

# Cohen, Rawls and the advent of an analytical dialectics

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*This version: Monday, March 3, 2003*

## 1. Introduction

1. a. This study is concerned with the role that might still be played by dialectical social dynamics, i.e., dynamics propelled by the awareness and progressive overcoming of social tensions, in a modern theory of society. It is part of a wider, ongoing research project on the place of “critical individual rationality” and “oppositional collective action” within political liberalism. It takes as an uncontested point of departure, but not (obviously) as an uncontested point of arrival, that the conjunction of (a) methodological individualism and (b) Rawlsian liberalism is the normal reference point for contemporary political philosophy. Let us debate it by “theMI- MI-RL conjunction”.

However, some of those who have become centrally associated with the MI-RL conjunction propose it largely after having come from Marxism– like G. A. Cohen and others who have followed in his methodological footsteps– and view it as a (at least mitigating, at most devastating) critique of Marxism. The present study takes up a partially *inverse* gesture: authored by someone who has been intellectually raised within the MI-RL conjunction, it aims at using Marxism as a critique of that conjunction. Whether the critique turns out devastating, or merely mitigating, will be left open for debate; I conjecture it will be (something like) “strongly mitigating”.

The question I implicitly ask in this study is in what way the MI-RL conjunction today might still require Marxism. I will reply in a partly non-standard way. I reject, firstly, the thought– rejected by *all* contemporary Marxists– that Karl Marx’s political philosophy (his sociological economics, as well as his economic theory of the state) has become irrelevant merely because of the Soviet block has crumbled; holding this thought is largely a sign of intellectual laziness, overdetermined in numerous cases by a hasty desire to close off all debate about alternatives to capitalism, to the forms of democracy it tolerates and to the market logic it necessarily fosters. However, I also reject, secondly, the thought– shared by *some* contemporary Marxists, of the so-called “analytical” persuasion– that Karl Marx’s dialectical method has become entirely irrelevant (and, in fact, has never been relevant) to political philosophy. This emphatically does not entail that analytical philosophy is to be eschewed; it entails, perhaps more ambitiously, that attempts at constructing an “analytical dialectics” should not be declared outright impossible.

By analytical dialectics, I mean a particular conception of the modelling of dynamics in social science, based on individual interactions in which the attempted overcoming of social tensions is made part of the (micro-)motivation of individuals. I believe Cohen’s and others’ outright rejection of the very word “dialectic”<sup>1</sup> can be traced back to an excessive– though perhaps historically understandable– obsession with Louis Althusser’s reading of Marx<sup>2</sup> and an insufficient preoccupation with more agency-oriented readings such as those of Sidney Hook and Cornelius Castoriadis, among others.

1.b. The historical sequence of developments in political philosophy has been, for the present purposes, roughly the following: from dialectically materialistic Marxism to analytical Marxism to Rawlsian political liberalism. This last and current stage is where the MI-RL conjunction is located. I will be looking back towards the oldest of the three stages, dialectical Marxism, to investigate in what way– notwithstanding what has led to its supersession– it might still be a necessary element of political philosophy.

By “political philosophy”, I will mean what Cohen (1995a: 3) means, and also a bit more. Cohen uncontroversially defines political philosophy as “the systematic search for the right principles, and for the structures (very generally described)

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<sup>1</sup> At a recent conference in Brussels, Samuel Bowles told me he imposes on his students a symbolic “ten percent tax” on the use of two words: *dialectic* and *contradiction*, on the account that– to use a term legitimized by Cohen’s own use of it– such words are a testimony to “bullshit”, i.e., to the laziness of those who have no theory. If Bowles’s sanction mechanism were applied here, I would go deeply into fiscal debt; my only hope is that by adding the word *analytical* to the word *dialectics*, I might reduce the penalty– but for this to be the case, I need to have a convincing argument that the two words can be used jointly. This is what this paper attempts to provide, through what I believe to be a thorough discussion of alternatives to “bullshit”.

<sup>2</sup> See, e.g., Cohen (2000a: x and xxi-xxii).

that might realize them". What his later discussions about Rawlsian egalitarianism suggest is that we ought, at least, to add a third component pertaining to the following twofold idea: the "realizing structures" should, if possible, not be inconsistent (broadly understood) with the right principles they aim to realize, and any necessary inconsistency should be given a full justification.

Therefore, I will suggest the following characterization of political philosophy: it is the systematic search for (a) the right principles, (b) the structures that might realize them, and (c) *the absence of non-reflected contradictions between (a) and (b)*. For example, if (a) contains the principle of nonviolence and (b) states that a violent act of liquidation of a handful of powerful individuals is required for realization of (a), then in (c) we require a historically or otherwise grounded justification for the discrepancy. Failing this, (a)-(b) do not qualify as a "philosophy".

## 2. Marxian criticism analyzed

2. a. One of Marx's predominant legacies is the emphasis on *critical reflection* about political and social arrangements. What is to be meant by "critical"? First and foremost, the refusal of any "self-evidence" of reality, i.e., the rejection of any empiricist "fetishism of facts": our political and social arrangements, the ways in which we live in them and interact with others, are not transparent or directly evident— they need to be submitted to scrutiny through reason, and this scrutiny is what Marx calls criticism. Let me call this "M-criticism" (where the "M" refers to "Marx" and is intended to differentiate, later on, Marx's notion of criticism from others, most notably Kant's, Rawls's and Cohen's.)

One of the best-known characterizations of M-criticism is contained in Marx's programmatic letter to Arnold Ruge in 1844:

*Our motto must therefore be: Reform of consciousness not through dogmas, but through analyzing the mystical consciousness, the consciousness which is unclear to itself, whether it appears in religious or political form. Then it will transpire that the world has long been dreaming of something that it can acquire if only it becomes conscious of it. ... So, we can express the trend of our journal in one word: the work of our time to clarify to itself (critical philosophy) the meaning of its own struggle and its own desires.*<sup>3</sup>

Thus, for Marx, "critical philosophy" is essentially geared to *self-clarification*, a feature which M-criticism shares with the whole criticist tradition from Kant onwards, but with what seem to be highly peculiar specifications: the "self" involved here is a mysterious agent/entity called "our time", and the object of the clarification is this agent/entity's "struggle and desires". M-criticism, then, is the activity of thought which the philosopher performs when he attempts to go underneath a certain epoch's purported self-evidence and self-reproduction based either on an absence of tensions or on mere "equilibrium tensions", to uncover the *disequilibrating* social tensions which are both (a) *effectively present* within the epoch's "authentically fundamental" make-up (essentially, its combination of a certain level of development of the productive forces and a certain economic structure characterized by certain relations of production) and (b) *hidden and hence made empirically invisible* by the epoch's "inauthentically fundamental" make-up (such as its religious values, its laws, its state institutions, and so on, which serve as the epoch's multidimensional *mechanism of self-legitimation*).

2. b. Thus, M-criticism makes at least four basic assumptions:

- (A1) Empirical consciousness (e.g. common-sense judgment based on prevailing rules, usages, conventions, etc.) is an *incomplete* form of consciousness.
- (A2) There is a specific, nonempirical mindframe associated with the acquisition of *complete* consciousness.
- (A3) Complete consciousness coincides with full awareness of "*authentically fundamental*" characteristics of social life (as opposed to empirically observed characteristics, but also as opposed to "inauthentically fundamental" characteristics, i.e., to characteristics that can be seen as fundamental only by those with an ideological bias).
- (A4) These "authentically fundamental" characteristics are located in *actual* social life and not in some ideal social world. To come to complete consciousness is therefore, *at least in part*, to become aware of the "authentically fundamental" social tensions, materialized in actual "struggle and desires", which make up the true description of any historical epoch.

I emphasize "at least in part", because it is unclear from Marx's own pronouncements what exactly this complete consciousness might *in addition* imply in terms of a *motivation to act from* the corresponding true description. Let us recognize that, as I believe must be the case to escape Hegelianism in the very way Marx intended to escape it, the mysterious entity "our times" actually refers to a non-mysterious decomposition into "those individuals strategically placed to act upon the true description of the epoch so as to allow the structure of society to make progress beyond what it is now": even then, and even if we acknowledge the centrality of such crucial notions as class consciousness and class struggle, it

<sup>3</sup> Karl Marx, "Letter to Ruge", in Tucker (1978: 15).

remains unclear what the transmission mechanism is in M-criticism from the advent of complete consciousness to the advent of collective action.

To dispel this ambiguity, let me now introduce a distinction which will be crucial later on: a distinction between *two variants of M-criticism*, each being associated with one of the two following, mutually exclusive, assumptions. First, there is the variant of *inevitable M-criticism*, denoted “iM-criticism”, which assumes that

- (A5) Each epoch-dependent complete consciousness elicits a definite configuration of motivations to act, so that there is an *inevitable resolution* of the authentically fundamentally social tensions in the direction of progress.

Second, there is the variant of *contingentist M-criticism*, denoted “cM-criticism”, which assumes that

- (A6) Complete consciousness creates *necessary but not sufficient* conditions for the unfolding of progress-generating actions, so that resolution of the authentically fundamentally social tensions in the direction of progress is not seen as inevitable.

### 3. The dialectical method

3.a. It is important to determine whether M-criticism is organically linked with the so-called “dialectic method” of philosophical reflection. If such an organic link can be established, it will necessarily follow that no undialectic method can be M-critical.

At the most general level, the “dialectic method” of reflection is a particular way of thinking about reality— any reality, not just social reality. Essentially, dialectics postulates that the very *structure or fabric* of reality is dynamical and structured as a triad: (a) there is constantly a tension or contradiction which leads to (b) the “resolution” of this tension or contradiction through (c) “supersession” or a surplus-creating synthesis which integrates *all* previously conflicting elements into a “superior” unity, and so on. Arguably, Hegel’s philosophy is the culminating point of dialectics in its spiritualistic form, and Marx in turn offered a materialistic dialectics, geared mostly to the explanation of social phenomena throughout the unfolding of history.

In the above triad, the two crucial logical connectors are “... leads to...” before (b) and “... through...” before (c). Both point to a crucial aspect of dialectics, namely, the *essential interpenetration* of the state of tension and the moment of resolution: from a dialectical point of view— and this, indeed, is a radically *methodological* stance— resolution *inherently flows from* tension. In fact, the two are so closely related that Marx appears to have been an adept of the well-known dictum, “The solution is in the problem”. This does not imply that he also endorsed the more static, technophilic dictum, “At any moment, any problem has a solution”: that would mean a relinquishing of the dynamics of tension, and hence the provisional absence of a solution, which are part and parcel of the dialectic method; what Marx endorsed was, rather, a dictum such as “*In time*, the solution to any problem *arises from within* that very problem”. In other words, the problem *progressively produces* the conditions which *will permit* its resolution.

3.b. Of course, all but strongly Hegelian Marxists will agree that “a problem” is not, in and of itself, an agent; this is only a convenient abuse of language for the more exact expression, “The interaction of individuals within a particular historically evolved social structure”. Similarly, only a very deterministic Marxist will claim that “to permit resolution” is synonymous with “to carry out resolution”. In his pragmatically inspired reading of Marx, Sidney Hook, for instance, has suggested seventy years ago (a) that historical materialism only singles out necessary conditions for social change, (b) that these conditions are not sufficient as long as political feasibility has not been assessed, and (c) that as a result one could not have a dialectic theory of society without, crucially, taking into account Marx’s theory of the state as a set of *tension-containing* rules and institutions. To the question, “what does the advent of socialism depend on?” Hook answered as follows:

*For one thing, upon the existence of large scale, highly centralized production which is the result of the accumulation of capital. But obviously this is only a necessary not a sufficient condition. For the facts of centralization and concentration in industry are recognized even by bourgeois governments, which, although inexorably opposed to revolution have obligingly furnished the statistical figures from the days of Marx down to the present. The existence of a class-conscious proletariat is just as indispensable as any of the foregoing conditions. What does it, in turn, depend upon? On the need and want produced in the course of the economic process. How much need and want? Can these be accurately measured in any way? Certainly not. But assuming that they can be, are they as inevitably produced, and produced in the same way, as industrial centralization and financial concentration? And does this need, in turn, inevitably express itself in revolutionary action? Merely to put these questions is to see the absurdity of the assumptions involved. For if these propositions were true, there would be no necessity to enunciate them, no less to risk one’s life for them. Certain relatively independent factors enter into the situation. The degree of enlightenment of the workers; what it is that they regard as fundamental needs; “the consciousness of the class struggle and not alone its existence;” the presence of a political party which represents the principle of a revolutionary continuity from one crisis to another— all these must be taken into account. They are not automatic, simple functions of economic development; (...) Only the objective*

possibilities are given. Economic development determines only the general period in which communism is possible, not the specific time of actual transition.<sup>4</sup>

This sort of account seems to me to pave the way for a non-holistic, methodologically individualistic dialectics, i.e., a dialectics in which whatever tensions have arisen dynamically through the repeated interaction of the individuals shape the consciousness of each individual in such a way that— *subject to a number of conditions none of which is completely “automatic”, hence all of which need themselves to be brought about by particular agency*— conflictual resolution will occur (the outcome of the conflict being, itself, contingent on numerous non-automatic conditions). The bottom line, it seems to me, is the following: dialectics and individualism are fully compatible to the extent that the very complexity of individual interactions does not nullify (some form of) the idea that “the problem progressively produces the conditions which will permit its resolution”.

