catchment by the state, leading eventually to a full ‘reversion crisis’ or relapse into a natural economy, and therewith the disintegration of the imperial order.<sup>8</sup> Only Mediaeval Europe and Tokugawa Japan escaped this cycle. There the peasantry could withstand landlord exactions since there was no united front of power and privilege arrayed against it – in the absence of a bureaucratic state in Europe, and of a resident aristocracy in Japan; though the Ottoman and Ch’ing Empires succeeded in mitigating the cycle by drawing on their nomadic backgrounds to strengthen central checks to magnate autonomy, and so stabilize small agrarian property.

This is an ingenious and elegant schema. But it suffers from a fundamental empirical flaw. In pre-modern societies, there was no general affinity between peasants and markets of the kind presumed by Unger – quite the contrary. The overwhelming priority of the immediate producers was normally subsistence production for their own households. Commercial agriculture, where it emerged – far more patchily and precariously than Unger suggests – tended rather to be associated with the marketable surplus of medium or large estates whose proprietors were not tied to the needs of their own reproduction in the same way, because of the latitude of their material base. The most spectacular example, of course, was farming in the late Roman Republic and the Principate, where the advance of monetization spelt not the rise but a savage depression of the smallholder, as oligarchs amassed huge concentrations of land and servile labour for market production, and cash relations acquired historically unprecedented intensity. Unger registers this sequence, but not the depth of its discrepancy with his thesis.

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8. PP, pp. 13–25.

Moreover, if the development of Classical Rome effectively inverted the relation he postulates between markets and magnates, the evolution of Mediaeval Europe upsets no less his scenario for peasants and states. For having argued that the eclipse of centralized state machinery in the Dark Ages permitted the emergence of a degree of village autonomy in the countryside that was the key to feudal dynamism, Unger has no ready explanation for the scale of the crisis that overtook the latter in the fourteenth century. In fact, to account for what he deems its avoidance of 'outright' reversion, he is driven to invoking just the opposite of his initial principle, namely the vigour of 'the *non*-commercial parts' of the rural economy centred on the peasant plot and village community.<sup>9</sup> At the same time, he notes that the resolution of the crisis saw a strengthening of centralized aristocratic power in the new monarchies, rather than a weakening of it. The original terms of the argument are thus switched or scrambled in the two best-known chapters of the world-story it sets out to tell.

The analytic of pre-modernity in *Plasticity into Power* has its sequel in a genealogy of modernity in *False Necessity*. There Unger's concern is to establish the origins and nature of the formative context of the present OECD zone. He does so by means of a critique of what he calls its 'mythical history', shared by conservatives, liberals and Marxists alike – that is, the view that there was a convergent, irresistible logic in the long-run process which led to the contemporary configuration of market economy, mass-production industry and parliamentary democracy. Unger argues that this package was adventitious. The major institutional clusters of the West emerged separately, without particular congruence. Politically, a liberal constitutionalism of eighteenth-century cast became improbably coupled to mass parties, for which it had never been designed, in the course of the nineteenth century. The corporation came to dominate the organization of private property only later, after hard-fought contests against it. Assembly-line industry, exemplified by Fordism, arose more recently still, and is already receding. Yet out of these disparate histories a pervasive status quo has crystallized. Marked by preventively deadlocked government, unconditionally held property entitlements, massively concentrated business units and rigidly hierarchical work processes, this conformation was dictated by no immanent technological or social necessity. There was a

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9. PP, p. 32.



real historical alternative to it, represented by the forces of 'petty-bourgeois radicalism' in the nineteenth and twentieth centuries. Unger uses this term in a broad sense for all those who resisted elite politics, big capital, large factories, unregulated markets, whether in the name of populist or utopian socialist ideals. His crucial claim is that smaller forms of property and production, based on flexible forms of work organization, were just as progressive technically – and therefore viable economically – as giant trusts and mass-production industry, as the experience of modern farming or selected textiles was to show. Their stabilization in either individual or cooperative form, however, required support by the state, a characteristic goal of their radical spokesmen from Proudhon or Lassalle to Demarest Lloyd. It was the political defeat of programmes like theirs which sealed the fate of this potential and preferable path of development, not any sociological impossibility of its realization.

