

The Constitution

We the People

of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common Defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this CONSTITUTION for the United States of America.

Article I.

SECTION 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

SECTION 2. The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

Representatives and Electors shall be chosen every second Year, and when chosen, shall be sworn in, and who, when elected, shall be an Inhabitant of that State in which he shall be chosen.

[Representatives and direct Taxes shall be apportioned among the several States which may be admitted into this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including Indians not taxed, three fifths of all other Persons.] The actual Enumeration shall be made within three Years after the first Meeting of the Congress, and within the Term of ten Years, in such Manner as they shall by Law direct.

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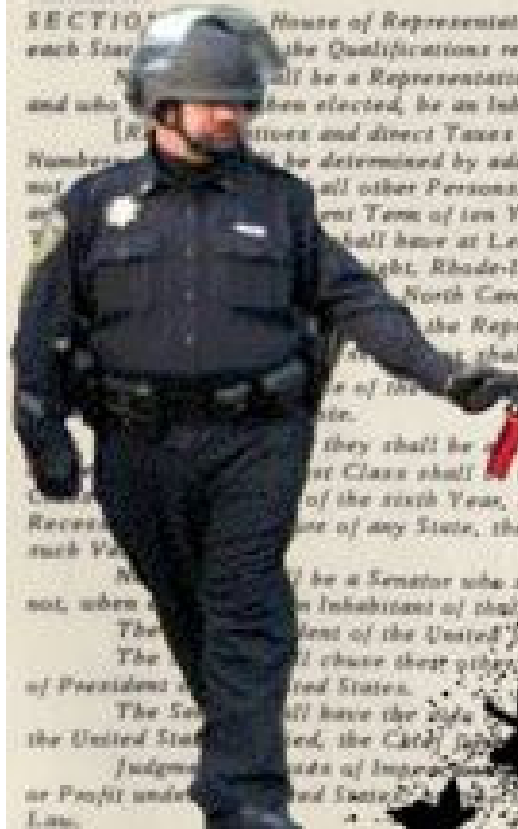
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Ist Demokratie noch „die denkbar beste politische Hülle des Kapitalismus“?

Bob Jessop

Gliederung

- Was ist Postdemokratie?
- Jenseits der Pashukanis Frage
- Kapitalismen und politische Regimes
- Der umfassende Widerspruch
- Normale staaten, Ausnahmeregimes
- Frankfurter Schule, SMK, Autoritärer Etatismus
- Kapitalistische Staatstyp/Staat in bürgerlicher Gesell.
- Noch einmal auf die Postdemokratie
- Schlussbemerkungen

Was ist Postdemokratie?