3.c. To come back now to what prompted this brief discussion, namely, the issue of M-criticism, it seems to me that if we look at assumptions (A1)-(A4) about M-criticism, on the one hand, and at features (a)-(c) of the dialectical method, on the other, clearly by (A3) and (A4), *M-criticism implies dialectics*.

## 4. Is analytical Marxism M-critical?

4.a. A conspicuous feature of analytical Marxism is that the words “critical” and “criticism” are largely absent from its theorizations. This is, of course, not a sufficient reason for asserting that it is in fact uncritical, but it prompts one to inquire more deeply. Analytical Marxism is, no doubt, analytical (see, e.g., Cohen, 2000a: xvii-xxiii); it is also Marxist in the sense that it continually purports to embody the most “progressive” stage of “scientific socialism” (see, e.g., Cohen, 2000a: xxvii-xxviii). Is it also a form of M-critical social philosophy?

In his new “Introduction” to *Karl Marx’s Theory of History*, subtitled “Reflections on Analytical Marxism”,<sup>5</sup> Cohen explains the two main senses in which analytical Marxism is analytical. In the “narrow sense”, it is analytical in that it is methodologically individualistic; in the “broad sense”, it is analytical in that it is undialectical. More explicitly, Cohen might say: for a method to be “narrowly” analytical, it has to be individualistic, but the analyticity here is “narrow” because there can very well be non-individualistic analytical methods; for a method to be “broadly” analytical, it has to be undialectical, and the analyticity here is “broad” because there can be no dialectic analytical methods. To put things more formally, let us define **M** to be the set of all possible “methods” (whatever that may mean here, which is not important for the logical argument). Let us partition **M** according to three *a priori* separate criteria: the subset *I* of all individualistic methods, the subset *D* of all dialectical methods, and the subset *A* of all analytical methods. Cohen’s “narrow” analyticity means that both  $I \supseteq A = I$  (all individualism is analytical) and  $\{I\} \supseteq A \supseteq ?$  (some analytical methods may be non-individualistic), whereas “broad” analyticity means that  $D \supseteq A = ?$  (no analytical method is dialectical). Together, these two properties obviously imply  $D \supseteq I = ?$ , i.e., there cannot be any individualistic dialectics in analytical Marxism.

4.b. The deep reason why Cohen believes this remains invisible in his own argumentation. In fact, he appears to give no other reason than that, as is obvious, he does not “believe” that there is such a thing as an autonomous dialectical method;<sup>6</sup> the deeper reason for this non-belief remains obscure. By saying that the broad notion of analyticity coincides with “precision of statement” and “rigour of argument”, he may certainly be keeping at bay various *holistic versions of dialectics* (which he groups under the heading “bullshit” and condemns as “obscurantist”), but not individualistic ones; the latter can only be kept at bay if, *in addition*, Cohen can demonstrate that standards of rigor and precision make the formulation of an individualistic-dialectic method self-contradictory. In this paper, I want to argue that it is not.

As submitted at the end of section 3.b, I conjecture that Cohen’s “belief” must be based on an intuition that the *complexity* of individual interactions, which methodological individualism has to shoulder if it is to be true to its standard of

<sup>4</sup> Hook (1933: 110-111). In a similar vein, Castoriadis (1964-65/1975: 53) rejects what he calls “dialectics” on the account that it is *holistic, inevitabilistic* dialectics: “We cannot take as given beforehand an achieved dialectic of history, or one that is about to become achieved, even if we recoin history as ‘pre-history’. We cannot take the solution to be given before the problem. We cannot, beforehand, take as given any dialectic whatsoever, since a dialectic postulates a rationality of the world and of history, and this rationality is the problem, both on the theoretical and on the practical level”. Later, he continues: “History cannot be thought about within a deterministic scheme (nor, for that matter, within a simple ‘dialectical’ scheme), because it is the domain of *creation*” (p. 65). As I will attempt to show in section 9, subscribing to such views does not preclude accepting a less “simplistic” notion of dialectics.

<sup>5</sup> Cohen (2000a: xvii-xxviii).

<sup>6</sup> “... analytical Marxists do not think that Marxism possesses a distinctive and valuable *method*. (...) [W]e believe that, although the *word* ‘dialectical’ has not always been used without clear meaning, it has never been used with clear meaning to denote a method rival to the analytical one” (Cohen, 2000a: xxiii). In section 9, I will attempt to show that being analytically dialectical is more than being (only) analytical.

rigor, will nullify *any* form of the idea that any social or economic problem “progressively produces the conditions which will permit its resolution”. In other words, even if we accept— as any serious individualist must— that changes in social and economic conditions affect individuals’ consciousness, motivations and planned actions, Cohen’s “belief” must be that (strong version) these feedbacks from the situation to individuals are not systematically such that their interaction progressively creates the *sufficient* conditions for a resolution of the tensions, and that (weak version) these feedbacks are not even systematically such that interactions progressively create the *necessary* conditions for a resolution. So the very *structure* of the methodological individualism (henceforth MI) seems to preclude, according to Cohen, at least three processes, in increasing order of ontological depth:

- (1) Cohen seems to reject the possibility for MI to make sense of *collective-action-triggering* feedbacks coming from the social situation, such as, for example, the progressive hardening of social divisions into “classes” or “agency types” due to the more and more conscious perception of common interests.
- (2) Even if this were admitted into MI, it would seem implausible to postulate that these collective-action-triggering feedbacks would be “ordered” in such a way that the *kind* of collective action triggered would be precisely the “*purposive tension-resolving*” kind which dialecticians have in mind when they claim that class struggle is part of “the very fabric of history” (as does Etienne Balibar in a footnote quote by Cohen, 2000a: xxiii).
- (3) Even granted that interaction could be seen as directed towards the “conscious overcoming” of tensions (point (2)) through the creation of the motivations to act “appropriate to” the social situation (point (1)), MI finally could not shoulder the claim that, due to the inherent “tendency” of history towards progress and liberation of all individuals, whatever complexity and indeterminacy is thrown up by the interaction will not deter the social system from its historical trajectory.

According to (3), MI admits of no *telos* or “ultimate meaning” of history which could be used to “put a pattern on” any given succession of problematic social situations; according to (2), MI cannot even accept the idea that a historical situation affects individual interactions in a structured way “designed to” overcome the tensions between groups or types as they become manifest in any given problematic social situation; and according to (1), MI cannot even make sense of the way in which dialectics suggests groups or types are formed, i.e., through a supposed set of socially segmented “collective-learning” mechanisms “produced by” any given problematic social situation.

Because it is a rejection of only the deepest ontological structure of historical time, (3) is the weakest of the three: its affirmation is compatible with rejecting both (2) and (1). Similarly, you can subscribe to (2) without necessarily subscribing to (1). The strongest position is (1), which denies that MI can even make sense of the most basic mechanisms underlying the dialectic (notwithstanding rejection of the even deeper aspects conveyed by (2) and (3)). The sole affirmation of (1) suffices to substantiate the “belief” that there can be no method which is both individualistic and dialectic. (*A fortiori*, affirming (2) or/and (3) in addition to (1) makes the case for *D ? I=?* even stronger.) If I am correct, Cohen would assert at least (3), and most probably (2) and (1) as well. A radical individualist like Jon Elster (1985, 1986) would certainly assert all three; a post-Marxist like Samuel Bowles (also, like Elster, part of Cohen’s “September group”; see Cohen, 2000a: xix) would probably assert (3) and (2), but perhaps not (1)— at least if cognitive-evolutionary models could be built which avoid the formation of “class consciousness” or “behavior types” in the way that *holistic* dialecticians such as Althusser have propounded it. This indicates, as already announced, that one of the crucial issues will be how to characterize *non-holistic* dialectical models of complex social dynamics.

4.c. From section 3.c, which says that M-criticism implies dialectics (or, equivalently, that absence of dialectics implies absence of M-criticism), we can now directly deduce the following: *since analytical Marxism is both individualistic (“narrow” analyticity) and undialectic (“broad” analyticity), it cannot be part of M- M-criticism*. To practice the right kind of Marxism, Cohen claims, one must “reject the point of view in which social formations and classes are depicted as entities obeying laws of behaviour that are not a function of the behaviours of their constituent individuals”. This is necessary for being analytical, but also for being non-M- non-M-critical. Of course, this cannot be taken to mean that analytical Marxism is in no sense part of critical reflection *tout court*: it can still be considered critical in a non-M-critical way. To see how, we will need to investigate the structure of undialectical Marxism more at length.

## 5. Deep reasons for shunning dialectics

5.a. Before I go on to discuss the sense in which analytical Marxism, being undialectical and hence not M-critical, can nevertheless be a critical social philosophy, I would like to spend a bit more time on deeper reasons (i.e., reasons not necessarily linked to ideas about *social* interaction) why one might want to shun dialectics as a “method”. Cohen’s professed “belief” against dialectics must be, *inter alia*, directed against the methodological assumption of a dialectical *structure* of situations. This assumption would state that there is no clear-cut distinction between the static and the dynamic, that the *state* of a being is always also a stage in a *process* which develops “from the inside of” that state. To put it bluntly, therefore, there is “transcendence within immanence”, which carries at least two presumptions: first of all, *what is* (immanence) is assumed to be inhabited, so to speak, by a *beyond* (transcendence); and second, this *beyond* is located along a trajectory whose orientation is generated by *what is*. Let me call this the “potential” of a situation.

To profess a belief that dialectics is not a method in itself means, *inter alia*, professing a disbelief that reality and situations in reality are structured by immanent transcendence. True enough, the dialectical assumption implies that (a) reality cannot ever be seen “as it is” because *part of* what it is, i.e., what it will or could become (this will/could distinction is methodologically crucial), is not *directly* accessible to observation, and (b) the only way to access the potential part of existing reality is, nevertheless, to hitch on to existing reality (as opposed to an ideal or “imagined” reality completely “beyond this world”) through an *indirect* form of observation. What does it mean to disbelieve this twofold implication?

Only stark empiricists will have qualms about the first part of (a): many positivists, even, will acquiesce to the idea that part of “what is” is “what that is-ness will or could become” (think of evolutionists). What more people, including Cohen, will be sceptical about is the second part of (a) and its implication, (b): what in the world could it mean to say that, on the one hand, a situation’s potential is not *directly* observable (in terms, for instance, of fitness characteristics) but that, on the other hand, it is somehow *indirectly* observable on the basis of *nothing but* the features of the situation? Here lies, I believe, the deepest reason most people— including analytical Marxists— have for shunning dialectics. I want to argue briefly that: yes, this scepticism is indeed warranted if one views Marxian dialectics as an integral ontology which would explain the state of all matter, but no, the scepticism is not warranted for the social sciences because my construal of dialectics (anchored in Hook’s earlier account based on necessary as opposed to sufficient conditions) is not incompatible with full-blown agency, both individual and collective.

5.b. Yes, the second part of (a) and the whole of (b) have little appeal if one’s ambition is to propose a materialistic (as opposed to Hegel’s idealistic or spiritualistic) ontology. To say that rocks, houses and cats contain, at any moment, a non-observable potential that orients them towards a non-arbitrary “becoming” is either trivial or incomprehensible: it is trivial if the only potential we claim to be uncovering is the potential for progressive cellular decay (a Hegelian spiritualist could salvage this by claiming that any singular being’s material decay is a necessary stage to be traversed if Spirit is to completely unfold and attain self-consciousness, but a Marxist materialist can hardly say that each being’s *material* disintegration is a necessary stage *en route* towards Humanity’s eventual total self-liberation); and it is incomprehensible (or, again, comprehensible only for a Hegelian spiritualist) if it is taken to mean that all beings (e.g., bricks, plants, automobiles) and the situations they form over time (e.g., a house with a garden and a parking garage) have in them a tendency to self-develop which is *not* linked to decay or entropy, and whose meaning *will only* become manifest as the process unfolds.

Thus, the idea that a potential for self-liberation is actually present only when entropy and decay are stopped or even reversed already signals that a methodologically dialectical reading of situations can only be appropriate to cases where *human beings are active in creating situations’ particular negentropic potentials*. Of course, creating a negentropic potential is necessary but not sufficient: a given situation may be constructed to self-develop in a direction which avoids or reverses its main components’ material decay (say, through the periodic adjunction of regenerating chemicals) while also negating or reversing important dimensions of human liberation (say, because of the pollution generated by the chemicals or the extremely unhealthy and/or strongly coerced work needed to pour them onto the components). This brings me, then, to the second part of my argument:

5.c. No, the second part of (a) and the whole of (b) cannot so easily be rejected when what is being studied are *social situations involving active human agents*. Recall the anti-dialectic sceptic’s question: what in the world could it mean to say that, on the one hand, a situation’s potential is not *directly* observable but that, on the other hand, it is somehow *indirectly* observable on the basis of *nothing but* the features of the situation? I will reply in two steps. The first step is to say that there is one framework which portrays situations in this way: it is so-called “game situations”, which describe a situation of strategic interaction between “players” from which the direction of change can (under certain assumptions) be predicted. *Evolutionary game theory* is, thus, a potentially powerful tool for dialectical analysis. However, one could answer in rebuttal of this optimistic claim that what will be evidenced will be evolutionary dialectics, not Marxian dialectics: what will be going on in the repeated games is self-selection, not self-liberation, because the individuals involved do not grasp the fact that they could influence the very rules of the game they are playing. In other words, what largely distinguishes Marxian from evolutionary dialectics is *the situation-creating agency of human individuals*. The second step of my reply is therefore the following quote from André Gorz:

*‘labor strategy’ ... appears to be ambiguous and, above all, silent on the subject of the political dimension and instruments without which an ‘offensive strategy’ is not even conceivable ... the question of political power can be asked in a concrete way only once a certain number of things have occurred or have been carried out ... . [The] crisis situation [thus generated] can, of course, endure and develop to shake the very foundations of the system only if the crisis has been methodically constructed in such a way that [the crisis’s] various [necessary] elements turn up simultaneously and reinforce one another. In particular, the movement of workers’ struggles, which is its main component, will break down the system’s economic and political equilibrium— and throw its cohesion into a crisis— only if it is more than a succession of fits of anger and sectorial and categorial demands: its has to be a methodical and sustained offensive, designed for the working class to gain control and power over the conditions to which it is submitted in the factories and in society. ... Thus, the question [of political power] ought to be asked only in*

*connection with the actions apt to be conducive to that crisis. To ask the question of power is, first and foremost, to ask what ought to be done so that the question of power arises in the facts.*<sup>7</sup>

This point of view partly resonates with that, expounded earlier, of Sidney Hook, who claimed that dialectics is in no way incompatible with purposeful individual human action; what Gorz emphasizes here is even more precise: dialectics is not only compatible with, but in fact requires, *strongly reflective and coordinated action* on the part of individuals so as to create situations with a certain potential. Since this viewpoint will have significant import later on (see section 9), it was important to clarify it here.