What then decided the political issue itself? Unger's answer is essentially that the petty-bourgeois alternative posed more of a threat to the interest of traditional elites than its (should we say – bourgeois?) rival, which prevailed because it encountered less resistance from entrenched agrarian or patrician interests. Hence a realistic popular radicalism was crushed or constricted by force. In the terms of Unger's general historical theory, this is an appeal to the weight of 'sequential effects' – the practico-inert force of one formative context in shaping the next. Figured against these, the petty bourgeoisie represents the front-line of 'negative capability' of the modern epoch, as the peasantry did in the pre-modern world in Unger's vision – the bearers of the most creative economic forces. The industrial proletariat, creature of mass production and regimented work organization, is *eo ipso* tacitly disqualified from any vanguard role in this conception. Classical claims for it are never, however, tested in a direct comparison. For here there is a very striking lacuna in Unger's counter-history of modernity. He initially defines the contemporary formative context of the West by four institutional clusters: the work organization complex, the private rights complex, the governmental organization complex, and the occupational structure complex. But when he moves to his genealogy of it, he omits the last altogether, 'for the sake of simplicity'.<sup>10</sup>

Such simplification exacts a high price. For what it means is that Unger provides no analysis at all of the emergent social structure of the

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10. Compare FN, pp. 69–79 with pp. 174 et seq.

societies he is discussing. He rejects the use of the term capitalism for them, on the grounds that it is either too general or too particular to be helpful. The merits or otherwise of this scruple are of less moment than the ensuing absence of any overall class map of these social formations. The petty bourgeoisie itself, the hero of Unger's parable, is in this respect virtually plucked out of thin air. For there are no surrounding class relationships into which it is inserted, in structural antagonism or dependence, affinity or ambivalence. Nobility or bourgeoisie, middle classes or working classes, are little more than smudges on the horizon. Indeed even the small producers themselves are only gesturally sketched. They are most consistently identified under the rubric of 'petty commodity production' – a term ostensibly taken from the vocabulary of Marx that Unger otherwise shuns. But the concept loses its direction in his usage. When Marx spoke of *einfache Warenproduktion* – 'simple' commodity production – he defined it not by the scale of its output but the nature of its key input: it was that form in which the producer marketed goods without resort to wage-labour (or servile dependants). For Unger, on the other hand, petty commodity production includes every kind of market enterprise short of the centralized factory and multidivisional firm – from the manufacture of cutlery in Solingen to computers in Silicon Valley. The connexion of this gamut of economic forms with even the widest notion of petty bourgeoisie is tenuous indeed. On the other hand Unger virtually ignores white-collar employees – the archetypal petty bourgeois of the big cities from the later nineteenth century onwards, epitomized in the *calicot* public of T.J. Clark's unforgettable portrait of Parisian popular culture of the period.<sup>11</sup>

Some sustained recovery of the forgotten visions of emancipation of small producers, whether populist or socialist, is an attractive and overdue project. The passionate, unfashionable plea Unger enters for the bearers of petty-bourgeois radicalism is in this regard likely to have only good effect. He is right too, of course, in insisting on their crucial role in the European insurgencies of the 1840s or American of the 1890s. But the argument that they could have remade the world for the better, wholesale, demands much more than this. The structural heterogeneity and ambiguity of the petty bourgeoisie alone, emphasized in nearly all the classical studies of it, militated against anything like that. Unger, lacking any theory of different class capacities for

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11. *The Painting of Modern Life*, London 1984, pp. 205–258.

collective action, which must depend on a general account of social structure, overlooks these traits and their implications. Astonishingly, *Politics* contains not a single substantive reflection on – scarcely even a mention of – fascism: the political movement of the twentieth century for which petty-bourgeois forces, above all, provided the shock troops. Unger, after criticizing a ‘mythical history’ of modernity, describes his own as ‘schematic and polemical’, even frankly ‘speculative’.<sup>12</sup> But, even short of fuller empirical documentation, the structure of his argument requires comparative controls of a kind he does not venture. If it was the power of traditional elites which thwarted the success of petty-bourgeois radicalism in Victorian Europe, why did not their relative absence permit it in North America? If small property generated the virtues of flexible work organization and ideals of democratized government, how could it rally so rapidly to the New Rome and the Third Reich?