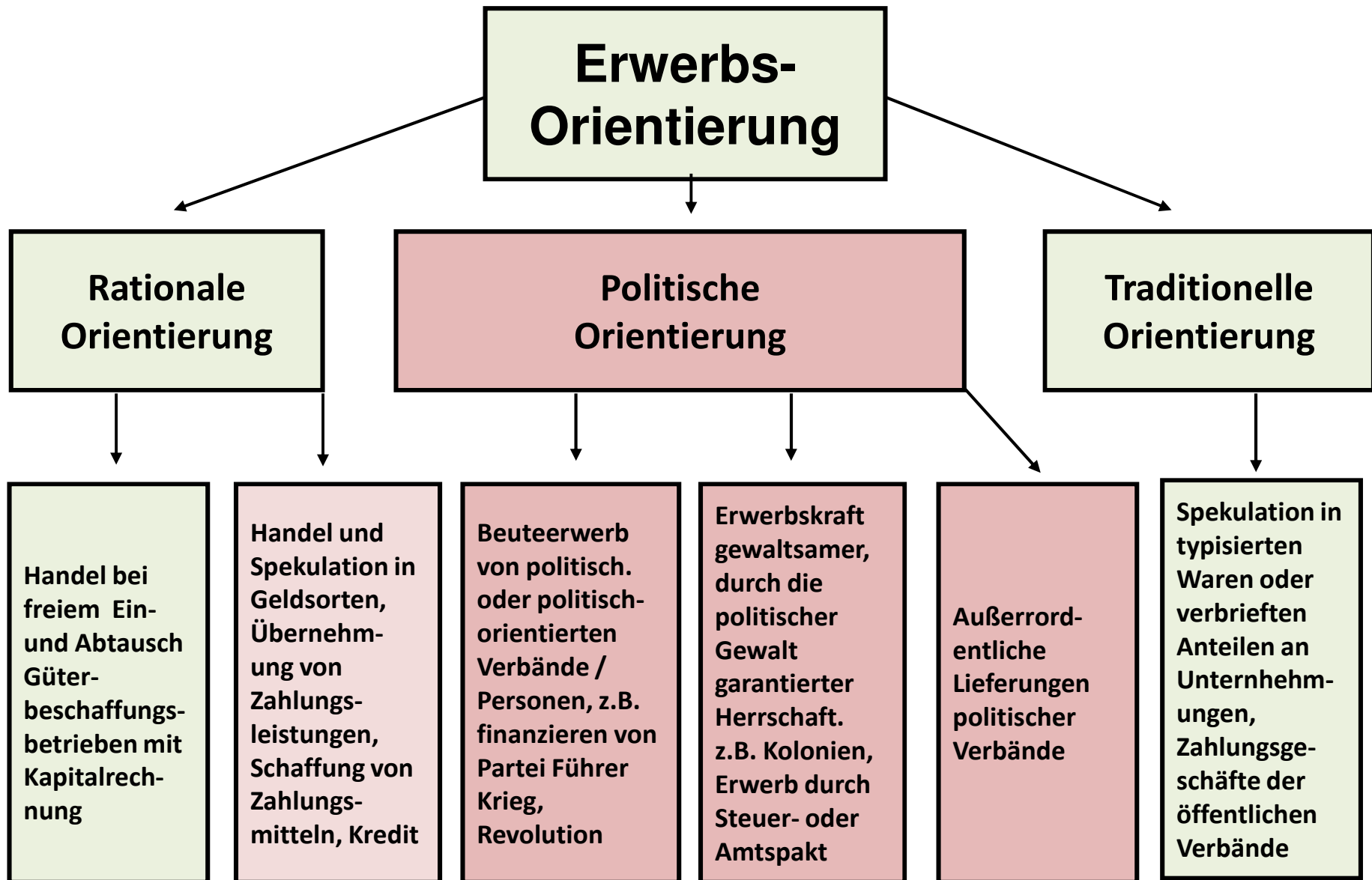
Der Begriff bezeichnet ein Gemeinwesen, in dem zwar nach wie vor Wahlen abgehalten werden, Wahlen, die sogar dazu führen, dass Regierungen ihren Abschied nehmen müssen, in dem allerdings konkurrierende Teams professioneller PR-Experten die öffentliche Debatte während der Wahlkämpfe so stark kontrollieren, daß sie zu einem reinen Spektakel verkommt, bei dem man nur über eine Reihe von Problemen diskutiert, die die Experten zuvor ausgewählt haben. Die Mehrheit der Bürger spielt dabei eine passive, schweigende, ja sogar apathische Rolle, sie reagieren nur auf die Signale, die man ihnen gibt. Im Schatten dieser politischen Inszenierung wird die reale Politik hinter verschlossenen Türen gemacht: von gewählten Regierungen und Eliten, die vor allem die Interessen der Wirtschaft vertreten (Crouch 2008: 8)

Die Paschukanis Frage

Hinter allen diesen Kontroversen verbirgt sich ein und dieselbe grundlegende Frage: warum bleibt die Klassenherrschaft nicht das, was sie ist, das heißt die faktische Unterwerfung eines Teiles der Bevölkerung unter die andere? Warum nimmt sie die Form einer offiziellen Staatliche Herrschaft an, oder – was dasselbe ist – warum wird das Apparat des staatlichen Zwanges nicht als privater Apparat der herrschenden Klasse geschaffen, warum spaltet er sich von der letzteren ab und nimmt die Form eines unpersönlichen, von der Gesellschaft losgelsten Apparats der öffentlichen Macht an? (E.B. Paschukanis, *Allgemeine Rechtslehre und Marxismus*, 1922: 116).