We can now move on to what was announced at the end of section 4, i.e., a more in-depth investigation of the structure of undialectical Marxism.

## 6. The structure of criticism in undialectical Marxism

6.a. What is undialectical Marxism? Most fundamentally, it challenges Marx's alleged view that certain objectionable social phenomena *X*— such as, most predominantly, the exploitation of groups of workers by (groups of) capitalists, and various forms of market-related individual alienation— are to be evaluated using only "a- "a-moral" categories and concepts. It claims that any objectionable *X*, at least in most of its manifestations, is objectionable because it is *morally unacceptable*. So undialectical Marxism need not refuse the idea that *X* should be fought: what it does need to refuse is that the reason why *X* should be fought is that this fight corresponds to a historically inevitable stage— namely, the capitalist stage— in the dynamics of supra-individual social formations. More precisely, three things are being claimed in undialectical Marxism: first, it is *individuals* who fight *X*; second, they fight it because each one of them views it as *morally unacceptable*; and third, the reason why each individual views it as morally unacceptable is not that "anti-*X*'s time has now finally come"— rather, for Cohen, the reason is that *each individual has principled reasons* for viewing *X* as morally unacceptable.

To put it more explicitly, each individual views *X* as morally unacceptable, and hence seeks to fight it, because *X* contradicts certain principles of moral acceptability which the individual has good reasons to adopt. This theoretical description leaves at least two crucial aspects underdescribed: one is what is meant by the individual's "fighting *X*"; the other is what is meant by "good reasons" for adopting *X*-rejecting principles.

6.b. I will leave the first question aside for the time being, not because it is unimportant but because to a significant extent it can be clarified by focussing first on the second question: what are, for an individual, "good reasons" for adopting *X*-rejecting principles? To the extent that undialectical Marxism is still Marxism, the principles in question must have a connection, at least broadly speaking, with so-called "scientific socialism": it must, albeit in a moralized version, still subscribe to Engels' canonical definition— namely, that

*Modern socialism is, in its essence, the direct product of the recognition, on the one hand, of the class antagonism existing in the society of today between proprietors and non-proprietors, between capitalists and wage-workers; on the other hand, of the anarchy existing in production.*<sup>8</sup>

"Good reasons" supposedly must rest on *broadly* this kind of diagnosis. I emphasize "broadly" because I mean *broadly* indeed: Cohen (1995a: 152-157) has argued that even this canonical definition of socialism cannot really remain a purveyor of good reasons unless it is significantly altered.

The alterations have to be in two directions at least. The first is the relinquishment of any clearly detectable "class antagonism", due to the fact that the working class (supposing it still exists) no longer stands to lose little in a widespread and deep social conflict. The second alteration is the relaxation of any close identification between "non-proprietors" and "wage-workers"— not so much because many wage earners today have acquired stock in firms (which is also true), but rather because a significant fringe of non-proprietors today are *not even* wage-workers, i.e., they are unable to work either because they are handicapped or because they are unemployed. So not only is the working class no longer willing to be revolutionary (first alteration), it no longer exists as such, at least not as the mythical majority of "propertyless producers" (second alteration). The third alteration advocated by Cohen is the relaxation of any close identification between "anarchy in production" and "unplanned production", i.e., market-oriented production— not so much because the market logic is now found to be morally desirable (it is certainly not, according to Cohen), but rather because the adequate reasons for morally objecting to market-oriented production is not that it eludes "collective self-determination", i.e., that its collective consequences are not "fully intended by" *all* individuals involved.

Despite these portentous alterations of social reality itself, undialectic Marxism does not relinquish the basic aim of dialectical Marxism, which is still to Cohen's mind "the study of the nature of, and the route to, socialism, (...) within the frame of a socialist commitment" (2000a: xxvii). Cohen shuns the prospect of deriving the necessity of socialism from what I

<sup>7</sup> Gorz (1969: 19-20), my italics.

<sup>8</sup> Engels, *Socialism: Utopian and Scientific*, in Tucker (1978: 683).

characterized earlier as a twin dialectic idea: (i) complete consciousness coincides with full awareness of “*authentically fundamental*” (as opposed to “*illusorily fundamental*”) characteristics of social life; and (ii) these “*authentically fundamental*” characteristics are located in *actual* social life and not in some ideal social world. So, presumably, Cohen’s claim that what is nevertheless being aimed at is a “*route to socialism*” can only mean, undialectically, that socialism has to be derived as the “*moral optimum*” within a theory of moral acceptability. Similarly, the Marxist theorist’s “*commitment to socialism*” of which Cohen speaks cannot, here, be viewed as anything like the theorist’s rationalization of a spontaneous ideology of the working class, or as the most adequate commitment given the “*objective demands*” of the actual social situation, but only as the outcome of that theorist’s reflection on the moral acceptability of social arrangements. “*Good reasons*” are reasons which flow from such a reflection.

Let us note, however, something crucial: according to MI, each *individual’s* adherence to a good-reasons-providing moral theory needs to be explained *separately*; more pointedly, any individual’s (including the theorist’s) “*socialist commitment*”, if any, has itself to be reconstructed as the *derivative result* of that individual adopting a good-reasons-providing moral theory. This is what motivates one of Cohen’s (1995a: 6) striking statements: “*To the extent that Marxism is still alive, (... ) it presents itself as a set of values and a set of designs for realizing those values. It is therefore, now, far less different than it could once advertise itself to be from the Utopian socialism with which it proudly contrasted itself*” (my italics).

The italicized “*therefore*” seems to claim that the only way to present Marxist values and realizing designs is through a form of utopian socialism, i.e., an undialectical blueprint deduced from ideal principles of justice. The added necessity of MI then implies, moreover, that it is each individual separately who has to be able to draw up these principles, and he has to be able to do so (by socialist utopianism) without any necessary reference to the actual social situation. This means in particular that, since the *X*-rejecting principles are to express moral criticism of *X*, there has emphatically to be no “*cognitive*” link between, on the one hand, the characteristics of the *X*’s which are singled out by the individual and, on the other hand, the fact that this individual experiences or does not experience the moral unacceptability of these *X*’s on himself, in the actual social situation. Of course, neither revolt nor indignation are excluded, but they must absolutely be *universal* revolt or indignation to pass the test of undialecticity. It is only if, by pure chance, the *X*’s singled out by the individual happen to coincide with what socialism in its dialectical version used to view as the morally unacceptable variables, that we can consider that individual to have formed a “*commitment to socialism*”. Strangely enough, however, “*socialism*” is then a mere name-tag for something which, analytically speaking, no individual has previously deduced from a *personal experience* of injustice or suffering in the actual society.

6.c. This has significant bearing on *what kind of (social) criticism* has room in undialectical Marxism. Given Cohen’s near-assimilation of it to utopian socialism, it is instructive, here, to go back at some length to Engels’s discussion of utopian socialism.<sup>9</sup> Writing about Saint-Simon, Fourier and Owen, he stated dismissively– in a dialectic fashion– that

*Not one of them appears as a representative of the interests of that proletariat which historical development had, in the meantime, produced [first dialectical statement]. Like the French philosophers, they do not claim to emancipate a particular class to begin with [second dialectical statement], but all humanity at once [first criticism of undialectical socialism]. (... ) ... to our three social reformers, the bourgeois world, based upon the principles of these philosophers, is quite as irrational and unjust, and, therefore, finds its way to the dust-hole quite as readily as [second criticism of undialectical socialism] feudalism and all the earlier stages of society. If pure reason and justice have not, hitherto, ruled the world, this has been the case only because men have not rightly understood them [third criticism of undialectical socialism]. (... ) The solution of the social problems, which as yet lay hidden in undeveloped economic conditions [third dialectical statement], the Utopians attempted to evolve out of the human brain [fourth criticism of undialectical socialism]. Society presented nothing but [fifth criticism of undialectical socialism] wrongs; to remove these was the task of reason. It was necessary, then, to discover a new and more perfect system of social order and to impose this upon society from without [sixth criticism of undialectical socialism] by propaganda [we should also add, ‘by rational argumentation’], and wherever it was possible, by the example of model experiments. (... ) To all these socialism is the expression of absolute truth, reason and justice, and has only to be discovered to conquer all the world by virtue of its own power. And as absolute truth is independent of time, space, and of the historical development of man [seventh criticism of undialectical socialism], it is a mere accident when and where it is discovered.*

So clearly, what utopian socialism aims at is not merely, as Cohen submits, the proposal of moral values and value-realizing designs, but furthermore the proposal of (a) *non-contextual, non-historical, universally acceptable* moral values and (b) value-realizing designs whose moral acceptability relies on *individually symmetrical or type-independent* reasons.

One of the deepest things which utopian socialism denies, and which is an integral part of dialectics, is the idea that reason is a product of society– or, more precisely, that *the form of exercise of reason which is accepted as “rational” by the individuals at a given time is a product of social interactions, roles, and so on*. Hence, although Engels surprisingly made little or no mention (other than cosmological) of Kant in the rest of his text, we can straightforwardly liken utopian socialism as he describes it to a Kantian, i.e., a pre-Hegelian, form of social criticism. To try to evaluate the consequences of this, I would like to quote from a more contemporary defender of dialectics, namely Max Horkheimer, who offered a definite diagnosis as to the material roots of Kantian (transcendental) criticism:

<sup>9</sup> I will be quoting here from the first section of Engels’s text in Tucker (1978: 683-694).

Where Hegel was at least able to detect the cunning of what he nevertheless considered an objective, world-historical reason, Kant only witnessed [in the *Critique of Pure Reason*] “a hidden art within the depths of the human soul, whose true proceedings we shall hardly ever be able to tear away from nature and to lay out plainly before our eyes”. But at least he understood that behind the discrepancy of fact and theory, which the scholar experiences in his specialized practice, there lies a deeper unity, that of common subjectivity on which individual knowledge depends. Social activity appears in the guise of a transcendental faculty, i.e., as the embodiment of spiritual factors. However, Kant’s claim that [the] effectiveness [of this transcendental faculty] is wrapped in obscurity, i.e., that it is irrational in spite of all rationality, is not without some element of truth. Indeed, the bourgeois organization of the economy is, in spite of all the cunning of the competing individuals, devoid of any plan, it is not consciously oriented by any common goal; the life of the whole emerges from it only under excessive frictions, and in degraded form, almost as if by chance. (...) The dual character of the Kantian concepts— they designate, on the one hand, the highest unity and purposefulness and, on the other, something dark, unconscious and non-transparent— precisely coincides with the contradictory character of human activity in the newer times.<sup>10</sup>

None of what Horkheimer says here contradicts MI: the “life of the whole” is appropriately said to “emerge from” interactions organized along bourgeois ideas and categories (private property, market transactions, capitalist division of labor, and so on), and this organization of interactions has an effect on each individual’s subjectivity separately— a similar effect, true enough, but that is not precluded by MI. The upshot of Horkheimer’s diagnosis is this: Kant’s transcendentalism, through which he seeks to uncover the “basic faculties” of reason and also— crucially for us here— the “basic moral capacities” of the human individual, can only be seen as transcendental if one ignores that, in fact, the fiction of the transcendental subject is the best the human mind can produce as long as humans are materially constrained by the bourgeois organization of their interactions.

Now, clearly, this is precisely what Utopian socialism, being undialectical, denies. And this is the reason why analytical Marxists have had little or no difficulty in embracing John Rawls’s political philosophy and, in some cases, to work towards what I would call a “Rawlsian socialism”.<sup>11</sup> Strictly speaking, as I said earlier (and as was centrally claimed by Engels in the quoted passage), this expression makes no sense *ex ante*: it can only make sense *ex post*, if and only if it turns out, by chance, that whatever principles have been derived from Rawls’s theory happen to coincide with what has been independently labelled “socialist” at a certain historical juncture by certain individuals who emphatically did *not* derive their view of society from Rawlsian reasoning but from a conflictual reaction to whatever social environment made them suffer and made them seek an answer to the questions: “What do we do? How do we change this situation?” So strictly speaking, what these newer theorists are after is a Rawlsian *foundation or justification* for what others have called “socialism” and have practiced as such.