But beyond these questions, Unger’s alternative history poses a more drastic difficulty for his own theory. For it culminates in a contemporary landscape of monotonous sameness – the familiar, featureless plains of the world of G-7. In that panorama all advanced capitalist societies are subject, Unger argues, to the futile recurrence of a ‘reform cycle’ impotent to alter them – regularly swinging between meliorist attempts to guide investment and redistribute income, generating inflationary wage struggles that provoke loss of business confidence, followed by reactive drives to restore market dominance and fiscal discipline. The predictable movements of this pendulum he describes as an ‘insult to the primacy of the will’.<sup>13</sup> Their determinant is the formative context finally consolidated as a general rule of the North Atlantic and Pacific regions in the post-war epoch. The millennial growth in negative capability that Unger ascribes to the overall course of human development, instead of yielding an ever greater variety of social invention, thus paradoxically issues into an end-state of massive uniformity. The historical contingency he insists upon as the mark of true volition enigmatically generates not the play of creative diversity, but a necessitarian identity. Unger on occasion senses the problem, and offers *ad hoc* responses to it, lamely invoking the similarity of problems facing societies or the pressure of leading states on late-comers to imitate them. But within the logical structure of his thought the contradiction seems radical and insoluble.

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12. FN, pp. 7, 176.

13. FN, p. 52.

Yet whatever the anomalies of the philosophy or history advanced by Unger, it is politics that must be decisive for judgement of his work – as its title suggests. Here, however, its reception has been ironical. For controversy has focused on everything but this. Two polar reactions to the overall merits of *Politics* are represented, on the one hand, by the capacious symposium of a dozen admiring contributors drawn from a wide range of disciplines, across 350 pages in the *Northwestern University Law Review*; on the other, by the furious commination – ‘Harvard’s Greatest Fraud’ – of *The New Republic*.<sup>14</sup> The rancour of the latter, a zealot for the Contras, is perhaps not hard to explain. Curiously, however, in both cases the actual political programme of the book is largely ignored – as if it were too hot to handle in the depoliticized atmosphere of the United States at the hour of Dukakis and Bush. But this is unquestionably the most seminal and powerful part of the work. Unger starts by asking whether social democracy, which he takes to be ‘the single most attractive emergent model of social organization in the world today – least oppressive, most respectful of felt human needs’, is for all that ‘the best that mankind can hope for, for an indefinite time to come’. His answer is a firm negative. For ‘social democracy makes the liberal project of the Enlightenment – the cause of liberty, equality and fraternity – unnecessarily hostage to a transitory and replaceable institutional order.’<sup>15</sup> The pillars of this order are: a state that requires and produces a quiescent citizenry; markets ruled by property rights that are absolute in duration and scope; work processes that are needlessly stultifying and inflexible. Social democracy pursues its ordinary aims within the parameters they set. By contrast Unger’s over-riding objective is to reduce such fixed distance between contexts and routines, by making the fundamental institutions of society available for regular (as opposed to exceptional, or revolutionary) revision.

The programmatic proposals which ensue are systematically addressed to the existing forms of power, property and labour. Unger criticizes what he sees as the modal type of Western liberal state for effectively paralysing significant change from above, and precluding it from below, by constitutional checks and balances originally and deliberately designed for the restrictive purposes of eighteenth-century notables. But he does not endorse any call for a more direct democracy,

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14. ‘Symposium: Roberto Mangabeira Unger’s *Politics*’, *Northwestern University Law Review*, Vol. 81, Summer 1987, No. 4: ‘The Professor of Smashing’, *The New Republic*, 19 October 1987.

15. FN, pp. 25, 27.

along conciliar or other lines, which he regards as little more than an imaginary inversion of the prevailing model. Instead he argues for 'dualist' constitutions conferring rival power and initiative on two centres of authority, president and parliament, favouring creative conflict between them, with rapid resolution of deadlocks by popular consultation. The principle of this conception is an 'overlapping' rather than separating of powers – extended to the creation of a special instance for ensuring the democratization of information inside and outside the state itself. So constructed, Unger's republic is designed to mobilize the democratic energies of its citizens rather than to neuter them.