Jenseits Pashukanis

- Pashukanis derives *Rechtsstaat* from *formal* correspondence between commodity form and legal form
- His analysis refers to simple commodity circulation not to the KPW. Latter generalizes commodity form to labour power, appropriates surplus-labour invisibly through exchange
- The form of political organization corresponds to the form of economic organization (Marx, *Kapital III*)
- So ‘where exploitation takes the form of exchange, dictatorship may take the form of democracy’ (Moore 1957)
- Other forms of profit-oriented economic organization may also be part of capitalist societies and/or world market



Typische Richtungen kapitalistischer Orientierung des Erwerbs (Siehe: Weber, *Wirtschaft und Gesellschaft*, 1922: 96-96)

Liberal Bourgeois Democracy

- Bourgeois democratic republic is the *formally adequate* type of capitalist state for economies that rely primarily on trade in free markets and capitalist commodity production
 - not all capitalist states are democratic
 - once democracy emerges, reversals can occur;
 - policies may be *substantively inadequate* to the reproduction of rational capitalism and its extra-economic preconditions
- Not all capitalist economies are primarily based on these two modes of orientation to profit:
 - financial capitalism is becoming more significant;
 - some political modes are also becoming more important, in part, paradoxically, due to ‘neo-liberalism’

Der umfassende Widerspruch

Die Klassen, deren gesellschaftliche Sklaverei sie verewigen soll, Proletariat, Bauern, Kleinbürger, setzte sie durch das allgemeine Stimmrecht in den Besitz der politischen Macht. Und der Klasse, deren alte gesellschaftliche Macht sie sanktionierte, der Bourgeoisie, entzieht sie die politischen Garantien dieser Macht. Sie zwängt ihre politische Herrschaft in demokratische Bedingungen, die jeden Augenblick den feindlichen Klassen zum Sieg verhelfen und die Grundlagen der bürgerlichen Gesellschaft selbst in Frage stellen. Von den einen verlangt sie, daß sie von der politischen Emanzipation nicht zur sozialen fort-, von den anderen, daß sie von der sozialen Restauration nicht zur politischen zurückgehen (Marx 1850: 43).

Economic and Political Struggles

- Economic struggle will normally occur within market logic (i.e., over wages, hours, working conditions, prices)
- Political struggle will normally occur within logic of a representative state based on rule of law (i.e., over the ‘national interest’, or reconciling particular interests of citizens and property owners in ‘illusory’ general interest)
- Class is absent as explicit organizing principle of capitalist type of state – without legal or de facto monopoly of political power, dominant class must compete for political power on formally equal terms with subaltern classes

Normal State	Exceptional Regime
<ul style="list-style-type: none">• Liberal democracy with universal suffrage• Power transferred in stable way in line with rule of law• Pluralistic ISAs, relatively independent of state• Separation of powers• Power circulates organically, facilitating flexible re-organization of hegemony	<ul style="list-style-type: none">• Suspend elections (except plebiscites, referenda)• No legal regulation of power transfer• ISAs integrated into state to legitimate power• Powers concentrated• Congeals balance of forces at time exceptional regime is established

Exceptional Regimes

Brittle Military Dictatorships

No specialized politico-ideological apparatuses to channel and control mass support. Apportions power rigidly among political 'clans' tied to each apparatus. Lacks ideology to secure state's institutional unity and establish national cohesion. Muddles through via mechanical compromises, tactical alliances, narrow bargaining among interests. Intensifies contradictions inside state apparatus and reduces its flexibility in face of crises.

Flexible Fascist Regime

Most flexible because it displays limited pluralism, has elaborate politico-ideological apparatuses, including party organization, union organization, corporate bodies, etc., has mechanisms to reorganize power, has strong nationalist ideology.