6.d. To the extent that it has certain connections with Kantian criticism, Rawls’s political philosophy can be called “critical” at least in that sense. What is the structure of that criticism?

Let me call “K-criticism” and “R-criticism” the forms of criticism which can be associated, respectively, with Kant (“K”) and Rawls (“R”). They are not identical, as Rawls has repeatedly emphasized. It would be a hopeless task to go in detail into what differentiates them, but let me just pinpoint a few essential features. (These will be well-known to all Rawlsians, and can all be located in chapter III of Rawls, 1993/1996.) Essentially,<sup>12</sup> the specificity of Kant is twofold, and based on his transcendental idealism. The first salient feature is that “Kant’s doctrine is a comprehensive moral view in which the ideal of autonomy has a regulative role for all of life”. This means that the autonomous individual uses his practical reason to steer the whole of his behavior, in all sectors of his existence. What is meant by autonomy is the second essential specificity of Kant, who uses a notion of “constitutive autonomy [which] says that the so-called independent order of values does not constitute itself but is constituted by the activity, actual or ideal, of practical (human) reason itself”. There is, as it were, nothing “before” or “upstream of” rational autonomy and its “constitutive” power. Thus, K-criticism makes at least three basic assumptions (to be compared with those introduced about M-criticism in section 2.b):

- (A1) Empirical consciousness (e.g. common-sense judgment based on prevailing rules, usages, conventions, etc.) is an *incomplete* form of consciousness.
- (A2) There is a specific, nonempirical mindframe associated with the acquisition of *complete* consciousness.
- (B3) Complete consciousness corresponds to the *all-embracing* exercise of *constitutively autonomous* reason.

Note two things: first of all, (A1) and (A2) carry through unchanged because they are constitutive of any critical philosophy; secondly, assumption (B3) breaks with dialectics, which is obvious since (A3) and (A4) are suspended and, hence, no reference is made to *actual* “fundamental characteristics of social life”; but thirdly, assumption (B3) also brackets out any reference to *ideal or constructed* “fundamental characteristics of social life”: what counts as fundamental in social life is, itself, a *result of*, rather than a constraint on, the (transcendental-idealist) exercise of Kantian practical reason.

<sup>10</sup> Horkheimer (1946/1992: 220-221).

<sup>11</sup> The most explicit case of which I am aware is Van Parijs (1995).

<sup>12</sup> I will be quoting here from Rawls (1993/1996: 22-35, 89-110).

By recognizing this limitation and suggesting to redress it in his modified notion of Kantianism, Rawls actually goes some way in the direction of what Horkheimer was criticizing in the passage quoted earlier: he expressly recognizes a correlation of practical reason with conceptions of society and person when he writes that “the principles of practical reason— both reasonable principles and rational principles— and the conceptions of society and person are complementary”. Why are they complementary? Because “the principles of practical reason are expressed in the thought and judgment of reasonable and rational persons and applied by them in their social and political practice”. In what constitutes a full-blown relinquishment of transcendental idealism, Rawls goes on to assert that conceptions of person and society “characterize the agents who reason and (...) specify the context for the problems and questions to which principles of practical reason apply”. Therefore, to Kant’s constitutive autonomy, Rawls substitutes what he calls “doctrinal autonomy”, namely “a political view [which] represents, or displays, the order of political values as based on principles of practical reason in union with the appropriate political conceptions of society and person”.

The exercise of doctrinally autonomous reason means essentially two things, according to Rawls: (1) each individual exercises “the two moral powers”, namely the twin capacity “for a sense of justice and for a conception of the good”; (2) all individuals regard each other “as free and equal in virtue of their possessing the two moral powers to the requisite degree. This is the basis of equality. The moral agent here is the free and equal citizen as a member of society, not the moral agent in general”. We know that this conception of “justice as fairness” entails, from the justificatory point of view, the set-up of the “original position”. Thus, R-criticism makes at least three basic assumptions, of which the third differs substantially from (B3):

- (A1) Empirical consciousness (e.g. common-sense judgment based on prevailing rules, usages, conventions, etc.) is an *incomplete* form of consciousness.
- (A2) There is a specific, nonempirical mindframe associated with the acquisition of *complete* consciousness.
- (C3) Complete consciousness corresponds to the *politically confined* exercise of *doctrinally autonomous* reason and, more precisely, the capacity to place oneself in the “original position” of political “freedom and equality” so as to construct the principles which ought to regulate the basic institutions of society.

As I indicated at the very beginning of this paper, there is today a virtually unchallenged dominance of what I called the “MI-RL conjunction”: methodological individualism combined with Rawlsian liberalism. (A1)-(A2)-(C3) form the core justification for this MI-RL conjunction. Rawls calls it “political constructivism”, which he contrasts with Kant’s “moral constructivism”, and which he claims is the adequate way of modeling Kantian criticism— which he deems to be inscribed in the very fabric of Western subjectivity— within a pluralistic, democratic society. For Rawls, the inscription of Kantian criticism is deeply ingrained in Western political history:

*The moral philosophy of our period, I think, like Greek moral philosophy, was deeply affected by the religious and cultural situation within which it developed, in this case, by the situation following the Reformation. By the eighteenth century, many leading writers hoped to establish a basis of moral knowledge independent of church authority and available to the ordinary reasonable and conscientious person.*<sup>13</sup>

*For the moderns, religion was the salvation religions of Christianity, which, as Catholic and Protestant, clashed in the Reformation; and these already included a doctrine of the good— the good of salvation. But resting on the conflicting authorities of Church or Bible, there was no resolution between them, as their competing transcendent elements do not admit compromise. Their mortal combat can be moderated only by circumstance and exhaustion, or by equal liberty of conscience and freedom of thought. (...) [Kant and Hume] believe[d] that the moral order arises in some way from human nature itself, as reason or as feeling, and from the conditions of our life in society. They also believe[d] that the knowledge or awareness of how we are to act is directly accessible to every person who is normally reasonable and conscientious. (...) The wars of this century with their extreme violence and increasing destructiveness, culminating in the manic evil of the Holocaust, raise in an acute way the question whether political relations must be governed by power and coercion alone. If a reasonably just society that subordinates power to its aims is not possible and people are largely amoral, if not incurably cynical and self-centered, one might ask with Kant whether it is worthwhile for human beings to live on the Earth? (...) The focus on these questions no doubt explains in part what seems to many readers the abstract and unworldly character of these texts. I do not apologize for that.*<sup>14</sup>

6.e. When Cohen (2000b: 117) writes that “the disintegration of the proletariat induces persons of Marxist formation to turn to normative political philosophy”, and then adds that in his case this means that “[t]he work of Rawls is now at the center of my research”, what he must mean is that the point of reference for anyone who today seeks to perpetuate a “commitment to socialism” is R-criticism as defined above. Cohen has surely been constantly critical of R-criticism, but rather surprisingly he has as of late anchored his criticism in an attempt to “re-Kantianize” Rawls by insisting on the need to assume an “individual egalitarian ethos” alongside assumption (C3). We could define a kind of “Cohen-Rawlsian” criticism, or “CR-criticism”, as follows:

<sup>13</sup> Rawls (2000: 8).

<sup>14</sup> Rawls (1993/1996: xl-xli, xxix and lxii).

- (A1) Empirical consciousness (e.g. common-sense judgment based on prevailing rules, usages, conventions, etc.) is an *incomplete* form of consciousness.
- (A2) There is a specific, nonempirical mindframe associated with the acquisition of *complete* consciousness. Complete consciousness has two components:
- (C3) Its Rawlsian component corresponds to the *politically confined* exercise of *doctrinally autonomous* reason and, more precisely, the capacity to place oneself in the “original position” of political “freedom and equality” so as to construct the principles which ought to regulate the basic institutions of society.
- (D4) Its Cohenian component corresponds to the *all-encompassing* exercise of *constitutively autonomous* reason and, more precisely, the capacity to “act out” the principles of justice at all levels of personal existence (since “the personal is political”) by the constant mobilization of an “egalitarian individual ethos”.

The reasons for this adjunction have been argued by Cohen on numerous occasions.<sup>15</sup> Here, one quote will suffice to give the precise structure of his (in my view, very potent but also very Kantian) argument:

*My criticism of Rawls is of his application of the difference principle. The principle says, in one of its formulations, that inequalities are just if and only if they are necessary to make the worst off people in society better off than they would otherwise be. I have no quarrel here with the difference principle itself, but I disagree sharply with Rawls on the matter of which inequalities pass the test for justifying inequality that it sets and, therefore, about how much inequality passes the test. In my view, there is hardly any serious inequality that satisfies the requirement set by the difference principle, when it is conceived, as Rawls himself proposes to conceive it, as regulating the affairs of a society whose members themselves accept that principle.*<sup>16</sup>

The reason why I see this argument to be very Kantian is that it establishes a strong link between (C3) and (D4), on the basis of what can be legitimately morally required from the original position’s “free and equal citizens” in their whole lives: essentially, Cohen’s point is that since they have by assumption ratified the inequality-minimizing difference principle as free and equal citizens, they have very little leeway as actual economic agents to generate any inequalities at all. Individual adherence to the set-up of the original position ought to foster in each of these agents an egalitarian ethos: this is a moral argument based on the requirement of *consistency in the content of ideal practical reason*, and it is the essence of CR-criticism as opposed to mere R-criticism. To judge by the literature it has already spawned,<sup>17</sup> it is indeed a stimulating point.

6.f. CR-criticism is, to be sure, the most advanced form of undialectical criticism available in political philosophy. If one adheres without reservations to “normative political philosophy” as Cohen construes it, one might even deem CR-criticism to be unsurpassable. Nevertheless, I feel the need to question it, essentially because I need to probe more deeply into the actual foundations of Cohen’s “egalitarian individual ethos” and its perhaps hidden and denied connection with remnants of the dialectic method.

What I aim to do is, to some extent, reverse Cohen’s own diagnosis by reaching back to Engels (who is largely repudiated in Cohen, 2000b: 42-57) and by arguing that the persistent (if well-contained) tensions of our actual capitalist society, induces persons who, like myself, are of Rawlsian formation to turn to Marxism. Those eighteenth-century philosophers— and most notably Kant— of whom Rawls claims that they consistently advocated reason and conscience are precisely the philosophers about whom Engels wrote the following:

*... for the first time, appeared the light of day, the kingdom of reason; henceforth superstition, injustice, privilege, oppression, were to be superseded by eternal truth, eternal Right, equality based on Nature and the inalienable rights of man. We know today that this kingdom of reason was nothing more than the idealised kingdom of the bourgeoisie; that this eternal Right found its realisation in bourgeois justice; that this equality reduced itself to bourgeois equality before the law; that bourgeois property was proclaimed as one of the essential rights of man; and that the government of reason, the Contrat Social of Rousseau, came into being, and only could come into being, as a democratic bourgeois republic. The great thinkers of the eighteenth century could, no more than their predecessors, go beyond the limits imposed upon them by their epoch. But, side by side with the antagonism of the feudal nobility and the burghers, who claimed to represent all the rest of society, was the general antagonism of exploiters and exploited, of rich idlers and poor workers. It was this very circumstance that made it possible for the representatives of the bourgeoisie to put themselves forward as representing not one special class, but the whole suffering humanity.*<sup>18</sup>

The question is, quite precisely: can this sort of analysis—for analysis it is in my mind, although an insufficiently individualistic dialectic analysis rather than an undialectic one—still have any impact today on the degree to which CR-criticism is considered unsurpassable?

<sup>15</sup> See e.g. Cohen (1992, 1995b).

<sup>16</sup> Cohen (2000b: 124).

<sup>17</sup> See, e.g., Van Parijs (1993), Arnsperger (1995, 1998), Estlund (1998), Williams (1998), Christiano (2000) and Pogge (2000).

<sup>18</sup> In Tucker (1978: 684).

## 7. The false universalism of Rawls's original position

7.a. One might read the above passage from Engels as resting exclusively– as has most often been construed, including by Cohen himself– on Marx's own dialectic: to make sense of the very term "bourgeois" as Engels uses it, one has to uphold the (today utterly counterfactual) belief in a clear divide between "exploiters and exploited", between "rich idlers and poor workers". If this is so, then Engels's downplaying of "bourgeois" reason, justice, equality and property have ceased to have any meaning– unless, of course, one were able to argue that a theory of moral acceptability could produce various *X*-rejecting principles (where the *X*'s are the various social phenomena or institutions which Engels condemns) which would lead to the very conclusions to which Engels was led on the basis of his advocacy of a class struggle constructed, organized and carried out by the relevant elements of "suffering humanity". In Marx's own dialectic, those relevant elements, were the members of the proletariat (and, possibly, the accompanying "revolutionary party") of which Cohen has emphatically said that it has since long "disintegrated".

So the called-for theory of moral acceptability seems totally out of reach today: there is no way that a moral theory constructed by "free and equal citizens" in an "original position" could come to the threefold conclusion required by Marx and Engels, namely: (a) the principles of communism in the long run, (b) the principles of socialism in the short and medium run, and (c) the institutions of a "proletarian dictatorship" as a way to travel from (b) to (a). The reason why things are hopeless is partly hinted at by Engels himself, and is rooted in a set of expressions frequently used by Rawls: what the original position is supposed to model is what "we", or "you and me", consider to be free and equal citizenship "here and now";<sup>19</sup> this could lead to (a)-(b)-(c) being adopted only if each of "us" went into the original position and, in that original position, identified "the proletariat" as the "class" which needs to be handed political power and the capacity to self-manage the institutions so as to go from (b) to (a)– but it is precisely *that* which is impossible by Cohen's own diagnosis: for "you and me", in the "here and now", there *is* no such thing as "the proletariat" and, correlatively, no such thing as the "bourgeois class".