Yet its charter can be realized only if the economy is transformed. For 'such a democracy cannot flourish if the everyday world of work and exchange is organized in ways that not only differ from the principles of democratic government but limit their scope, undermine their influence, and disrupt their workings.'<sup>16</sup> The target of Unger's critique here is the assimilation of markets as decentralized arenas of exchange, with property rights as absolute claims to divisible portions of social capital. The former are indispensable, for freedom and for efficiency; the latter are unacceptable mechanisms of inequality and privilege. Their fusion in the current economic order 'withdraws the basic terms of collective prosperity from effective democratic choice and control'.<sup>17</sup> Unger's remedy is to transfer control over major productive assets to a 'rotating capital fund' which would disaggregate property rights down through a tier of capital-givers and capital-takers – an ultimate social fund controlled by the government, leasing capital to autonomous investment funds operating in given sectors, which then auction or ration resources to competitive teams of producers, for stipulated periods. Breaking up consolidated property rights in this way would then encourage more flexible forms of work organization, characteristic of small or medium vanguard enterprises today. The workings of the market, in which final capital-takers act as 'unrestricted gamblers', would be buffered by welfare rights guaranteeing a minimum income to all citizens.

Unger completes his programme by arguing that a transformation of personal relations is the necessary counterpart of institutional change. He calls this prospect 'cultural revolution' – significantly, the only time the latter term acquires salience in his vocabulary. Its contours are

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16. FN, p. 483.

17. FN, p. 482.

much more elusive, in part because detailed treatment of them is deferred to a further volume on the 'microstructure of social life'. But two elements are already sketched. Interpersonal relations can be rewrought in the spirit of modernism by deliberate role-jumbling and confusion of expressive conventions, while the idea of a community should move from the seamless sharing of customary values to a heightening of mutual vulnerability, which accepts conflict as itself a positive value. Although these notions occur only as a tentative coda to *False Necessity*, they are of central importance to Unger, who insists that 'the qualities of our direct practical and passionate dealings always represent the ultimate object of our conflicts over the organization of society'.<sup>18</sup>

For sheer imaginative attack, Unger's project for social reconstruction has no contemporary counterpart. It certainly honours its promise to advance beyond – far beyond – the ambitions of social democracy. Perhaps the best way of grasping just how radical Unger's vision is would be to compare it with that of a thinker whose intellectual energy matches his own, and whose political sympathies are not so distant. Habermas too constructs his analysis of current capitalist society in dualist fashion, and develops his critique of it in the name of a normative modernity. For him the two levels of the social order are its systems – the economy and state, the domain of strategic action steered by the objective media of money and power, operating behind the back of individual agents; and its life-world – the private and public spheres that are the abode of communicative action, where intersubjective meaning and value arise, in cultural transmission or socialization. The drive of capitalist rationalization is towards the relentless colonization of the life-world by the systems – the invasion of every refuge of unforced sociability or aesthetic play by administrative rules or cash relations. For Habermas this process is pathological, and must be resisted: this is the vocation of the new social movements – ecological, pacific, feminist. But the actions of these will be for the most part experimental or defensive in scope, 'border conflicts' to safeguard the spaces of the life-world. What they cannot undertake, under pain of a dangerous regression, is any counterattack to reconquer the systems themselves. For these are necessarily beyond the intentional control of agents, as products of the structural differentiation that is a condition of modern industrial society.<sup>19</sup> The reappropriation of an alienated

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18. FN, p. 556.

19. *Theory of Communicative Action*, Vol. II, London 1988, pp. 338–343, 393–96.

economic and political order by its producers and citizens as it was once envisaged by Marx, in other words, is tabooed by Habermas. It is just this demarcation, between what can and what cannot be reclaimed for conscious collective control, that Unger rejects. The whole force of his duality is exactly the opposite. Contexts are contrasted with routines in order to show how the frontiers between them are mutable and crossable. The aim of a democratic politics is to make a routine of the revision of contexts. Intellectually more remote than Habermas from the Marxist tradition, Unger is in this respect politically much closer to it.