Post-Democratic Trends

- First-generation Frankfurt School
 - Neumann
- Second-generation Frankfurt School
 - Habermas
- Staatsmonopolistischer Kapitalismus
 - IMSF
- Autoritärer Etatismus
 - Poulantzas

The Decline of Liberal Democracy

- Liberal democracy stronger in periods when *national* was the primary scale of economic and political organization
- Keynesian welfare national state:
 - National economy managed by national state on behalf of national citizens to create conditions for growing welfare state
 - Class compromise between industrial capital and working class
- Internationalization undermines conditions for KWNS and its democratic shell
- Neo-liberalism undermines these conditions further because it promotes financialization, political capitalisms
- Together these trends undermine *temporal* as well as *territorial* sovereignty of national states

Autoritärer Etatismus

- Gesteigertes An sich reißen sämtlicher Bereiche des ökonomisch-gesellschaftlichen Lebens durch den Staat [welches sich] artikuliert [...] mit dem einschneidenden Verfall der Institutionen der politischen Demokratie sowie mit drakonischen und vielfältigen Einschränkungen der sogenannten 'formalen' Freiheiten
- Die vier zentralen Momente:
 - Die Übertragung der Macht der Legislative auf die Exekutive;
 - Die Fusion von Legislative, Exekutive, und Judikative, begleitet von einem Schwinden der Rechtsstaatlichkeit;
 - Der Bedeutungsverlust von politischen Parteien in ihrer Vermittlungsfunktion zwischen Bevölkerung und Verwaltung und als wichtigste Kraft bei der Organisation von Hegemonie;
 - Das Wachstum paralleler Machtnetzwerke, die die formale Organisation des Staates durchqueren und Staatstätigkeiten besetzen

State in Capitalist Society

"I believe that banking institutions are more dangerous to our liberties than standing armies. If the American people ever allow private banks to control the issue of their currency, first by inflation, then by deflation, the banks and corporations that will grow up around the banks will deprive the people of all property - until their children wake-up homeless on the continent their fathers conquered"
(Thomas Jefferson 1802)



Capitalist Type of State

- Formal constitution
- Formal adequacy
- Historically specific type tied to primacy of CMP
- Main *Vergesellschaftungsmodus* is the logic of capital
- Class power is structural and tends to be obscure or else is seen as legitimate

State in Capitalist Society

- Historical constitution
- Functional adequacy
- Structure results from path-dependency and –shaping
- *Vergesellschaftungsmodi* vary possible (polymorphy)
- Class power is contingent , either openly instrumental or socially mediated

Temporal Sovereignty

- Temporal sovereignty = capacity of state to make decisions according to its own criteria and temporal rhythms.
- Abandon attempts to control short-term economic calculation, activities, and movements even as states still seek to control medium- to long-term economic decisions and movements.
- Compress decision-making cycles to enable more timely and apt state interventions,
 - shortening of policy development cycles, fast-track decision-making, rapid programme rollout, institutional and policy experimentation, relentless revision of guidelines and benchmarks, and retreat from fixed legal standards towards more flexible, discretionary, reflexive laws.
- Create relative political time by slowing circuits of ‘fast capitalism’
 - E.g., Tobin tax to decelerate flow of superfast, hypermobile financial capital and limit its distorting impact on the real economy

Beyond Form Analysis

- *'a relationship of forces, or more precisely the material condensation of such a relationship among classes and class fractions, such as this is expressed in the State in a necessarily specific form'* (Poulantzas *Staatstheorie*)
- State apparatus and state capacities can be seen as 'material causes', changing class forces as 'efficient causes', class strategies as 'final cause', and state power as 'formal cause'
- Therefore need to examine struggles over form of state as institutional ensemble, over state policy, and struggles at a distance from the state

Conclusions

- Post-democratic trends are not new – they have been noted regularly well before the last 15 years. But they have become more powerful and are becoming more entrenched.
- These trends are part (and only part) of the more general development of authoritarian statism as the *latest normal* form of the capitalist type of state, linked to intensification of political crisis and the integration of generic elements of exceptional regimes into the normal state
- In some cases, a shift is occurring from the ‘new normal’ (i.e. authoritarian statism) to a *state in capitalist society*, with a greater visibility of class power and anti-democratic trends

ONE SMALL STEP FOR MAN...
ONE GIANT LEAP FOR
CORPORATE KIND

THE END



Background Slides

Some foundational contradictions

	Value Aspect	Material Aspect
Commodity	Exchange-value	Use-value
Labour-power	Abstract labour	Concrete skills
Wage	Cost of production	Source of demand
Money	Interest-bearing capital International currency	Measure of value National money
Productive capital	Abstract value in motion	Stock of specific assets
State	“Ideal collective capitalist”	Factor of social cohesion
Knowledge	Intellectual property	Intellectual commons