7.b. However, before we simply remain content with the– undoubtedly correct– conclusion that no Rawlsian set-up could vindicate Marx's route to socialism and communism *today*, let us put it into perspective by asking a related but crucially different question: could a Rawlsian set-up have vindicated Marx's route to socialism and communism *then, in the mid-nineteenth century* when he lived and wrote? If Cohen's earlier diagnosis is correct, namely, if it is indeed correct that Rawlsian political philosophy pushes Marxism very close to Utopian socialism, then the "free and equal citizens" in the original position would all have been conceived, at the time, by bourgeois philosophers to be their own likeness, namely, the Saint-Simons, Fouriers and Owens of French and British society. This fact has been analyzed by Terry Eagleton (1984), who retraces the genesis and transformations of literary criticism from the eighteenth to the twentieth century.

Eagleton demonstrates, in particular, how the eighteenth-century public sphere, purportedly gathering *all* "free and equal citizens", in fact reflected structurally the *specific* criteria of "rationality" of the *bourgeoisie*. Let me quote him at some length:

*The public sphere (... ) acknowledges no given rational identity beyond its own bounds, for what counts as rationality is precisely the capacity to articulate within its constraints; the rational are those capable of a certain mode of discourse, but this cannot be judged other than in the act of deploying it. To collaborate in the public sphere thus becomes the criterion of one's right to do so, though it is of course inconceivable that those without property– without, in the eighteenth-century sense, an "interest"– could participate in this realm. It is not, however, that the public sphere exists for the direct discussion of those interests; on the contrary, such interests become its very concealed problematic, the very enabling structure of its disinterested inquiry. Only those with an interest can be disinterested. (... ) The very rule-governed form of utterance and exchange is what regulates the relation between individual statements and the discursive formation as a whole; and this form is neither externally imposed by some extrinsic centre, as the state might regulate commodity production, nor wholly organic to the statement itself. The bourgeoisie thus discovers in discourse an idealized image of its own social relations: (... ) what could better correspond to the bourgeoisie's dream of freedom than a society of petty producers whose endlessly available, utterly inexhaustible commodity is discourse itself, equitably exchanged in a mode which reconfirms the autonomy of each producer? (... ) In the early eighteenth century, then, the bourgeois principle of abstract free and equal exchange is elevated from the market-place to the sphere of discourse, to mystify and idealize the real bourgeois social relations. (... ) The public sphere thereby constructed is at once universal and class-specific: all may in principle participate in it, but only because the class-determined criteria of what counts as significant participation are always unlodgably in place. The currency of this realm is neither title nor property but rationality– a rationality in fact articulable only by those with the social interests which property generates. (... ) The possession of power and property inserts you into certain forms of polite discourse, but that discourse is by no means merely instrumental to the furtherance of material ends. (... )*

<sup>19</sup> See, e.g., Rawls (2001: 17), where "here and now" is used with significant emphasis. See also Rawls (2001: 87), which could not be more plain: "Remember it is up to us, you and me, who are setting up justice as fairness, to describe the parties (as artificial persons in pur device of representation) as best suits our aims in developing a political conception of justice."

*Culture, in this sense, is autonomous of material interests; where it inter-locks with them is visible in the very form of the discursive community itself, in the freedom, autonomy and equality of the speech acts appropriate to bourgeois subjects.*<sup>20</sup>

This implies something rather subtle, it seems to me: true enough, the original position is not *designed to* further the material interests of the propertied bourgeoisie, since, as Eagleton (1984: 35) puts it, “[i]ts space is potentially infinite, able to incorporate the whole of the ‘polite’; what it does, however, is *to present as* universally “rational” a particular way of speaking and reasoning which, while it is claimed to be accessible to all, is nevertheless *historically class-related*:

*“The gentleman,” as John Barrell has argued, “was believed to be the only member of society who spoke a language universally intelligible; his usage was ‘common’, in the sense of being neither a local dialect nor infected by the terms of any particular art.” The language of the common people, by contrast, cannot truly be said to be the “common language” (... ) Just as the common people are therefore, as Barrell points out, “no part of the true language community”, so they form no part of the political community either. The interests of the propertied classes are in a real sense all that politically exists; the boundaries of the public sphere are not boundaries at all, for beyond them, as beyond the curvature of cosmic space, there is nothing. (... ) Like all ideological formations, the bourgeois public sphere thrives on a necessary blindness to its own perimeters.*<sup>21</sup>

In other words, there is no incompatibility between (a) the fact that all individuals in society can for political purposes *be regarded as* free and equal citizens and (b) the fact that this ideal of free and equal citizens *is really a class-related ideal* because of the linguistic and moral capacities it postulates for those citizens in the original position. This is absolutely crucial, because it demonstrates that *postulating historically situated citizens to have capacities of “universal” reason is simply not sufficient to ward off class interests and criteria, if it so happens that certain class interests and criteria are able to parade as “universal”*. From there, Eagleton deduces what I view as a very strong justification for Rawlsian principles in a class-divided society such as the one Marx was witnessing in the mid-19th century:

*What such a realm [of bourgeois publicity] will then be unable to withstand is the intrusion into it of social and political interests in palpable conflict with its own “universal” rational norms. Such interests cannot in one sense be recognised as such, since they fall outside the public sphere’s own definitive discourse; but they cannot merely be dismissed either, since they pose a real material threat to that sphere’s continued existence.*<sup>22</sup>

To balance the impossibility of fully recognizing non-bourgeois interests and the impossibility of fully dismissing them for fear of social unrest, what better setup than the combination of formally equal liberties and whatever socio-economic inequality can be kept compatible with the bourgeois-universal ideal of “free and full cooperation” between all members of society? More detailed analysis would no doubt be called for, but I feel quite confident in arguing that what Cohen (1992) would call an egalitarian version of the Rawlsian principles— and, in particular, of the difference principle— would have been what “free and equal citizens” in an original position would have constructed in Marx’s time. What is certain, to my mind, is that *even in Marx’s time, where the contemporary “desintegration factors” put forward by Cohen were certainly not yet active, no Rawlsian original position based on that epoch’s image of what free and equal citizenship meant would have vindicated what Marx saw as the most morally desirable principles and institutions, i.e., to recall: (a) the principles of communism in the long run, (b) the principles of socialism in the short and medium run, and (c) the institutions of a “proletarian dictatorship” as a way to travel from (b) to (a).*

Remember, again, that for the moment I am speaking of a time when the proletariat meant something quite observable. What I have arrived at is the conclusion that even at that time, if the proletariat had accepted the idea that the correct description of the social situation has to be the Rawlsian original position, none of their (propertyless) interests would have been furthered more than was necessary to protect the (propertied) interests of those who were *actually* giving the tone of “rationality” and “universality”: such limited furtherance would, no doubt, have been vastly insufficient to generate communism as a regulating principle for the “basic structure of society”.

7.c. Now, Eagleton has quite ferociously uncovered (as Marx had before him) the *falsely* universal biases of the purportedly “truly” universal concepts of bourgeois rationality and impartiality. What Engels shows us is what would have happened if within a bourgeois society of the kind described by Eagleton, some bourgeois thinkers had put forward principles of social justice which can only be justified within a *non-bourgeois original position*. This is the story of what befell the Utopian socialists Saint-Simon, Fourier and Owen, and it is an instructive story even if we gloss over the myriad details which separate these three thinkers.

Engels first tells us of Saint-Simon, who developed “almost all the ideas of later [Marxist] socialists”, but failed to see that the bourgeois whom he expected “to transform themselves into a kind of public officials, of social trustees” would be unable to propose socialist principles because “they were still to hold, *vis-à-vis* of the workers, a commanding and economically privileged position”. As for Fourier, his strongly proletarian bias led him “to [lay] bare remorselessly the material

<sup>20</sup> Eagleton (1984: 15-17 and 26-27).

<sup>21</sup> Eagleton (1984: 35).

<sup>22</sup> Eagleton (1984: 35-36).

and moral misery of the bourgeois world” and to “[confront] it with the earlier philosophers’ dazzling promises of a society in which reason alone should reign, of a civilisation in which happiness should be universal, of an illimitable human perfectibility, and with the rose-coloured phraseology of the bourgeois ideologists of his time”. Despite this bold breaching of the falsely universal pretensions of the bourgeois original position, however, Fourier ended up formulating a pessimistic “negative dialectics” (saying, according to Engels, that “civilisation moves in a ‘vicious circle’, in contradictions which it constantly reproduces without being able to solve them”)– a pessimism much akin to what Horkheimer and Adorno later formulated too, when they despaired of the possibilities of actually putting socialism into practice within a bourgeois social order. Finally, Owen’s life trajectory is symptomatic of what awaits those who breach bourgeois universalism and actually move to the stage of practice on the basis of a proletarian universalism:

*As long as he was simply a philanthropist, he was rewarded with nothing but wealth, applause, honour, and glory. He was the most popular man in Europe. Not only men of his own class, but statesmen and princes listened to him approvingly. But when he came out with his communist theories that was quite another thing. Three great obstacles seemed to him especially to block the path to social reform: private property, religion, the present form of marriage. He knew what confronted him if he attacked these– outlawry, excommunication from official society, the loss of his whole social position. But nothing of this prevented him from attacking them without fear of consequences, and what he had foreseen happened. Banished from official society, with a conspiracy of silence against him in the press, ruined by his unsuccessful communist experiments in America, in which he sacrificed all his fortune, he turned directly to the working class and continued working in their midst for thirty years. Every social movement, every real advance in England on behalf of the workers links itself on to the name of Robert Owen.<sup>23</sup>*

Engels’s deep admiration for Owen lies not in his “communist theories” per se (he was a utopian socialist like the other two), but in his risky decision to act from the communist principles which he felt were justified– even though these communist principles could *be* justified only by *redefining* the free and equal citizens in ways which clashed so violently with bourgeois preconceptions (and property-related material interests) that to invoke the original position in that way could only be interpreted by the bourgeois class as a lapse into anti-“universal” partisanism.

7.d. The upshot of all this seems fairly clear: what Marx and Engels saw as the most morally desirable principles and institutions could never have been put into practice in a Rawlsian way in the society in which they lived, for two reasons: first, the socially produced, spontaneous “bourgeois” image of free and equal citizens at the time was in no way conducive to an original position from which such principles would have been deduced; second, even if a deep redescription of what free and equal means could have been effected, by a kind of “socialist conversion” on the part of certain bourgeois thinkers, the class society as it was then would (as the stories of Fourier and Owen demonstrate) have generated massive defences against the application of the principles.

Thus, on the basis of the analyses of Eagleton and Engels, I want to submit the following claim:

#### **Self-justification (SJ)**

In order for a set of principles, leading via the proletarian political supremacy to socialism and then to communism, to be both (i) derivable within an adequately construed original position and (ii) applicable within a correspondingly “well-ordered” society (to use Rawls’s terminology), *that society must already be a society regulated by proletarian dictatorship oriented towards the passage from socialism to communism.* This not being the case in the mid-nineteenth century explains why no “principled” version of Marx’s socialist ideals could ever have been institutionalized.

This leads me, then, to submit a second claim, which I believe to be of crucial importance in understanding Cohen’s “disintegration-of-the-proletariat” argument for the adoption by Marxists of normative political philosophy:

#### **Problem with principles (PP)**

Since even in Marx’s time no principled version of socialism or communism had any chance of becoming institutionalized politically, the problem with an elusive “principled Marxism” lies not in its *Marxist* character and in its implied reliance on *proletarian agency*, but on its *principled* character and its implied reliance on *free and equal citizens* to support it in actual social arrangements.

Together, claims (SJ) and (PP) imply what I view as a fundamental challenge to Cohen’s view: Marx’s political principles could be institutionalized through Rawlsian procedures– i.e., considered by actual citizens to be justified in the light of what they themselves have advocated in the original position– only if the social revolution replacing bourgeois society by socialist society had already taken place.

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<sup>23</sup> In Tucker (1978: 692-693).

## 8. Individual versus collective revolution in Cohen

8.a. Why is this a challenge to Cohen's view? Because in fact, as I will now show, he himself advocates, through the recourse to CR-criticism, a *formally similar* but *substantively different* move. Cohen's view that a strongly egalitarian market society– the closest one can get today, according to him, to what Marx intended (see e.g. Cohen, 1995a: 264)– can be institutionalized through Rawlsian procedures can be held only if the individual revolution replacing each bourgeois-capitalist individual by a "Leftist-Christian" individual has already taken place. So Cohen would have to demonstrate why *individual* revolution based on the Christian "Kingdom of God" is either easier, or more meaningful, or both, than *collective* revolution based on the socialist "Dictatorship of the Proletariat".