At the same time the confidence and scope of his institutional programme separate him from nearly all conventional socialist discussion today. A general inhibition in this area has been a long-standing reflex of the lines of thought that descend from Marx. The all but complete silence of Habermas himself is a striking case in point. No such aversion to reconstructive detail marked the alternative utopian traditions that started with Saint-Simon, and Unger is right to claim their heritage. The boldness of his recovery of it can only be admired. But his particular proposals raise a number of difficulties. Unger's juridical background can be seen in a certain overestimate of the independent significance of constitutional arrangements as such. For all their real importance, the effect of these is always subject to the objective structure of the state and the actual balance of social forces. The Constitution of the Fifth Republic answers fairly closely to Unger's ideal of a governmental power divided between two potentially rival authorities, in the Presidency and Assembly, with rapid resolution of conflicts between them by popular consultation. The cohabitation of Mitterrand and Chirac, and the successive elections of 1988 which wound it up, fit this description very well. But far from mobilizing the democratic energies of the French, the experience lowered them to a post-war nadir – a third to a half of the electorate abstaining. The example of England is even more discomfiting for Unger's assumptions. He proceeds throughout as if the US Constitution were prototypical for the West as a whole, assailing a supposed standard model of rigid checks and balances for stymieing decisive political initiative. The complete lack of any such pattern in the UK, with its virtually untrammelled executive power, appears to have escaped him. Decisional capacity is the last thing missing here. Who would argue the results are nearer a 'radical democracy'? Ironically, the most devastating critique of the Westminster State to be produced from the Left, Tom Nairn's great polemic *The Enchanted Glass*, looks on the contrary to the American Constitution as an inspiration of republican liberty. Not for

the first time, socialists reciprocate in finding foreign virtues where their neighbours see domestic vices. In general, Unger pays too much attention to the legal framework of the state, and too little to its bureaucratic machinery and party outworks.

The central theme of his economic argument, on the other hand, is compelling. The disaggregation of consolidated property rights – Unger points out that these can be nominally collective as well as private – would surely be one of the basic principles of any socialism worth the name. The lexicon of leasing is likely to become greatly amplified and diversified in the transition towards one, as it is already starting to do in the East today. Unger, on the whole a shrewd observer of the Communist experience, anticipates not a few of the notes struck in *perestroika*. In the West the potential of the lease as a contractual devolution of public facilities to independent groups of producers, so ‘cutting the knot tied by the speculator and the bureaucrat’, was early seen by Raymond Williams as an alternative to state monopoly or commercial dominance of the means of communication. For the origins of his own conception, Unger invokes the contested name of Lassalle – as corrected by Rodbertus and Marx. His general formula of the ‘rotating capital fund’ suffers, however, from a noticeable vagueness about the delicate question of rotation itself – that is, how and when capital would be reallocated between enterprises, short of insolvency or takeover. The word planning does not appear in the text, although the idea is clearly present – perhaps a gesture of tact. Nor is much said about self-management, beyond an effective criticism of the Yugoslav version of it. The emancipation of labour is entrusted more to flexible work organization than to industrial democracy. Nevertheless these lacunae do not really detract from the novelty of the main proposals.

Finally, of course, Unger’s emergent cultural agenda is one that is deeply shocking to liberal assumptions. Its basic claim, that ‘the ultimate stakes in politics are the fine texture of personal relations’,<sup>20</sup> warranting revolutionary transformation of psychic identities and affective ties alike, is a manifest affront to the principle of a private realm shielded from public intrusion. Unger justifies it with the argument that no society is ever in practice institutionally neutral between all possible styles of personal interaction or modes of association. But selection is not the same as determination – the fact that some forms (varying according to the social order) are always excluded does not necessarily mean that others are therefore enforced. The liberal claim is

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20. See FN, pp. 397–401.



simply to maximize the range of allowable choice; Unger would be on stronger ground querying that. He describes his own position as 'super-liberalism'. Despite the apparent paradox, the term is not entirely misleading insofar as he shares with the classical variety an intrinsically asocial model of human beings – since the 'negative capability' vested in every individual precedes all common ties between them. The difference is that this is an individualism without human nature. Only the fugitive capacity of the self for transcendence, and an ominous longing for others, define it. The first provides the passage to modernism, interpreted by Unger as a dissolution of traditional conceptions of personal character and social roles, rather than of the idea of the subject itself, as in post-structuralist versions. This is the strong sense of empowerment – the throwing off of the masks of false necessity, by individual defiance of all self-expectation or exterior convention. The second leads to the strained sense of empowerment, as 'mastery over the conditions of self-assertion', through the enhanced mutual exposure of a community enfolded not in consensus but in conflict. The connexion between the two is as forced as was Sartre's vast conjugation of the term 'freedom' in *Cahiers pour une Morale*, heroically stretched from an ontological indicative to a political imperative for just the same reason – the desire to reconcile a metaphysic of nihilation with an ethic of generosity. Unger's programme for a cultural revolution combines 'role-jumbling' with 'solidarity rights'; but whereas the former is evoked vividly enough, the latter remain impalpable – even unimaginable, as entitlements declared 'unenforceable'.<sup>21</sup>