Keynesian Welfare National State

Distinctive set of economic policies	Distinctive set of social policies	Primary scale, if any, for policy-making	Main means of compensating market failure
Jobs for all, manage demand, provide infrastructure to support mass production and consumption	Collective bargaining and state generalize norms of mass consumption. Expansion of welfare rights	Primacy of national scale in economic and social policy-making with local as well as central delivery	Market and state form 'mixed economy'. State should compensate for market failure
Keynesian	Welfare	National	State

Goldman Sachs – Technocrats in Command in the Eurozone?

Masters of the eurozone

EUROZONE NATIONS

IRELAND
Peter Sutherland
Former Attorney General of Ireland; prominent voice during Ireland's bail-out; non-executive director of Goldman Sachs International

FRANCE
Antonio Borges
Until this week, head of the IMF's European Department; former vice chairman of Goldman Sachs International

ITALY
Mario Monti
Italy's new prime minister; international adviser to Goldman Sachs

GERMANY
Otmar Issing
Former board member of Bundesbank and the ECB; helped create the euro; adviser to Goldman Sachs

BEELGIUM
Karel van Miert
Former EU Competition Commissioner and ex-international adviser to Goldman Sachs

GREECE
Lucas Papademos
Greece's new prime minister; ran the Central Bank of Greece at time of controversial derivatives deals with Goldman that enabled Greece to hide size of its debt.

Mario Draghi
New head of the European Central Bank; former managing director of Goldman Sachs International

Petros Christodoulou
Head of Greece's debt management agency; began his career at Goldman Sachs

Source:
Independent
18.11.2011

<http://www.independent.co.uk/news/business/analysis-and-features/what-price-the-new-democracy-goldman-sachs-conquers-europe-6264091.html>, accessed 18.11.2011

Atlantic Fordist STF

Basic Form	Primary Aspect	Secondary Aspect	Key institutional fixes	Spatio-temporal fix
(Social) wage relation	Demand	Cost	Keynesian state + rising productivity	Creation of National Economies
Money	National Money	International currency	Keynesianism + Bretton Woods and role of USD	Managing International Relations
State	Social Cohesion	Economic Intervention	Welfare state + spatial planning	National state and local space
Capital	Productive capital = stock of assets for valorization	Money as most abstract expression of capital	Reinvested Fordist profits + financing of consumption	Circuits of Atlantic Fordism

Atlantic Fordist Crisis

Basic Form	Primary Aspect	Secondary Aspect	Key Institutional Crisis	Spatio-temporal fix
(Social) wage relation	Cost	Demand	Internationalization changes role of (social) wage	Crisis of national crisis management routines
Money	International currency	National Money	Breakdown of Bretton Woods, change in USD	Crisis in international regimes
State	Social exclusion, new social movements	Increasing economic intervention	Fiscal, rationality, legitimacy, and hegemonic crises	Declining power of national states
Capital	Money as most abstract expression of capital	Stock of fixed assets valorized in specific time-place	Disruption of Fordist circuits	Atlantic Fordism

Finance-Dominated Accumulation

Basic Form	Primary Aspect	Secondary Aspect	Key Institutional Fix	Spatio-temporal fix
Capital	Fast, hyper-mobile money (growth of derivatives) as general form	Valorization of capital as fixed asset in specific time-place	De-regulation of financial markets, state targets price stability, not jobs	Free trade without national or regional state controls; grab future values
(Social) wage relation	Private wage plus credit as source of demand	Social wage as (global) cost of production	Numerical and time flexibility; new forms of credit	International regulatory race to the bottom
State	Lean <i>Ordoliberal</i> state tied to neo-liberal regime shift	Role of flanking policies to win legitimacy plus tough discipline	'Free market + strong state' (authoritarian statism)	Intensify uneven development at many sites and scales
Global regime	Create space of flows for all forms of capital	Address uneven development, adapt to new economic powers	Washington Consensus regimes, including K4D	Centre-periphery relations tied to US hegemony and its relays