Let me briefly recast Cohen's (2000b) own point. It rests on two key ideas: first, the idea that the application of any principle of moral acceptability, any X-rejecting principle, must be seen in the Rawlsian setup as "regulating the affairs of a society whose members themselves accept that principle"<sup>24</sup>– meaning, whose members accept that principle because it is the principle they have constructed as free and equal citizens in the original position; second, the idea that this Rawlsian understanding of what a principle is brings with it "the burden of respecting [it] in the choices of everyday life",<sup>25</sup> i.e., that rejecting any morally objectionable X "cannot be a matter only of the state-legislated structure in which people act but is also a matter of the acts they choose within that structure, the personal choices in their daily lives. I have come to think," Cohen continues, "in the words of a recently familiar slogan, that *the personal is political*".<sup>26</sup> So very explicitly, Cohen is suggesting that collectively revolutionary potential, which has been lost by the "disintegration of the proletariat" and by the parallel disavowal of dialectical Marxism, can be compensated by a gain in the individually revolutionary potential which has been reaped from the *Rawlsianization of utopian socialism* and the parallel investigation of the moral demands exercised on individuals within undialectical normative political philosophy. This is the essence of the alternative which CR-criticism intends to offer to M-criticism.

Cohen bases this modification of the "site of revolution" on his personal evolution, which has led him to "believe that a change in social ethos (... ) is necessary" given that he has "lost [his] Marxist belief in the inevitability of [socialist] equality".<sup>27</sup> However, as should be clear from sections 3 to 5 above, the doctrine which associates Marxism with "inevitable" socialist revolution is only one, very specific, way to understand dialectics: it is associated with what I have called "inevabilist" or iM-criticism and its specific assumption (A5). However, if we instead adopt– as we must be consistent with MI– "contingentist" or cM-criticism and its assumption (A6), Cohen's point immediately appears more difficult to accept in the light of the analyses of sections 7.a-7.d: he has to explain why the "revolution of the human soul" which he advocates as a voluntary decision on the part of each individual is either easier or more meaningful or both than the alternative (suggested emphatically in the earlier quote from Gorz) of a voluntary decision on the part of each individual to engage with other individuals in strongly reflective and coordinated action so as to create a situation with a revolutionary potential.

Indeed, this is the challenge which contingentistically dialectical Marxism poses to the Rawlsian framework: as we saw in section 6, the reason why even in the time of Marx himself a Rawlsian original position would not have generated communist principles and institutions is that the then-existing proletariat was unable (for the reasons analyzed by Eagleton) to induce a construction of the "universal" original position which would have been such that the principles adopted in it would have been the communist ones. In other words, due to the inability of the proletariat to influence the consciousness of individuals in such a way that the characterization of "free and equal citizens" would have led to communist principles, *the Rawlsian original position turned out not to be a situation with a revolutionary potential*. This is precisely why someone like Engels scorned Saint-Simon for hoping that certain bourgeois could undergo a "change in ethos" sufficient not only to justify socialist principles (this was actually done individually by a member of bourgeois society like Fourier), but also to put them into large-scale practice through bourgeois-framed political action (an impossibility, as Owen's initial failure demonstrated). This is also precisely why Marx, Engels and a myriad other dialectical socialists advocated the non-principled, strategically motivated, anti-bourgeois creation of situations with a revolutionary potential– and these, to the Rawlsian philosopher's understandable horror, had to involve threats of uprising, inducement of fear among the bourgeoisie, actual rioting, and so on.

The point is, emphatically, *not* that Cohen is wrong in believing that a change of ethos is necessary alongside institutional change, *once principles have been arrived at and justified in a Rawlsian fashion*; the point, rather, and quite differently, is that *in order to permit a description of the original position which makes certain principles justifiable (and of which a corresponding change in ethos is indeed part and parcel)*, the actual, non-principled actions which are to really put into practice the principles and shape society accordingly, *already have to have occurred*. This is so because (again referring back to Eagleton) for a non-bourgeois original position to be considered as rational, the corresponding non-bourgeois conception of "free and equal citizens" needs to be already in place within actual society. This is a central point, blindness to which is shared by both the utopian socialists of Engels's time and the Rawlsian socialists of today, who according to Cohen are so deceptively similar to utopian socialists.

<sup>24</sup> Cohen (2000b: 124).

<sup>25</sup> Cohen (2000b: 4).

<sup>26</sup> Cohen (2000b: 122).

<sup>27</sup> Cohen (2000b: 3).

Therefore, endorsing Cohen's view about the primacy of a change in individual ethos over unprincipled revolutionary action means something very portentous, and surprisingly conservative: political philosophy can accept no form of social change which is not based on a set of principles validated *by the ethos of the very society one wants to change*. Remember that in section 1.a, I suggested the following characterization of political philosophy: it is the systematic search for (a) the right principles, (b) the structures that might realize them, and (c) the absence of non-reflected contradictions between (a) and (b). Here (c) is satisfied by the recourse to an account of agency which is anchored in the original position and the ethical constraints it imposes on each individual's everyday actions. What is rejected by Rawlsian socialists is that (b) might contain unprincipled or "contingentistically dialectical" elements which might be justified in (c) through precisely the need to reject a socially produced image of what free and equal citizens mean and to create a society in which "free and equal" means something else.

8.b. Cohen, of course, can defend himself by arguing that the kind of socio-linguistic analysis offered by Eagleton is incorrect, and that in fact even a bourgeois society could generate descriptions of the original position conducive to non-bourgeois principles and institutions. In fact, this is what Rawls himself seems to say at certain places when he claims, for instance, that a "form of liberal socialism"— meaning, essentially, a form of market socialism— could be the best embodiment of his principles of justice. More generally, Rawls has conceded that

*The public political culture is not unambiguous: it contains a variety of possible organizing ideas that might be used instead [of Rawls's preferred interpretation of the idea of social cooperation], various ideas of liberty and equality, and other ideas of society. All we need claim is that the idea [intrinsic to Rawls's theory of justice] of society as a fair system of cooperation is deeply embedded in that culture, and so it is not unreasonable to examine its merits as a central organizing idea [even though it] cannot be fully justified by its own intrinsic reasonableness, as intrinsic reasonableness cannot suffice for that. Such an idea can be fully justified (if at all) only by the conception of political justice to which it eventually leads when worked out, and by how well that conception coheres with our considered convictions of political justice at all levels of generality in what we call wide (and general) reflective equilibrium.*<sup>28</sup>

The crucial issue, therefore, would be to know whether (truly) universally accessible "considered convictions" could support socialist and/or communist principles. For this to be the case, one necessary thing would be to ensure that the free and equal citizens and the idea of social cooperation associated with them can be described in such a way that they will endorse (a) long-term communism, (b) short-term socialism and (c) transitory proletarian political rule. Under the assumption that Eagleton is wrong, this might actually be feasible, on one condition: that all individual members of bourgeois society ("you and me, here and now") are able to take such a distance from the social arrangements in which they live that they are actually able to describe "free and equal citizens" with a radically different (i.e., non-bourgeois) consciousness, moral stance towards injustice, and so on.

There are at least two ways in which this could be done. One option is to assume that, completely opposite to what Eagleton is claiming, "truly" universal reflection in the original position generates in each individual a *counter*-bourgeois consciousness, identifying as "rational" and "universal" the point of view of the proletariat rather than of that of the propertied bourgeoisie. As a result, the principles chosen in this original position would be (a), (b) and (c). The second option is to redescribe the original position as containing a much "thinner" veil of ignorance than what Rawls himself assumes. More specifically, we could allow sentiments of social frustration, rage, or class-induced envy to remain known to all parties, so that the free and equal citizens would by assumption include such sentiments among the legitimate sources of social claims within the original position. Presumably, such sentiments would be likely to trigger class-induced dialog and confrontation among the free and equal citizens, and in a large number of cases the ensuing reasonable deliberation would lead to the adoption of (a), (b) and (c).

8.c. It soon appears, however, that both options are ruled out by Rawls's very conception of political philosophy. First of all, he states that certain conceptions of social cooperation are "ruled out by the historical conditions and the public culture of democracy that set the requirements for a political conception of justice in a modern constitutional regime".<sup>29</sup> This might not (yet) exclude communist social cooperation, but the restriction is much further strengthened— to the detriment, I believe, of communism— by two of the roles which Rawls attributes to political philosophy. The first of these two roles is

*that of reconciliation: political philosophy may try to calm our frustration and rage against our society and its history by showing us the way in which its institutions, when properly understood from a philosophical point of view, are rational, and developed over time as they did to attain their present, rational form.*<sup>30</sup>

Although he does not endorse any strongly Hegelian version of this role, Rawls does believe that the original position is the correct way to foster this realization of the rationality of "our" society "here and now". The rejection of frustration, rage, or

<sup>28</sup> Rawls (2001: 25-26).

<sup>29</sup> Rawls (2001: 25).

<sup>30</sup> Rawls (2001: 3).

anger as meaningful sources of political action is a momentous restriction when viewed from the side of the proletariat, and the same goes for Rawls's well-known rejection of envy as a legitimate sentiment within the original position.<sup>31</sup> The second of the two roles is

*political philosophy as realistically utopian: that is, as probing the limits of practicable political possibility. (...) What would a just democratic society be like under reasonably favorable but still possible historical conditions, conditions allowed by the laws and tendencies of the social world?*<sup>32</sup>

This implies that "the laws and tendencies of the social world" are assumed not to be part of the "basic structure" whose regulating principles the free and equal citizens construct: the "laws and tendencies" of society must be, presumably, be seen as objective and independent of political principles and actions. Immediately afterwards, Rawls does make an opening towards cM-criticism, and especially towards assumption (A4), by admitting that actuality and potentiality may differ; but the opening is fleeting because he closes the question off immediately, implying that it plays no important part in the current version of his political philosophy:

*Of course, there is a question about how the limits of the practicable are discerned and what the conditions of our social world in fact are; the problem here is that the limits of the possible are not given by the actual, for we can to a greater or lesser extent change political and social institutions, and much else. However, I shall not pursue this deep question here.*<sup>33</sup>

While political philosophy in its role of reconciliation rules out the second of our two above options, political philosophy in its role of realistic utopia is almost sure to rule out the first. This is further evidence for the strength of Eagleton's type of analysis of what historically enables and limits the formation of socially critical attitudes. The conjunction of my claims (SJ) and (PP) therefore still remains in force, and with it the implication that there is an autonomous role for unprincipled oppositional action even in a Rawlsian framework: what has to come first is a modification of the society, which then produces the image of free and equal citizens upon which the regulating principles will be constructed; only this can ensure that those principles will not perpetuate the very basis of bourgeois society which a "commitment to socialism" wants to uproot.

8.d. Cohen (1995a) is of course perfectly right in saying that the precise way in which Marx and Engels believed the revolution to take place, as well as the structural arguments which can be put forward to justify their belief, can no longer be upheld. What he offers is a deconstruction of the inevitabilist argument inherent in iM- iM-criticism– namely, that for various reasons the proletariat was a definite social class which *could and would* revolutionize bourgeois capitalism and bring about the kind of society in which (although, of course, Marx himself did not express it in this way) the original position justifying (a), (b) and (c) could be constructed.

But just because iM-criticism cannot be upheld, should we conclude that CR-criticism is the only other option? Hardly. Whereas in 2000 Cohen asserts that he has lost his belief in inevitability– which rightly disqualifies iM-criticism– in 1988 he did write that the adequate response to the fallacious inevitability claim is: "Much struggle would nevertheless be needed"<sup>34</sup>– which leaves room for cM-criticism. I want to claim that indeed, provided we can fulfill one crucial condition which I will describe in a moment, it makes perfect sense to say that cM-criticism could be reactualized. Let me simply restate the five assumptions of cM-criticism here for convenience:

- (A1) Empirical consciousness (e.g. common-sense judgment based on prevailing rules, usages, conventions, etc.) is an *incomplete* form of consciousness.
- (A2) There is a specific, nonempirical mindframe associated with the acquisition of *complete* consciousness.
- (A3) Complete consciousness coincides with full awareness of "*authentically fundamental*" characteristics of social life (as opposed to empirically observed characteristics, but also as opposed to "inauthentically fundamental" characteristics).
- (A4) These "*authentically fundamental*" characteristics are located in *actual* social life and not in some ideal social world. To come to complete consciousness is therefore, *at least in part*, to become aware of the "*authentically fundamental*" social tensions, materialized in actual "struggle and desires", which make up the true description of any historical epoch.
- (A6) Complete consciousness creates *necessary but not sufficient* conditions for the unfolding of progress-generating actions, so that resolution of the authentically fundamentally social tensions in the direction of progress is not seen as inevitable.

<sup>31</sup> See, e.g., Rawls (2001: 87).

<sup>32</sup> Rawls (2001: 4).

<sup>33</sup> Rawls (2001: 5).

<sup>34</sup> Cohen (1988: 82).

The crucial condition which I announced above is that– in accordance with Cohen’s empirically correct *substantive* diagnosis of a “disintegration of the proletariat”– we must recover the *formal equivalent* of the proletariat. This idea has been one of the guiding principles of Axel Honneth’s reconstruction of Critical Theory since the 1990’s. Here is a lucid expression of his attempt at recovering a formal equivalent, an attempt whose general direction, at least, I fully endorse:

*Without the evidence, however arrived at, that the critical perspective is met at the level of social reality by a need or a movement, Critical Theory cannot be carried further today; indeed, what distinguishes it from other socially critical approaches is (...) exclusively the not yet foresaken attempt to find an objective point of reference for the criteria of criticism within pre-scientific social practice. (...) [T]hus, what I consider to be the key problem for the actualization of a critical social theory is the task of describing social reality with categories which make it again possible to glimpse, within that social reality, a moment of inner-worldly transcendence.*<sup>35</sup>

Let me put the corresponding condition more formally as follows:

#### **Formal equivalent of proletariat (FEP)**

There exists one or several identifiable social groups which provide the formal equivalent to the proletariat, taking up its role in the diagnosis of the desired direction of social change.