Critics have not failed to point out, with justice, the omission from Unger's preoccupations of a great deal of the ordinary agenda of politics in the West. There is little about the issues of poverty or unemployment, race or gender, armaments or environment. Although these are real limitations, perhaps their main significance lies in the detachment from the actual chequerboard of political forces they suggest. The universal endowment of negative capability generates no specific calculus of collective action – either of social interests or of social abilities to realize them. The result is that Unger can on occasion argue, in all apparent seriousness, that his overall programme should appeal to conservatives, centrists, social democrats and radicals alike!<sup>22</sup> At

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21. FN, p. 539.

22. FN, pp. 379–395.

other times he concedes that it has a 'far better chance of taking root in the reform, labour, socialist, and communist parties', or identifies certain social groups – unemployed or unskilled, petty-bourgeois or professionals – as more likely adherents to it than others.<sup>23</sup> At others again, he argues that the escalation of political conflict is typically characterized by not a polarization but a disintegration of class allegiances, giving way in revolutionary situations to a struggle between pure 'parties of opinion' – moments of great historical decision, in their intensity, do not reveal but consume the logic of class.<sup>24</sup> What these vagaries amount to is a basic indeterminacy of political agency in Unger's thought. Its most telling sign is the absence of any category of the adversary. There is no equivalent to the figure of the 'foe' in Carl Schmitt. The opponents of a radical democracy remain without shape or name. Do they even exist? At most, it might seem, in the risk of an obstructive civil service.

If the subjective forces for, or against, fundamental social change remain in the end largely inscrutable, its objective conditions are little less elusive. Unger looks for the opportunities of democratic empowerment in what he calls middle-level crises today, in which the border between routines and contexts may be most readily crossed. Excluding the impact of wars or the overthrow of tyrannies, superseded in the West, he finds them in the dictates of economic growth and the pursuits of self-fulfilment. These he terms respectively the 'humdrum and ethereal' springboards for institutional reconstruction.<sup>25</sup> To the tough-minded, who might be tempted to call them trite and vaporous, Unger would no doubt reply by invoking the contrasted crises in Czechoslovakia and France of the year 1968. But whatever the validity of such a description, Unger does not in fact put much weight on the notion of structural crises at all. For on the one hand the formative context is always more or less arbitrarily stitched together in the first place, and on the other the pressure of negative capability can always burst it apart at the seams anyway. Again and again Unger insists that 'society, no matter how impregnable it seems to its inhabitants, always stands at the edge of the cliff' – since it is an order 'subject to an endless stream of petty disruptions that can escalate at any moment into more subversive conflicts'.<sup>26</sup> If the possibility of explosion is perpetual, there is little call for the work of a Richter. At the same time, and in part for

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23. FN, pp. 409, 549.

24. ST, pp. 153–54; FN, pp. 241–43, 547.

25. FN, p. 546.

26. ST, p. 205; FN, p. 215.

the same reasons, there is not much need for a theory of transitions either. *False Necessity* skirts all discussion of the actual social processes – national turmoil, international reaction – that any bid to implement its programme would unleash. Instead Unger merely offers a menu of preliminary institutional measures, as if his scheme of radical reconstruction had no losers. Intimations of harmony discount considerations of strategy, in a reminder of the other side of the utopian tradition.

That side belongs to the character of the work as a whole. For the enormous edifice of *Politics* undeniably possesses a dream-like quality. Unger himself freely describes his enterprise as speculative, and much of it lies at a visible remove from the realities of history or politics. Yet unlike nearly all others today, the dream is a salutary and emboldening one. Unger is entitled to say, as he does at one point, that its realization ‘would mean reversing the defeat of the revolutionary movements and leftist experiments throughout Europe in the aftermath of World War I’ – would represent one version of ‘the victory of which they were robbed’.<sup>27</sup> Where else have past and future been so temerarily joined? For a long time intellectuals from the First World have been diagnosing the condition and prescribing the treatment of the Third – still the dominant mode of all writing on the subject. Here something new has occurred: a philosophical mind out of the Third World turning the tables, to become synoptist and seer of the First.

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27. FN, p. 508.