For the perspicacious reader, the expression “a moment of inner-worldly transcendence” will have clearly smacked of dialectics (especially as discussed in section 5.a): that is quite right. Honneth’s idea is, indeed, that we have to find places in society in which the motivations and/or resources for oppositional collective action are already present *outside of any principled moral theory which might pinpoint them ex post as acceptable for free and equal citizens*. This is what he calls “pre-scientific social practice”. The idea, however– and this is why I believe that Cohen’s own perspective should admit of some such approach– is that collective action is not thereby made automatic: it is the task of the agents (including “you and me”) to identify the places in the *actual* society (“here and now”) where such action *could* be conceived. To carry out this task, each individual needs to adopt a particular angle of description, one not *ex ante* filtered by a principled (Rawlsian) moral theory but rather one filtered by an unprincipled moral *attitude* tuned to the varied and sometimes unarticulated “needs” of “suffering humanity” (to take up Engels’s expression).

Condition (FEP) allows us to recover a distinction which makes it again possible to use assumptions (A3) and (A4), namely, the distinction between abstract citizens as “inauthentically fundamental” and the carriers of “needs and movements” as those who, by their suffering in society, point to the “authentically fundamental” features of actual social life– the “really important” morally objectionable *X*’s, as it were– that have to be improved. (FEP) also makes it newly possible to use assumption (A6) because it helps to identify those loci of actual society where oppositional action– individual or collective– is called for and, hence, *can* be carried out *if* motivation is forthcoming. (Always keep in mind that I am here advocating cM-criticism and not iM-criticism.)

8.e. My point vis-à-vis Cohen is now the following: actually, cM-criticism and CR-criticism *both* postulate a social ethos, although a different one in each case; cM-criticism really differs from CR-criticism only in one respect, namely, the *way* in which the individual “converts” to the social ethos. What CR-criticism says is that individual conversion goes through (C3)+(D4): the individual takes up a social ethos because of the moral requirement of coherence of his actions in everyday life (D4) with his principled conception of justice (C3). What cM-criticism says is that individual conversion happens through (A3)+(A4)+(A6): the individual takes up a social ethos because of the moral requirement of coherence between his intentional and reflected political actions (A6) and his realization that these actions are called for by unprincipled but fundamental (A3) reasons present in actual social life (A4). Thus, the cM-critical agent is the one who has developed a commitment to an *unprincipled* social ethos, which consists essentially in becoming what Renault (2002) has very aptly called a “spokesman of social suffering”. This requires the opposite of putting oneself in the original position among free and equal citizens: it requires, rather, putting oneself in the actual shoes of the unfree and unequal (and therefore suffering) citizens.

Of course, this does not at all avoid the need to adopt a moral position in which one “de-centers” oneself from one’s actual social role, situation, and so on. It is simply a radically *different way* of de-centering oneself as opposed to the Rawlsian way. Nevertheless, this particular moral position avoids, so I would argue, the quandary of “false universalism” which Engels and Eagleton so centrally presented. That is because in cM-criticism there is no abstract idea of “free and equal citizens” and, consequently, no need to reach for a Cohen-type, original-position-*supplementing* social ethos: what I have in mind is rather– in a weak variant– an original-position-*creating* social ethos, or even– in a strong variant– an original-position-*sidestepping* social ethos. However, what makes it possible to create a new, non-Rawlsian original position or even to opt out of the set-up of the original position altogether, has nothing to do with idealism: we are not moving in the

<sup>35</sup> Honneth (1994/2000: 92). I am indebted to my colleagues Hervé Pourtois of Louvain and Emmanuel Renault of Paris for having repeatedly insisted, in formal and informal discussions, on the importance of Honneth’s approach.

direction of a kind of spiritualistic *Aufhebung* of the "fact of reasonable pluralism" which Rawls correctly uses as a *sine qua non* of his theory of justice. Rather, what we are aiming at here is to *add* other crucial elements to that *sine qua non*.

"Reasonable" pluralism itself has to be criticized as a *potentially ideological* notion, along the lines of a Marxian theory of bourgeois jurisdiction and of the bourgeois state. Why? Because, if Engels and Eagleton are correct, one of the main (implicit) sources of bourgeois universalism parading as "freedom and equality" in the Rawlsian original position is, precisely, the juridical normativity produced by the legal institutions and traditions of the bourgeois state. Most crucially, *it does not help at all to say that to get rid of these implicit biases the actors need only put themselves in the original position*, because it is precisely these biases which determine what "you and me, here and now" consider to be the "right" description of the parties in that original position— so that full reflective equilibrium itself is, for all its earnestly "reflective" character, necessarily a *bourgeois* reflective equilibrium. (Remember Engels's description of the fate of Robert Owen, and remember also Eagleton's point that bourgeois universalism cannot criticize itself because, by construction, it cannot see anything outside of its all-embracing scope.)

8.f. One strategy in the face of this quandary is what I have called the weak variant: it would attempt *to radicalize reflection*, i.e., to postulate a capacity of (both pure and practical) reason so awesome that, although thoroughly structured as bourgeois-universalistic, pure reason could somehow "bootstrap" itself out of that conditioning and practical reason could correspondingly, by its own powers, create motivations no longer organically connected with the norms of the bourgeois law and state. It is this radicalized capacity which would now serve as a basis for the description of a new original position.

But how can this bootstrapping be carried out, one may ask, except by re-introducing a pseudo-Kantian transcendental capacity of reason? That is why I call this a weak variant: it ultimately requires a reversal from R-criticism (and its endeavor to separate political reflection from comprehensive reflection, to tear doctrinal autonomy away from constitutive autonomy) back to a more speculative, idealistic form of criticism compared to which even K-criticism is rather down-to-earth.<sup>36</sup>

8.g. Therefore, let me focus more at length on the strong variant. Here, we do not deny that universalistic claims of reason are *a priori* intermeshed with non-explicated ideological— i.e., in this case, bourgeois— elements, and we do not imagine that we could neutralize these elements simply by "purified" self-reflection of a radically self-determining subject. Rather, we attempt to take a different route from Rawls's: instead of reaching for Kant and making him political, we sidestep Kantianism by coming to the realization that what ought to be the driving force of our impartial reflection is *a selective form of partiality, based on the diagnosis that some people's suffering in society is a surer guide to what society is "doing wrong" than is a principled retreat into a (falsely) universalistic original position*. By developing this idea throughout his writings, Honneth purports to be reactualizing the point made by Horkheimer in the passage I quoted above (see section 6.c)— 6.c)— namely, that the most appropriate way to "see through" the opacity of Kant's transcendental capacities is to trace this opacity back to the *unresolved tensions of bourgeois society*.

What Kant and, as Engels reminds us, all eighteenth-century philosophers were unable to do was to link up the political demands to practical reason with *the demands for fundamental social change existing within actual society and awaiting to be spelled out and heard in the (hitherto bourgeois) public sphere*. From this inability flows what we could call Kant's "flight into constitutive autonomy"— but, in line with Eagleton's insights, the same is true, in the end, of Rawls's "flight into doctrinal autonomy". This is not at all to deny that normativity has no role to play; it is to say that the *locus* of normativity and its philosophical *sources* are not adequately modeled by the Rawlsian original position. Nor is it, I should add (and as Honneth has persuasively argued), adequately modelled by Habermas's *herrschaftsfreie Kommunikation*: there, too, there is a "flight into communicative autonomy" which glosses over the very real constraints through which "communicative reason" can be made (falsely) compatible with the "good reasons" for upholding a bourgeois-capitalist order. It is not, again, that some people will be outright refused the right to speak out; rather, it is that *what rational speech in a public sphere means can be entirely determined by the need to exclude anti-bourgeois or anti-capitalist claims, which will therefore be labelled "irrational"*. Eagleton's point, precisely.

The upshot of all this is simple but provocative: without denying that there ought to be a public sphere, we should relegate Rawls's ideas of doctrinal autonomy and "overlapping consensus", and we should re-instate— despite the comprehensible shivers this sends down any Rawlsian's spine— less Kantian ideas of *doctrinally based antagonism* and of *threat-provoking dissensus*. What would such a public sphere be like? Essentially, *social struggle would replace normative political philosophy as the basis not for reflection on social justice, but for the determination of what counts as a legitimate claim of social injustice*. This means relinquishing an idea dear to all Rawlsians, namely, that in the definition of political philosophy (see section 1.a), (c) can reconcile (a) and (b) only if there is no social struggle. Some discrepancies between realizing structures and the principles they purport to realize may be called for, if the current, actual obstacles to realizing the principles *without* struggle are too large. In fact, one powerful Marxian objection to normative political philosophy's smug

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<sup>36</sup> Presumably, as is demonstrated for example in Schrag (1980), such "radical self-reflection" would require preferring Hegel, Schelling and Fichte to Kant, who would be viewed as too much of a constructivist. I do not know that this will lead us anywhere in the search for a social philosophy appropriately located between Rawls (who is even less speculative than Kant) and Marx (whose cM- (whose cM- cM-criticism is even less abstract than Rawls's R-criticism).

exclusion of discrepancies between principles and realizing structures (including political actions) is that this may *in actual fact* block any possibility of realizing (through struggle) principles other than those which would be admissible to those who have much to lose from exiting the status quo.

Cohen's (1992) suggestion of Rawlsian society as a "justificatory community" goes a little way in the direction of addressing this issue. In that set-up, which takes place emphatically *outside* the original position, i.e., with all individuals knowing their social situations, any talented and/or rich individual is required to be able to *justify to all others (including the poorest and least talented)* why indeed she "is unable to do more" to further the difference principle even though she, like everyone else, vindicated that principle in the original position. Although it is still quite Rawlsian– and also quite Habermasian– in inspiration, this suggestion can make room for social conflict, as can be seen from the following hypothetical example. Suppose Bill Gates is required to justify why he could not possibly accept a 2 per cent rise in the US tax rate and why such a rise would impel him to legally transfer most of his fortune to a fiscal haven. If he does attempt to construct an argument, this will easily be challenged by most others on the account that it relies on "falsely universal" reasons. If he refuses to argue and either walks away<sup>37</sup> or calls his private guards to violently disperse the crowd of arguers,<sup>38</sup> he thereby signals that an injustice exists which is so threatening that it *cannot* be undone by universally rational, discursive means.

So here is the main lesson to be gotten from this whole discussion: only in the moment when authoritarian denial or violent rebuttal are in order is the ethical validity of an original position (or of any other justificatory setup of normative political philosophy) confirmed or infirmed. Rawls, Habermas and even Cohen will have a grip on actual normativity *only to the extent that unprincipled acts such as authoritarian denial or violent rebuttal have already been excluded from the social scenery*. And that exclusion cannot, in turn, be argued for in principled terms: it is a matter to be settled through actual struggle– hopefully nonviolent, but in some cases perhaps violent, if "blockages" are simply too huge. The motive of the struggle is not political power *per se*, but the politically validated possibility of having the right (i.e., being allowed within prevailing norms of "what it means to be rational") to speak out and bear witness "here and now" to one's *actual* suffering in the *actual* society, so as to make it possible for this suffering to be eventually (*after* the unprincipled struggle) integrated into new *X*-rejecting principles. This eminently dialectical insight– within the framework of what I have called cM-criticism– is the main reason why in section 1.a I added condition (c) to the conditions (a) and (b) propounded by Cohen in his definition of political philosophy.

## 9. Towards an analytical dialectics

9.a. What I have been discussing in sections 7 and 8 can, I believe, serve the advent of an analytical form of dialectics. This is grounded, emphatically, in MI and in cM-criticism: it is "narrowly" analytical in Cohen's sense, i.e., it seeks to explain all phenomena from the individuals up, and hence does not shy away from the structure of well-known microeconomic problems of collective action (free riding, coordination), of imperfect rationality, of incomplete information, and so on. What it does, however, is *to put a dialectic structure on individual motivations*, in the following precise sense: it is part of each individual's motivation to seek– though by no means to secure automatic success in– the construction of oppositional situations. The direction of the opposition (if any) is guided by each individual's social situation (which she either desires to change or tries to protect against change) and the corresponding actions that individual deems necessary to effect this opposition. This oppositional motivation– which, again, may be either revolutionary or conservative– is shaped by the individual's environment, her information, her implicit or explicit theory of what is just, and so on.

Now, oppositional motivation is no more "natural" than are "foolishly rational" economic motivation or a sense of commitment (to take up the main alternative studied by Sen, 1977); it can, but need not, be a case of what Cohen (1988: 64) calls "revolutionary motivation". It is the upshot of what I call "instrumental critical rationality": this is a form of individual rationality which comes along with the development of an individual's capacity to reflect critically on the principles of the society she would want to live in and on the practical means (individual as well as collective) by which such a better society might be attained. An individual's oppositional motivation can of course be formed by the fact that her material interests are opposed to those of other individuals, but also by the fact (among other things) that by the fact that she simply believes in certain ideals of justice for which she thinks she must fight and by the fact that she sees possibilities of furthering her own interests (material or axiological) by colluding with other individuals who have the same *types* or *categories* of interests. I believe that a mixture of (modernized versions of) the early Frankfurt School, of contemporary cognitive sociology and of evolutionary microeconomics can yield significant insights about the ways in which this critical rationality is formed and

<sup>37</sup> As the president of the American National Rifle Association (NRA), the immensely wealthy Hollywood actor Charlton Heston, does in Michael Moore's film "Bowling for Columbine" when confronted with the picture of the 6-year old girl killed by a 6-year old boy who had found an allegedly "self-defensive" fire arm at his uncle's house. (Self-defense being the NRA's rational and, supposedly, impartially advanced argument for ownership of fire arms.)

<sup>38</sup> As the bourgeoisie (which according to the Marxian theory of the state is the real owner of the police forces) has been in the habit of doing at various times in history and in various places around the world, when faced with a surge in "irrational" protest.

evolves. However, this would take us very far afield and I cannot defend this epistemological claim here.<sup>39</sup> I will therefore postulate the existence of this critical rationality, and the resultant oppositional motivation, in each member– or at least most member– of the society.

9.b. As I indicated earlier (see section 5.c), the creation of oppositional situations at given oppositional motivations can be– and, in fact, ought to be– a matter for evolutionary game theorists to reflect on, in cooperation with moral psychologists and philosophers. This has at least three crucial aspects: first, the (already quite advanced) analysis of the direction of social change which can be gotten from a given game situation *G*, i.e., at given “rules of the game”; second, the analysis of ways in which oppositionally motivated players actually struggle against one another in order to determine which *G* will be played– i.e., ways in which players fight to create oppositional situations which best suit their desires of social change; and third, the analysis of the struggle in which various types of players engage in order to justify that a certain *G* ought to be played, namely, their struggle for a particular description of an “original position”. Earlier, in section 5.c, I called this “evolutionary dialectics” and contrasted it with “Marxian dialectics”; but now, given the discussion of sections 7 and 8, it turns out it is more appropriate to contrast “*inevitable Marxist dialectics*”– which, in agreement with Cohen and all other analytical Marxists, I reject– with “*contingent Marxist dialectics*”– which, in disagreement with Cohen and other analytical Marxists, I fully endorse.

By that idea, I mean first and foremost a particular kind of agent-driven dynamics. It is obviously *dynamics* because, like most dynamic processes, it can be modeled as a succession of “temporary equilibria”, each of which is destabilized and forces the system to travel to a new temporary equilibrium. It is *agent-driven* because the factors which destabilize each temporary equilibrium have to be located entirely within the individual agents and the results of their interactions. And it is a *particular kind* of agent-driven dynamics because the destabilizing factors are both endogenous and *connected with the agents’ oppositional motivations*. As the reader can readily infer from my whole previous discussion, this is the precise characteristic which differentiates analytical dialectics from both evolutionary games (such as, e.g., the repeated-game framework of Axelrod, 1984) and more sophisticated evolutionary frameworks (such as the models reviewed in Bowles, 2003).

The clash between these individual oppositional motivations is what causes social tensions, and a crucial part of analytical dialectics will be to devise *concepts of equilibrium* which make room for Marx’s idea that a tension does not immediately resolve itself. It is in such a concept of “*dialectical temporary equilibrium*” that, as I will argue in more detail below, the state has a crucial part to play– a part which neither evolutionary game theory nor contemporary political economy (see, e.g., Basu, 2000) has fully understood, despite significant advances in modeling the functioning of state institutions. A sequence of temporary equilibria, each of which is *progressively* destabilized by the confrontation of various oppositional motivations (individually acted out, or collectively structured within groups): this is the complex way in which MI can generate formally the “immanent transcendence” which is so crucial to dialectical dynamics (see section 5.a).

What oppositionally rational agents will try to do, individually and in groups, is to find ways of imagining and creating *social situations with a potential for advancing their critically worked-out interests*. Such situations may be of a revolutionary kind (see, e.g., Holloway, 2002) or of a more “ironic” kind such as stubborn sit-ins, nonviolent demonstrations, even colorful “happenings” (see, e.g., Matustik, 1998), and the fact that individuals *aim* to create such game situations emphatically guarantees neither that they will be *able* to create them (given the aims of the others) nor that, if created, they will *succeed* in furthering their interests (given the strategies of others). Taking into account this search by individuals for situations with a potential, makes it possible to combine the two aspects earlier singled out as characteristic of dialectics, namely that (a) reality cannot ever be seen “as it is” because what it could become is not directly observable, i.e., is the potential agents are looking for, and that (b) the only way to access the potential part of reality is nevertheless to hitch on to existing parameters through an indirect form of observation (this is the assumption of individual oppositional rationality which makes it possible to speculate about *how* agents are going to go about imagining and creating particular game situations).

9.c. As I indicated earlier (see section 8.c), I believe Cohen should admit contingentist dialectics because, on the occasion of his rightful rejection of the inevitable paradigm, he himself states that socialism might be *eminently desirable* (the charitable interpretation he gives to “inevitable” as a mere metaphor in Cohen, 1988), but “Much struggle would nevertheless be needed”: in point of fact, this is not at all incompatible with cM-criticism. What cM-criticism does *not* say, true enough– and here the Rawlsian part of Cohen would probably go on disagreeing– is that the eminent desirability of socialism and, more generally, of liberating social change, is to be derived from an *impartially deduced* theory of justice.

My role as a philosopher– and I could submit to Cohen, in a mimick of Rawls: “our” role as philosophers, “yours and mine, here and now”– is not to construct “the” theory of justice for society as a whole. It is, rather, one of two possible roles. One possible role is that of the overarching dialectic analyst: *to reconstruct the (quite often implicit) political philosophies of each type of oppositionally motivated individual, and to understand how they interact in the actual, real-life struggle between doctrines on the route towards what each of them differently construes as social liberation*. The other possible role is that of the modernized “organic intellectual”: *to reconstruct the (probably implicit) political philosophy of a*

<sup>39</sup> For a detailed defense, see Arnsperger (2003).

*certain type of oppositionally motivated individual which I feel convinced I ought to support, and to help the corresponding group of individuals in their search for the best possible actions to perform so as to further their liberation interest.*

In fact, despite their apparently different stances, the dialectic analyst and the organic intellectual are actually quite closely connected. The dialectic analyst considers “the just society” to be the *result of a process of struggles* over which he has no mastery, and which he cannot guide “from above” because he has no legitimate notion of impartiality (no legitimate original position) to which he could submit all individuals in the society. Therefore, he attempts to model the dynamics of the process by recognizing that along that process, many different and antagonistic political philosophies (each of which he can reconstruct) will “fight it out”. Although he can try to know what each *individual* considers to be a just society, he cannot possibly know “how just” the *actual, ongoing social process* is. The only thing, therefore, which really differentiates the analytical from the organic guy is the first is as impartial as dialectics allows, whereas the second has chosen a side within the process analyzed by the analytical guy. Both of them recognize that “the” just society has no meaning “in itself”; they just have different ways of dealing with that realization: the dialectical analyst tries to build a “meta-theory” in which various (implicit) political philosophies compete; the organic intellectual tries to help further one political philosophy while knowing full well that it is not “the” theory which might be adopted in a Rawlsian overlapping consensus.

An immediate attempt at rebuttal might then be as follows: surely the organic intellectual must have a *reason* for his conviction that it is “this” type of oppositional motivation rather than “that” type which he ought to help formalize and support; and just as surely, this reason has to be deducible from precisely the normative political philosophy that which he claims is illegitimate? This argument, however, is wrong because it still holds on to the “RL” part of the “MI-RL conjunction”: why, precisely, would the only way to form a conviction be to test it *in abstracto* first? To put it bluntly: Jesus Christ, with whom Cohen has no qualms (see Cohen, 2000b: 2 and 181), did not have a theory of justice, yet he has more than once been called a “revolutionary”,<sup>40</sup> i.e., been seen as moved by a particular sort of oppositional motivation. More to the point, Cohen’s own excursus on the “paradoxes of conviction” and the familial origins of his own convictions (Cohen, 2000b: 7-41) is evidence enough that the shock one experiences when realizing that others believe the opposite of what one believes is not sufficient to jar one out of one’s convictions about what is objectionable and about whom one should help in priority. And even if that shock were to make one’s conviction more than shaky, Rawls’s original position is not, so I have claimed, the right refuge: what one has to do– or, depending on one’s perspective, the best one can do– is *to scan various non-universal oppositional motivations to find out by hearing people’s actual arguments which one is most convincing, here and now*”.

9.d. Sure enough, this is a far cry from a neatly Rawlsian model. It gives status to messy things like conflict and struggle, threat and political fear– but it does not do so for moral (perhaps Calvinistic, or Machiavellian) reasons, as if it were advocating a negative, bleak image of humanity. It does so because I think actual power struggles do show us that a negative, bleak image of humanity is all we have *for the moment*. But Marx’s own belief in socialism– and, perhaps, more strongly if more paradoxically, Fourier’s and Owen’s beliefs in socialism– as a classless society forbids cynicism and *Schadenfreude*. In fact, one way to view my notion of analytical dialectics is to say that it tries to replace the image of “free and equal citizens” by that of “unfree but struggling citizens”– the word “but” signalling that what they are struggling for is less unfreedom, hence an *increasingly universal (if possible) route to collective liberation*.

Clearly, my characterization of dialectical dynamics makes the notion of “social progress” much less monolithic and self-evident than what Marx supposed. In each interest group there is a certain (implicit and, if possible through critical reflection, explicit) notion of progress, and which one will prevail depends on the dynamics of confrontation and overcoming. As Castoriadis emphasized forty years ago, prefiguring most of the later discussions by Cohen, Elster and others, “history cannot be thought about within a deterministic scheme (nor, for that matter, within a simple ‘dialectical’ scheme), because it is the domain of *creation*. (...) The *real* results of the historical action of men are virtually never those which the actors had willed” (Castoriadis, 1964-65/1975: 65-66). He was thereby eschewing holistic, inevitabilistic dialectics, not the MI-compatible, contingentistic version I have been advocating here.

I am even prepared, at this stage of my reflection, to suspend the *telos* of absolute classlessness and communism, and to accept the idea that, *perhaps*, a Rawlsian society peopled by CR-critical individuals is what would emerge progressively through the mutual antagonism and the progressive overcoming of antagonisms of cM-critical individuals. What I do reject is the idea that, *of necessity*, that Rawlsian society peopled by CR-critical individuals is what we have to postulate in order to start on our collective route towards– whatever might emerge. This indeterminacy, which is characteristic of the conjunction of cM-criticism and MI within contingentist dialectics, forces us to move away from Rawls’s vision of the state as a set of *principle-based* institutions, and towards what in section 2.b is called “the state as a set of *tension-containing* rules and institutions”: the basic structure of society has to be seen, in Marxian fashion, as a coercive device which can do nothing more than *to settle conflicts through force on the basis of a very limited, and hence very fragile, “overlapping consensus”*: the overlapping consensus of what I would call the “bourgeois-compatible” doctrines and conceptions of the good. The “bourgeois-incompatible” doctrines are not thereby excluded from the political scene; they are, however, by definition *oppressed* since the only way for them to be “fitted into” the provisional synthesis which the state coercively brings about is by being negated in their (non-bourgeois) core values.

<sup>40</sup> See, in particular, the analysis of Crossan (1991: 207-224), who coins Jesus a “rebel and revolutionary”.

The state institutions are not, in this view of the political process, justifiable by an original position other than the “falsely universalistic” one I discussed earlier; these institutions operate within a world where, precisely, *what makes for an adequate original position is in itself an object of unresolved conflict*. This provides a way of recasting one of Marx’s most crucial— and, I believe, most deeply relevant— ideas about the state: except in a society in which individuals *already* live by the principles which shape practical reason into a shared definition of free and equal citizens, the state is the mechanism by which several views on the original position are “synthesized” (through everyday acts of compromise and reluctant, perhaps angry and “boiling” renunciation on the part of some categories of individuals) in an uneasy and unstable public culture; and the reason why the public culture is uneasy and unstable is that it is, by necessity, the reflection of only a part of the conceptions of freedom and equality present within the society. It is precisely this tense coexistence— rather than Rawls’s purported “fact of *reasonable* pluralism”— which underlies the dialectic dynamics of society and drives groups of individuals to desire the creation of specific game situations.

The obvious upshot is that there can be no single theory of justice; there are, rather, coexisting theories of justice (implicit or explicit), so that each of us has one alternative: either to flee into a theory of theories— which Rawls’s emphatically is not and *cannot be*— or to embrace a particular theory— of which Rawls’s and Marx’s are two, *neither of them* being amenable to an original-position justification which does not exclude the other. Both Rawls’s sweeping image of modern reason as the historically evolved ideal now shared by all “ordinary reasonable and conscientious persons”, and Marx’s grand design of forces of production interacting with economic structures to push history forward, turn out to be only *partial* perspectives: the individuals adhering to either of them cannot *both* be “you and me, here and now”. The free and equal citizens of *neither* theory are likely to emerge from the tensions generated by a set of institutions in which, currently, the Rawlsian bourgeois ideal of free and equal citizens *de facto* dominates the Marxian proletarian ideal of free and equal citizens as well as other non-bourgeois ideals implicit in my condition (FEP) of section 8.d.

When fifteen years ago Cohen (1988: 304) concurred with the *Communist Manifesto* in order to “reaffirm some fundamental socialist convictions” (among which, most radically, the abolition of private property), he was consistently following one— albeit scantily shared— vision of free and equal citizens. When he now writes that a Marxist has to turn to a Rawlsian political philosophy — albeit in a revised, CR-critical version of it— he is (or so it seems to me) retreating into a re-Kantianized moral world: a falsely universal, widely shared but not *actually widely accessible*, vision of free and equal citizens. As I hope to have shown in lengthy developments of this paper, a renewed, *analytically dialectic* vision of social struggle may be one way to get us out of such quandaries.

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